

Meeting	Customer and Corporate Services Scrutiny Management Committee (Calling In)
Date	6 December 2021
Present	Councillors Crawshaw (Chair), Fenton (Vice-Chair), Hollyer, Musson, Orrell, Pearson, Rowley, Wann (Substitute for Councillor Baker) and Douglas (Substitute for Councillor Norman)
Apologies	Councillors Baker and Norman

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### **Opening Remarks**

The Chair expressed his personal concern at the continuing substitution of a Liberal Democrat Member for a Green one at meetings of this Committee. Whilst he appreciated that Full Council had approved these arrangements and had no issues with Councillor Wann, his strength of feeling was such that he wished his, in principle, objection to be recorded on the basis that the arrangement was, in his view, contrary to the spirit and purpose of the legislation relating to proportionality on committees and as such could only bring the council into disrepute. The Chair also wanted it to be formally recorded that he had written to the Chief Operating Officer and the Monitoring Officer reiterating these views. In concluding, he respectfully asked the Liberal Democratic and Green Groups to rethink their position on these agreed substitute arrangements.

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

Members were invited to declare at this point in the meeting any personal, disposable or pecuniary interests not included on their Register of Interests, which they might have in the business on the agenda. None were declared.

#### **2. Public Participation**

It was reported that there had been 6 registrations to speak at the meeting under the Council's Public Participation Scheme.

5 speakers spoke on agenda item 4, Called-In Item: Strategic Reviews of City Centre Access and Council Car Parking.

Anthony May spoke on behalf of the York Civic Trust and he confirmed he had been involved in providing advice to cities on parking strategy for over 50 years. He addressed the incompleteness of the current Strategic Parking Review, the failure to consider the wider requirements of the Local Transport Plan and the misunderstandings within the report. He felt the review, as it stood, was deficient as a basis for deciding on the proposed multi-storey car park on St George's Field.

Johnny Hayes, a local resident, expressed his concerns regarding the Strategic Parking Review which he felt was an asset management report. He felt the report was misinformed, light on accurate car parking data and full of spurious assumptions.

Christopher Copland, a local resident, responded to the three questions used in the tier two assessment of the parking review. He explained why he felt the questions and answers were flawed.

Jamie Wood spoke as one of the local residents identified as co-authoring a car park report. He raised his concerns regarding the quality of the evidence base that was made available to him. He felt there was no evidence base to indicate what the excess demand would be if Castle car park was closed without replacement and whether this demand could be met by existing stock.

Greg Marsden, a Professor of Transport Governance at the Institute of Transport Studies at the University of Leeds and a resident of York, explained why he felt the Strategic Review document was deficient and spoke on the shortcomings of aspects of the evidence base in which decisions were being proposed to be taken.

David Harbourne spoke on what he felt was the Council's failure to comply with the constitution and statutory requirements before and at the 8 November 2021 scrutiny meeting and the failure to consider all options regarding blue badge holder access to the city centre. He addressed the governance arrangements and the response he had received to his freedom of information request. He felt that the meeting on the 8

November contravened statutory provisions relating to the public provision of information and should not have taken place and consequently called upon the decisions taken by the Executive to be set aside to allow the meeting to be rerun. The Chair agreed to pass his comments onto the Monitoring Officer.

It was also noted that 2 written representations had been received regarding agenda item 4, as follows:

J Trythall raised concerns about the proposal to construct a multi-storey car park on the St George's Field site, particularly addressing the loss of amenity and that more work should be undertaken to understand the consequences of erecting the car park. She also noted that it was misleading to state that access to St George's Field did not pass through a residential area.

K Ravilious was greatly concerned by the standard of the Strategic Review. She felt the quality of the data was poor and that it considered car parks in isolation and was not informed by the policy directions in the forthcoming Local Transport Plan.

### **3. Minutes**

Resolved: That the minutes of the meeting held on 25 January 2021 be approved as a correct record subject to the following amendments and then signed by the Chair.

