City Of York Council	Committee Minutes
Meeting	Corporate and Scrutiny Management Policy and Scrutiny Committee
Date	9 May 2016
Present	Councillors Levene (Chair), Fenton, Flinders, Galvin (Vice-Chair), Gates, Lisle, Reid, Williams and D'Agorne (Substitute for Councillor Kramm)
In attendance	Councillor Cuthbertson Councillor Craghill
Apologies	Councillor Kramm

Part A - Matters Dealt with Under Delegated Powers

51. Declarations of Interest

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they might have in respect of business on the agenda. No additional interests were declared.

52. Minutes

Resolved: That the minutes of the meeting held on 7 March 2016 be approved as a correct record and then signed by the Chair.

53. Public Participation

It was reported that there had been four registrations to speak at the meeting under the Council's Public Participation Scheme and that two Members of Council had also registered to speak. The speakers spoke in respect of agenda item 6 – Transatlantic Trade and Investment Partnership (TTIP) – Motion referred by Council.

Ms Sally Brooks spoke in support of the motion. She detailed some of the implications of TTIP and drew attention to an independent study that had been published. She stated that TTIP would have limited economic benefits and significant costs. Ms Brooks informed Members that it was possible that TTIP may be delayed but that this was not a reason for complacency and she urged Members to support the motion.

Ms Ginnie Shaw stated that she was speaking in support of the motion as she believed that TTIP would have health and environmental implications and would undermine local democracy. It was currently possible to take into account environmental and social implications when procuring goods and services but this would not be the case under TTIP.

Mr John Heawood asked Members to further investigate the implications of TTIP. The Council was committed to supporting York's SMEs and they would be vulnerable to the implications of TTIP. Mr Heawood asked Members to support at least the investigative part of the motion.

Ms Hazel Palmer stated that she supported the TTIP motion. She drew Members' attention to the implications for human, animal and plant life. She stated that she was also concerned that TTIP would do nothing to support climate protection.

Councillor Ian Cuthbertson explained why the motion had been referred by Council to scrutiny. Although TTIP would have some advantages there would also be problems, including the possibility of job losses. Councillor Cuthbertson stated that there was an option for Council to take a campaigning role. Members' attention was drawn to the possible implications on local food and the supply chain. Councillor Cuthbertson urged Members to take a longer term view on this issue and suggested that this could be tied in with the Economic Strategy.

Councillor Denise Craghill stated that TTIP was a significant concern for local government. The first part of the motion asked Council to write to a number of people and requested a more detailed assessment. Councillor Craghill stated that she hoped that the Committee would refer this element back to Full Council. She stated that the Committee could ask that the letters be sent prior to any assessment being carried out by officers. There was, however, a need for a proper assessment to be carried out regarding the implications for York. It might

also be appropriate for the treasury management team to consider the implications of TTIP. Councillor Craghill stated that elements of local democracy had been threatened. She suggested that part of the motion be referred to a cross-committee task group for further consideration.

54. Schedule of Petitions

Members considered a report which provided the Committee with details of new petitions received to date, together with those considered by the Executive or relevant Executive Member/officer since the last meeting of the Committee. Members were asked to consider the petitions received and actions reported, and agree an appropriate course of action in each case.

Referring to petition 37 – York Art Gallery, Members noted that the Learning and Culture Policy and Scrutiny Committee had instigated a scrutiny view to assist in the establishment of new legal framework for the relationship between City of York Council and York Museums Trust. Concerns previously raised regarding the charging plans had also been considered as part of this scrutiny review. Members agreed that the Learning and Culture Policy and Scrutiny Committee should be made aware that the petition had been received.[1]

Referring to petition 46 – Ban Lettings Boards, Members expressed concern that no date had yet been agreed as to when the matter would be considered by the Executive Member for Transport and Planning. Members requested that they receive an update on the situation.[2]

Resolved: That the report be noted.

Reason: To ensure the Committee carries out its new requirements in relation to petitions.

Action Required

1. Notify Chair of Learning and Culture Policy and Scrutiny Committee — JP
2. Email Members with update on the present position — JP

55. City of York Digital Inclusion

Members received a presentation on progress in the implementation of My Account system and digital inclusion. *[A copy of the presentation is included with the online agenda papers for the meeting].*

Members agreed that the committee had a role to play in supporting the work that would be taking place to help the Council achieve its target of 70% take up of digital services across three years for those customers with internet access. [1]

Members commented on the need to ensure that the digital services were user-friendly and accessible and that appropriate arrangements remained in place for residents who were not able to access services on-line.

Resolved: (i) That the update on digital inclusion be noted.

(ii) That further consideration be given as to how the committee could monitor the 70% take up target, as part of its work plan for 2016/17.

Reason: To ensure that the committee can monitor the progress in the implementation of digital services.

