
MEETING	SCRUTINY MANAGEMENT COMMITTEE (CALLING IN)
DATE	10 JANUARY 2011
PRESENT	COUNCILLORS GALVIN (CHAIR), ALEXANDER (VICE-CHAIR), FIRTH, SIMPSON-LAING, TAYLOR, HYMAN (SUBSTITUTE), R WATSON (SUBSTITUTE) AND HORTON (SUBSTITUTE)
APOLOGIES	COUNCILLORS GUNNELL, ORRELL AND WAUDBY

19. 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.

Cllr Fraser declared a personal interest in agenda item 3 (Called-In Item: The Reablement Service in York), as a member of the retired section of UNISON and the retired section of Unite (TGWU / ACTS sections).

Cllr Alexander declared a personal interest in the same item, as a member of the GMB.

20. MINUTES

It was noted that the minutes of the Committee's last meeting had not been published with the agenda for this meeting, as they were not ready at that time. However, they had since been made available on the Council's website.

RESOLVED: That the minutes of the meeting of the Scrutiny Management Committee (Calling-In) held on 20 December 2010 be approved and signed by the Chair as a correct record.

21. PUBLIC PARTICIPATION / OTHER SPEAKERS

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme, and two requests to speak from Council Members.

Cllr Fraser spoke in relation to agenda item 3 (Called-In Item: The Reablement Service in York). Having indicated a personal interest in the matter, as a Council-appointed member of the York Hospital Trust, he queried why there had been no formal consultation with the Trust on proposals to outsource the service. He asked that the matter be referred back to the Executive with a recommendation that they seek a further report and more detailed information.

Anna Semlyen spoke in relation to agenda item 4 (Called-In Item: City of York Local Transport Plan 3 – Draft ‘Framework’ LTP3 Consultation Responses), as co-ordinator of the York 20-20 campaign. She stressed the importance of a 20 mph speed limit in reducing road traffic fatalities and urged that this be included in the LTP3.

Cllr D’Agorne also spoke on agenda item 4. He expressed disappointment at the way in which the consultation results had been analysed and suggested that responses to the options for setting 20 mph speed limits seemed to have been manipulated so as to sideline one of the options presented.

22. CALLED-IN ITEM: THE REABLEMENT SERVICE IN YORK

Members received a report which asked them to consider the decisions made by the Executive on 14 December 2010 in relation to proposals for a remodelled reablement service, as part of a wider strategy to meet the challenges of changing demographics within the City.

Details of the Executive’s decision were attached as Annex A to the report. The original report to the Executive was attached as Annex B. The decisions had been called in by Cllrs Alexander, Boyce and Simpson-Laing, on the grounds that:

- *Agreed changes to the current in-house provision have not been fully implemented, resulting in a skewed comparison between in-house and private service provision in terms of cost, changes which would improve face to face contact time within the in-house service.*
- *The Executive's decision to proceed with a twin-track approach is flawed, on the basis that the necessary information with which to properly compare in-house and outsourced service provision is not yet available.*
- *Inadequate consultation has taken place and should be extended once full proposals based on sound evidence have been presented to the Executive at a future meeting.*
- *The report gives no detail on the likely impact on the Hospital Trust due to potential changes in the levels of discharges and re-admissions.*
- *There is an apparent lack of consultation with the Council's partners given that neither the Deputy Chief Executive nor the Chairman of the Hospital Trust knew anything about the proposals.*
- *The report includes no evaluation on how outsourcing of the Reablement Service has worked in other local authority areas, of which there are very few across the whole of the country, on issues such as satisfaction levels among customers on level of service, staff expertise etc*

Calling in Members call for the decision to be delayed until such time as the aforementioned evidence can be produced and properly considered, and after proper consultation has taken place.

Members were asked to decide whether to confirm the decisions of the Executive (Option A) or to refer them back to the Executive for re-consideration (Option B)

Cllr Boyce addressed the Committee on behalf of the Calling-In Members. She highlighted the contradictory nature of the Executive's decisions, which gave approval to proceed with outsourcing at the same time as examining the possibility of keeping the service in-house. She also noted the problems reported by customers of private service providers.

In response to questions from Members, Officers confirmed that, although representatives of York Hospital Trust had been involved in discussions on the proposals, there had been no formal consultation with the Trust.

Following a full debate, Cllr Watson moved, and Cllr Firth seconded, that Option A be approved. Four Members voted for this proposal, and four voted against. The Chair then used his casting vote in favour of the proposal and it was

RESOLVED: That Option A be approved and that the decisions of the Executive be confirmed.

REASON: In accordance with the constitutional requirements for called-in matters, and in view of the fact that the Executive is not due to make a final decision on this matter until 15 March 2011.

23. CALLED IN ITEM: CITY OF YORK LOCAL TRANSPORT PLAN 3 - DRAFT 'FRAMEWORK' LTP3 CONSULTATION RESPONSES

Members received a report which asked them to consider a pre-decision call-in of an item relating to consultation on the City of York's draft Framework Local Transport Plan 3, which had appeared as item 5 on the agenda for the Decision Session of the Executive Member for City Strategy held on 4 January 2011.

The original report to the Executive Member was attached as Annex A to the report and a copy of the Executive Member's provisional decisions made at his meeting on 4 January were circulated at the meeting, for information.

The item had been called in by Cllrs Merrett, Simpson-Laing and Potter on the grounds that:

[The report to the Executive Member] separates out the responses on the 20mph questions for a separate report from the Local Transport Plan 3 (LTP3) process, whereas respondents will have seen it as part of the overall transport strategy consultation, and would therefore expect full reporting of the results and consideration along with the other LTP3 questionnaire results, and the incorporation of a strategic approach to traffic speeds and their control in the final LTP3 document informed by their views.

Members were invited to decide that there were either no grounds to make a specific recommendation to the Executive Member in respect of the report (Option A) or to make specific recommendations to the Executive Member on the report (Option B).

Councillor Simpson-Laing addressed the meeting on behalf of the Calling-In Members. She noted that, although the Executive Member for City Strategy did not have the final say on what to include in the LTP3, it would be too late to call the matter in from the Executive meeting on 15 March.

In response to questions from Members, Officers confirmed that the deadline date for submission of the LTP3 was 31 March 2011. The results of consultation on the 20 mph speed limit would be considered by the Executive Member on 1 February.

After a full debate, it was

RESOLVED: That Option B be approved and that the matter be referred to the Executive (Calling-In) meeting, with a specific recommendation that the Executive Member for City Strategy take into account the results of consultation on the 20 mph speed limit as an important part of the LTP strategy.

REASON: In accordance with the requirements of the Council's Constitution, and in view of the LTP3 submission deadline.

CLLR J GALVIN, Chair

[The meeting started at 4.30 pm and finished at 5.50 pm].