To replace the existing paragraph 4 of minute number 17 (Called In Item: Make it York – Impact of Covid-19) with:

“Whilst Councillor Douglas was addressing the Committee on behalf of Calling In Members, the Chair had to call for a short adjournment to the meeting to receive advice on the presence of Make It York representatives who had made themselves available to join the remote meeting but had not expressly been invited.”

To replace the word “proceed” in paragraph 6 of the minute number 17 with “continue.”

### **4. Called-In Item: Strategic Reviews of City Centre Access and Council Car Parking**

Members considered a report which set out the reason for the call-in of two decisions made by the Executive on 18 November

2021 in respect of the Strategic Review of Council Car Parking and associated Action Plan and the future report on whether to re-commence the paused procurement of a contractor to build St George's Field multi-storey car park, which would be brought to Executive as part of a wide delivery update on the Castle Gateway project in February 2022.

The decisions were highlighted in the Decision Sheet at Annex A to the report. The original report to Executive was attached at Annex B to the report. Resolution (iii) and (iv) on the Decision Sheet had been called in for review by Councillors Melly, Kilbane and Looker, for the following reasons:

- The review failed to provide accurate data on parking use across council managed car parks over a reasonable period of time post lockdown, making strategic decisions on car park investment in the future premature;
- A decision on whether or not to develop a new multi-storey car park at St George's Field was delayed to establish how people are using car parks following Covid lockdowns, yet this data was inadequate in the review report;
- The Executive's approach is solely asset-based, coming as it does long before the fourth Local Transport Plan has been drawn up and agreed, meaning strategic decision making on transport is completely absent;
- The review fails to factor in private car parking in reviewing York's parking activity and needs, other than to suggest any reduction in council car parks could result in private operators filling a supposed gap, without any supporting evidence.

Under the provisions of the Council's constitution and the requirements of Local Government Act 2000, the following options were available:

- a) To decide that there were no grounds to make specific recommendations to the Executive in respect of the decisions called in. If this option was chosen, the original decisions taken on the item at the Executive meeting on 18 November 2021 would be confirmed and would take effect from the date of the Customer and Corporate

Services Scrutiny Management Committee (Calling-In) meeting; or

- b) To make specific recommendations to the Executive on the decisions called in, in light of the reason given for post-decision call-in. If this option was chosen, the matter would be considered at a meeting of Executive (Calling-In).

The Chair then invited Cllr Kilbane to proceed in representing the calling-in Members. He explained in more detail the reasons for the calling-in, and then responded to questions put by Members.

The Executive Member for Transport and the Executive Member for Finance and Performance then outlined the reasons for the original decisions, and responded to Members' questions.

The Corporate Director of Place, the Director of Transport, Environment and Planning and the Head of Regeneration and Economy then responded to questions which had been raised during the meeting, particularly in relation to the technicalities of the report and data gathering, including the hierarchy of council car parks, the identified gaps within the data, the Action Plan, the proposed multi-storey car park on St George's Field and the future strategy to inform decisions on car park investment or alternative uses.

Members went on to debate the options in full and to consider whether they wished to make any additional observations or recommendations arising from the call-in.

A proposal to refer the decisions back to the Executive, including a recommendation that acknowledged that the data gaps would be filled to the best extent possible in a timely manner in order to make a robust decision on any future car park decisions, was moved and seconded. The motion was lost 5 to 4. A motion to endorse and reaffirm the original Executive decision was therefore moved and seconded. That motion was carried 5 votes to 4.

Resolved:

- (i) That the original decisions made by the Executive at its meeting on 18 November 2021 in relation to the strategic reviews of city centre access and council car parking be re-affirmed.

- (ii) That the future report on whether to recommence the paused procurement of a contractor to build St George's Field multi-storey car park be considered through pre-decision scrutiny.

Reason: To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

Cllr J Crawshaw, Chair

[The meeting started at 5.32pm and finished at 8.17pm].