



## Notice of meeting of

### Decision Session - Cabinet Leader

**To:** Councillor Alexander  
**Date:** Tuesday, 14 June 2011  
**Time:** 3.30 pm  
**Venue:** The Guildhall

## AGENDA

### Notice to Members – Calling In

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

**10.00am on Monday 13 June 2011** if an item is called in before a decision is taken, or

**4.00pm on Thursday 16 June 2011** if an item is called in after a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by 5.00pm on Friday 10 June 2011

### 1. **Declarations of Interest**

At this point Members are asked to declare any personal or prejudicial interest they may have in the business on this agenda.

- 2. Minutes** (Pages 3 - 6)  
To approve and sign the minutes of the meeting held on Tuesday 5 April 2011.

- 3. Public Participation**  
At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is 5:00pm on Monday 13 June 2011.

Members of the public may register to speak on: -

- an item on the agenda;
- an issue within the Cabinet Leader's remit
- an item that has been published on the Information Log since the last session. Information reports are listed at the end of the agenda.

- 4. Executive Decision Making** (Pages 7 - 14)  
This report proposes a new and simplified scheme of delegations for executive functions.

- 5. Urgent Business**  
Any other business which the Chair considers urgent under the Local Government Act 1972.

### **Information Reports**

No information reports have been published on the Information Log for this session.

### Democracy Officers

Catherine Clarke and Louise Cook (job-share)

Contact details:

- Telephone – (01904) 551031
- E-mail – [catherine.clarke@york.gov.uk](mailto:catherine.clarke@york.gov.uk) and [louise.cook@york.gov.uk](mailto:louise.cook@york.gov.uk)

(If contacting by e-mail, please send to both Democracy officers named above)

For more information about any of the following please contact the above Democracy Officers.

- Registering to speak
- Written Representations
- Business of the meeting
- Any special arrangements
- Copies of reports

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## About City of York Council Meetings

### Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

**A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088**

### Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

### Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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### **Holding the Cabinet to Account**

The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business from a published Cabinet (or Cabinet Member Decision Session) agenda. The Cabinet will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Cabinet meeting in the following week, where a final decision on the 'called-in' business will be made.

### **Scrutiny Committees**

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

### **Who Gets Agenda and Reports for our Meetings?**

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

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MEETING	DECISION SESSION - EXECUTIVE LEADER
DATE	5 APRIL 2011
PRESENT	COUNCILLORS WALLER (EXECUTIVE MEMBER)

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**31. DECLARATIONS OF INTEREST**

The Executive Leader was invited to declare at this point in the meeting any personal or prejudicial interest he might have in the business on the agenda. He declared he had none.

**32. MINUTES**

RESOLVED: That the minutes of the last meeting of the Decision Session of the Executive Leader held on 1 March 2011 be approved and signed by the Executive Leader as a correct record.

**33. PUBLIC PARTICIPATION**

It had been reported that there had been no registrations to speak at the meeting.

**34. PROPOSED CHANGES TO THE DELIVERY OF COMMUNITY SAFETY AND POLICING IN YORK**

The Executive Leader considered a report that outlined the North Yorkshire Police and City of York Council proposals to reorganise the delivery structure for Community Safety in York as the two statutory agencies that form part of Safer York Partnership.

Officers updated the Leader on the proposed Community Safety Structures which included the creation of three Community Safety hubs based in York, Malton and Harrogate. Each hub would be given nominal geographical responsibilities and would be managed by a sergeant.

The Executive Leader considered the impact of the Community Safety Review on Safer York Partnership and the restructure of Safer Neighbourhood Policing.

RESOLVED: (i) That the report be noted.

(ii) That option c be approved:

c) to undertake work to prepare for the appointment of the Police and Crime Commissioner based on

York's position in relation to North Yorkshire Police Force total crime and Safer York Partnership's acknowledged credibility as an example of a high performing CSP. This will include working with the county Task and Finish Group to ensure that York's position is included within any proposed model for delivery force wide.

Reason: To ensure that York is best place to deliver on its community safety priorities

### **35. JOBS FUND**

The Executive Leader considered a report that sought his approval to allocate funding from the Jobs Fund established at the Council's budget meeting for specific initiatives.

