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| MEETING | SCRUTINY MANAGEMENT COMMITTEE (CALLING IN) |
| DATE | 6 APRIL 2009 |
| PRESENT | COUNCILLORS GALVIN (CHAIR), ASPDEN, PIERCE (VICE-CHAIR), SCOTT, SIMPSON-LAING (PRESENT FROM THE END OF AGENDA ITEM 4 ONLY), TAYLOR, R WATSON AND WAUDBY |

12. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

13. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

14. MINUTES

RESOLVED: That the minutes of the Scrutiny Management Committee (Calling In) held on 5 January 2009 be approved and signed by the Chair as a correct record.

15. CALLED-IN ITEM: 2009/10 CITY STRATEGY CAPITAL PROGRAMME BUDGET REPORT

Members received a report which asked them to consider the decisions taken by the Executive, at their meeting on 31 March 2009, regarding the schemes within the City Strategy Capital Programme planned for delivery in 2009/10 and options for the use of additional funding from the Regional Funding Allocation.

Details of the Executive's decisions were attached as Annex 1 to the report. The original report to the Executive meeting was attached as Annex 2. The decisions had been called in by Cllrs Scott, Potter and Merrett for the following reasons:

"The Executive has misdirected itself in that:-

- (i) It failed to follow the recommendations of the Shadow Executive.*
- (ii) The Executive's decision directly contradicts its own Local Transport Plan policy, specifically:*

'In making land use and transport-related decisions and implementing local transportation measures, regard has been

given to the council's 'hierarchy of transport users' where pedestrians and cyclists are at the top of the hierarchy and car users are at the bottom'.

(excerpt - Page 38, City of York Council Local Transport Plan 2006-11 - see also Table 5.1, York's 'Hierarchy of Transport Users', page 46)."

Members were invited to decide whether to confirm the decisions of the Executive (Option A) or to refer them back to the Executive for reconsideration and / or amendment (Option B).

The debate revolved around the options presented to the Executive for the spending of the additional funding expected from the Regional Funding Allocation. In response to questions from Members, Officers confirmed that the key issue was whether the chosen schemes were both strategic and deliverable. Although both options fitted these criteria, it was felt that Option 1, as chosen by the Executive, was slightly more strategic and would be easier to deliver with the staff resources currently available.

Following questions and a full debate, Cllr Scott moved, and Cllr Taylor seconded:

"That the matter be referred back to the Executive with a recommendation that they approve Option 2, on the basis that it complies with the Local Transport Plan policy."

The motion was then put to the vote and was declared CARRIED by five votes to three and it was therefore

RESOLVED: That Option B be approved and that the matter be referred back to the Executive with a recommendation that they approve Option 2 [in the original report to Executive], on the basis that it complies with the Local Transport Plan.

REASON: In accordance with the Constitutional procedures for called-in decisions and to deal with the issues raised by the Calling-In Members.

J Galvin, Chair

[The meeting started at 5.30 pm and finished at 6.15 pm].