Action Required

1. Consider as part of the committee's work plan SE

56. Transatlantic Trade and Investment Partnership - Motion Referred by Council

[See also Part B minute]

Members considered a report which presented information on the implications of the Transatlantic Trade and Investment Partnership (TTIP). The report was in response to the motion submitted by Councillor D'Agorne to Full Council on 24 March 2016, and Council's decision to refer the motion to Corporate and Scrutiny Management Policy and Scrutiny Committee for further consideration. The wording of the motion was detailed in paragraphs 4 to 7 of the report.

Members considered the following options:

(i) Agree not to proceed any further with the motion in light of the potential resource implications (as outlined in paragraph 27 of the report) and the assessment of the impact of undertaking a review set out in the report.
(ii) Agree to proceed with a specific review and remit to be identified; or
(iii) Propose an alternative way forward.

The Chair asked Members to consider how best the motion should be dealt with, rather than considering issues in respect of TTIP itself at this stage.

Councillor D'Agorne outlined a proposed way forward whereby part of the motion would be referred directly back to Full Council for consideration at the meeting in July 2016 but arrangements could also be put in place to allow a cross-party scrutiny of the more local implications.

Acknowledging the concerns that had been raised by speakers under the Public Participation item on the agenda, Councillor Galvin moved, and Councillor Flinders seconded, a motion that the committee write to Ministers requesting that the views that had been expressed be taken into consideration but that no further action be taken beyond this.

On being put to the vote the motion fell.

Councillor Levene then moved and Councillor Williams seconded that the following recommendation be referred back to Council:

"Council notes that:

- *The European Union (EU) and the USA launched negotiations in July 2013 on a Transatlantic Trade and Investment Partnership (TTIP);*
- *Negotiations continue, seeking to protect international investors, harmonise standards, reduce tariffs and open new markets throughout the EU and USA;*
- *Services within TTIP includes not just private but also public services;*
- *There has been no assessment of the potential impact on local authorities and their services;*
- *There has been no scrutiny or consultation with City of York Council or other local government representatives such as the Local Government Association (LGA) and our*

local MPs for York Central or York Outer are also unable to scrutinise the negotiating documents;

- *Our twin municipality of Munster in Germany passed a resolution in 2014 to reject TTIP;*
- *Our twin municipality of Dijon in France passed a resolution in 2014 to ask for the full involvement of local authorities in free trade negotiations and public disclosure of all texts on the TTIP negotiations.*

Council believes that:

- *TTIP could have a significant impact on local services, employment, suppliers and decision-making;*
- *A thorough impact assessment of TTIP on local authorities must be carried out before the negotiations can be concluded;*
- *The proposed Investor State Dispute Settlement (ISDS) mechanism has been used by corporations to overturn democratic decisions by all levels of governments at significant public cost. Local decision-making must be protected from ISDS;*
- *The EU's food, environmental and labour standards are better than those in the US and TTIP negotiations must raise and not lower these standards across the EU and USA;*
- *Sourcing supplies and employment locally is important to strengthening local economies and meeting local needs. TTIP must not impact on local authorities' ability to act in the best interests of their communities.*

Council resolves:

That appropriate officers report to the Executive analysing the potential impact of TTIP upon the Council and its services, with a view to:

Writing to the Secretary of State for the Environment and Local Government, the Secretary of State for Business, Innovation and Skills, the MPs for York Central and York Outer and all Yorkshire and the Humber MEPs, as well as the Local Government Association, raising the serious concerns of the City of York Council about the potential impact of TTIP on our local authority and the secrecy of the negotiating process"

On being put to the vote the motion was declared carried.

Members were then asked to consider whether more detailed policy analysis should be carried out in relation to the remainder of the motion and whether there was a role for scrutiny in this process. It was suggested that there may be an opportunity to consider this as part of the One Planet York Strategy.

Councillor Levene moved, and Councillor Williams seconded, a motion that at the next meeting, as part of the committee's consideration of their annual work, information be received on the One Planet York Strategy and as a result further consideration be given to whether ongoing developments with that strategy could assist in addressing any of the implications associated with the wider elements of the TTIP motion, as set out in part (ii) of the motion below:

"That any report to the Executive addresses the feasibility of and resource implications associated with:

- *Calling for a full assessment of the impact of TTIP on local authorities;*
- *Joining with other local authorities that are opposed to TTIP across Europe and work with local campaigners to raise awareness about the potential impact of TTIP;*
- *Developing local supply chains and business networks through better advertising and promotion of what local companies can provide;*
- *Reviewing the council's own procurement policies to promote as much as possible the take up of locally produced and fair trade food;*
- *Enhancing the support to York's diversity of small, independent and locally based shops;*
- *Developing a Local Food Strategy for York in conjunction with the health service and producer groups in our region (including the promotion of local supply chains and networks, support for producers and feasibility studies for increasing the local production of high quality healthy food in the region)."*

On being put to the vote that motion was declared carried.