The Chief Executive of Science City York attended the meeting and updated the Executive Leader on:

- their overall plans for 2011/12 and how they would continue to deliver the creation and growth of business and employment opportunities across York within 3 clusters: bioscience, IT & digital and the creative industries.
- their Network and Membership plans which included reviewing the business model and considering a number of income generation ideas including the launch of a new fee-based membership service.
- specific work in relation to green jobs in York.
- specific work in relation to Leeds City Region.
- the impact Science City York has on the local economy.

The Manager of Future Prospects attended the meeting and gave an update on the projects that had taken place in Clifton and the Westfield Ward and what plans they had for these areas in 2011/12.

The Executive Leader thanked officers for their updates and recognised that the Council and its partners can take action to assist the city during a slow recovery from the period of downturn to help businesses as well as those individuals and communities hardest hit.

#### **RESOLVED:**

(i) That the report and the progress made with measures undertaken by the Council in response to the economic downturn be noted.

(ii) That £53,000 be allocated for 2011/12 from the approved Jobs Fund to support additional activities to be undertaken by Science City York as outlined in the report.

(iii) That £20,000 be allocated per annum for 3 years to support a targeted programme of income maximisation to be undertaken by Future Prospects as outlined in the report.




(iv) That the Executive Leader be updated on York's economic climate and assessment of the effectiveness of actions initiated as a result of the report.

Reason: To enable the funds set aside in the budget for Jobs Fighting Fund to be allocated to specific initiatives

Cllr Waller, Executive Leader

[The meeting started at 4.15 pm and finished at 5.05 pm].

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<b>Report to: Cabinet Leader</b>	14 <sup>th</sup> June 2011
Report of the Assistant Director Governance and ICT	

## Executive Decision making

### Summary

- 1.1 This report proposes a new and simplified scheme of delegations for executive functions.

### Background

- 2.1 Under the new executive arrangements which the Council were obliged to adopt from this Municipal year the allocation of decision making responsibilities to Cabinet members is a matter for the Leader. Under the transitional arrangements which Council put in place the previous decision making arrangements could continue. However, as executive portfolios are changing there is a need to revise the scheme of delegations and this also gives an opportunity to simplify the current arrangements.
- 2.2 The proposed new Cabinet Portfolios are as follows:

#### **Leader – Cllr. James Alexander**

Function	Responsible Director
Civic and Democratic Services (inc. Scrutiny and Electoral services)	Customer & Business Support
Communications & Media	Chief Executive
Policy, Strategy and Partnerships	Chief Executive
Council Accommodation	City Strategy
Economic Development & Regeneration	City Strategy
Business and Policy Support	City Strategy
Staff Relations	Customer and Business Support

Tourism	City Strategy
Business & Skills Development	City Strategy

### City Strategy – Cllr. Dave Merrett

Function	Responsible Director
Planning	City Strategy
City Development & Transport	City Strategy
Emergency Planning	City Strategy
Environment Strategy	Communities & Neighbourhoods
Carbon Reduction	City Strategy
Conservation & Urban Design	City Strategy
Parking Strategy	Communities & Neighbourhoods
Highways Strategy	Communities & Neighbourhoods
Waste Management Strategy (Client)	City Strategy
Any other function delivered through the City Strategy Directorate which is not allocated to another Portfolio holder	City Strategy

### Corporate Services – Cllr. Julie Gunnell

Function	Responsible Director
Customer Services	Customer & Business Support
Legal Services	Customer & Business Support
Human Resources & Payroll	Customer & Business Support
Financial Services	Customer & Business Support
Financial Procedures & Risk Management	Customer & Business Support
ICT	Customer & Business Support

Performance & Business Assurance	Chief Executive
Procurement Services	Customer & Business Support
Business Change	Chief Executive
Health & Safety	Customer & Business Support
Fraud	Customer & Business Support
Property Services	City Strategy
Any other function delivered through the Customer & Business Support Directorate which is not allocated to another Portfolio holder	Customer & Business Support

### **Communities and Neighbourhoods – Cllr. Janet Looker**

<b>Function</b>	<b>Responsible Director</b>
Environmental Health	Communities & Neighbourhoods
Smarter York	Communities & Neighbourhoods
Cleaning Services	Communities & Neighbourhoods
Waste Management	Communities & Neighbourhoods
Street Environment	Communities & Neighbourhoods
Civil Engineering & Highways	Communities & Neighbourhoods
Licensing & Bereavement	Communities & Neighbourhoods
Parking Services	Communities & Neighbourhoods
Registrar	Communities & Neighbourhoods
Any other function delivered through the Communities & Neighbourhoods Directorate which is not allocated to another Portfolio holder	Communities & Neighbourhoods