Resolved: That further consideration be given to how scrutiny could contribute to furthering part (ii) of the motion as set out above, having received an update on One Planet York at the next meeting of this Committee, under its future work plan.

Reason: To ensure that the motion referred to the committee by Full Council has been given due consideration.

57. Work Plan

Consideration was given to the committee's draft work plan for 2016-17.

It was suggested that an item be included on the plan to consider "One Planet York" and the opportunities for scrutiny to feed into this.

It was noted that the Leader and Deputy Leader were scheduled to attend the next meeting to outline their priorities and challenges for 2016-17. Members requested that they be asked to submit a written report in advance of the meeting.

Resolved: That, subject to the agreed inclusions, the work plan be approved.

Reason: To ensure that the committee has a planned programme of work in place.

Part B - Matters Referred to Council

58. Transatlantic Trade and Investment Partnership - Motion Referred by Council

[See also Part A minute]

Members considered a report which presented information on the implications of the Transatlantic Trade and Investment Partnership (TTIP). The report was in response to the motion submitted by Councillor D'Agorne to Full Council on 24 March 2016, and Council's decision to refer the motion to Corporate and Scrutiny Management Policy and Scrutiny Committee for further consideration. The wording of the motion was detailed in paragraphs 4 to 7 of the report.

Members considered the following options:

(i) Agree not to proceed any further with the motion in light of the potential resource implications (as outlined in paragraph 27 of the report) and the assessment of the impact of undertaking a review set out in the report.
(ii) Agree to proceed with a specific review and remit to be identified; or
(iii) Propose an alternative way forward.

The Chair asked Members to consider how best the motion should be dealt with, rather than considering issues in respect of TTIP itself at this stage.

Councillor D'Agorne outlined a proposed way forward whereby part of the motion would be referred directly back to Full Council for consideration at the meeting in July 2016 but arrangements could also be put in place to allow a cross-party scrutiny of the more local implications.

Acknowledging the concerns that had been raised by speakers under the Public Participation item on the agenda, Councillor Galvin moved, and Councillor Flinders seconded, a motion that the committee write to Ministers requesting that the views that had been expressed be taken into consideration but that no further action be taken beyond this.

On being put to the vote the motion fell.

Councillor Levene then moved and Councillor Williams seconded that the following recommendation be referred back to Council:

"Council notes that:

- *The European Union (EU) and the USA launched negotiations in July 2013 on a Transatlantic Trade and Investment Partnership (TTIP);*
- *Negotiations continue, seeking to protect international investors, harmonise standards, reduce tariffs and open new markets throughout the EU and USA;*
- *Services within TTIP includes not just private but also public services;*
- *There has been no assessment of the potential impact on local authorities and their services;*
- *There has been no scrutiny or consultation with City of York Council or other local government representatives such as the Local Government Association (LGA) and our*

local MPs for York Central or York Outer are also unable to scrutinise the negotiating documents;

- *Our twin municipality of Munster in Germany passed a resolution in 2014 to reject TTIP;*
- *Our twin municipality of Dijon in France passed a resolution in 2014 to ask for the full involvement of local authorities in free trade negotiations and public disclosure of all texts on the TTIP negotiations.*

Council believes that:

- *TTIP could have a significant impact on local services, employment, suppliers and decision-making;*
- *A thorough impact assessment of TTIP on local authorities must be carried out before the negotiations can be concluded;*
- *The proposed Investor State Dispute Settlement (ISDS) mechanism has been used by corporations to overturn democratic decisions by all levels of governments at significant public cost. Local decision-making must be protected from ISDS;*
- *The EU's food, environmental and labour standards are better than those in the US and TTIP negotiations must raise and not lower these standards across the EU and USA;*
- *Sourcing supplies and employment locally is important to strengthening local economies and meeting local needs. TTIP must not impact on local authorities' ability to act in the best interests of their communities.*

Council resolves:

That appropriate officers report to the Executive analysing the potential impact of TTIP upon the Council and its services, with a view to:

Writing to the Secretary of State for the Environment and Local Government, the Secretary of State for Business, Innovation and Skills, the MPs for York Central and York Outer and all Yorkshire and the Humber MEPs, as well as the Local Government Association, raising the serious concerns of the City of York Council about the potential impact of TTIP on our local authority and the secrecy of the negotiating process"

On being put to the vote the motion was declared carried.

Further consideration was given as to how to deal with part (ii) of the motion (minute 56 refers).

Recommended: That Council be asked to reconsider part (i) of the motion detailed above in italics.

Reason: To ensure that the motion referred to the committee by Full Council has been given due consideration.

Councillor D Levene, Chair
[The meeting started at 6.15 pm and finished at 7.40 pm].