**Health, Housing and Adult Social Services – Cllr. Tracey Simpson-Laing**

<b>Function</b>	<b>Responsible Director</b>
Assessment & Personalisation	Adults, Children & Education
Older People, Mental Health, Respite	Adults, Children & Education
Commissioning and Partnerships	Adults, Children & Education
Service Delivery and Transformation	Adults, Children & Education
Housing Landlord (HRA)	Communities & Neighbourhoods
Housing General	Communities & Neighbourhoods
Any other function delivered through the Adults, Children & Education Directorate which is not allocated to another Portfolio holder	Adults, Children & Education

**Leisure, Culture and Social Inclusion – Cllr. Sonja Crisp**

<b>Function</b>	<b>Responsible Director</b>
Leisure (incorporating Sport, Parks, Arts & Culture, Heritage and Libraries)	Communities & Neighbourhoods
Equalities and Inclusion	Communities & Neighbourhoods
Neighbourhood Management	Communities & Neighbourhoods
Volunteering	Communities & Neighbourhoods

**Education, Children and Young People – Cllr. Ruth Potter**

<b>Function</b>	<b>Responsible Director</b>
School Improvement & Staff Development	Adults, Children & Education
Children & Families	Adults, Children & Education
Partnerships & Early Intervention	Adults, Children & Education

<b>Function</b>	<b>Responsible Director</b>
Resource Management	Adults, Children & Education
Lifelong Learning	Communities & Neighbourhoods

### **Crime and Community Safety – Cllr. Sandy Fraser**

<b>Function</b>	<b>Responsible Director</b>
Safer Neighbourhoods	Communities & Neighbourhoods
Anti social behaviour	Communities & Neighbourhoods
Licensing and enforcement	City Strategy
Trading standards	City Strategy
Youth offending	Adults, Children & Education
Alcohol and Drugs Action	Adults, Children & Education

2.3 The suggested allocation of decision making responsibilities is as follows:

The Cabinet may collectively exercise any function of the Executive

Individual Cabinet Members may make any decision relating to the functions within their portfolios with the exception of:

- Key decisions as defined in the Council's Constitution ;
- Decisions which in the opinion of the Cabinet member significantly cross cut across portfolios
- Other decisions which the Leader determines should be made collectively by the Cabinet;

The Leader may exercise any function delegated to another Cabinet member if that Member is unable or unwilling to act. The Leader may also exercise any function of the Cabinet where a decision cannot reasonably await the next meeting. This is subject to compliance with the urgency procedures laid out in the Constitution for key decisions.

The Deputy leader may exercise any function of the leader if the Leader is unable to act.

The current scheme of delegation to Chief Officers should continue in force

- 2.4 All decisions would of course have to comply with the Financial Regulations and Contract Procedure Rules prescribed by Council. The decision making powers only relate to executive functions and not those functions, largely of a regulatory nature, which remain the responsibility of Council, Committees or Officers under delegated powers from Council.

### **Options**

- 3.1 The allocation of portfolios and decision making responsibilities is a matter for the Leader and greater or lesser levels of delegation could be provided for.

### **Corporate Priorities**

- 4.1 The Council's leadership and governance arrangements are central to achieving the objectives within the corporate strategy.

### **Implications**

- 5.1 The key implications of this report are the legal ones referred to within it.

### **Recommendations**

- 6.1 The Leader is recommended:
- a) To confirm the allocation of the portfolios referred to in this report to the named portfolio holders
  - b) To confirm the scheme of Executive delegations referred to in the report
  - c) To ask the Monitoring Officer to exercise his powers under Article 16 of the Constitution to amend the Constitution accordingly

Reason: In order to allow lawful and effective decision making



**Contact Details**

<b>Author:</b>	<b>Chief Officer Responsible for the report:</b>		
Andy Docherty <i>Assistant Director</i> CBSS <i>Telephone: 01904 55 1004</i>	Andy Docherty <i>Assistant Director</i>		
	<b>Report Approved</b>	✓	<b>Date</b> 26/5/2011
<b>Wards Affected:</b> <i>List wards or tick box to indicate all</i>			<b>All</b> <input type="checkbox"/>
<b>For further information please contact the author of the report</b>			

**Background Papers**

None

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