
MEETING	SHADOW EXECUTIVE
DATE	21 MARCH 2007
PRESENT	COUNCILLORS MERRETT (CHAIR), FRASER, HORTON, KING (EXCEPT FOR EXECUTIVE ITEMS 5-12), LOOKER, POTTER (EXCEPT FOR EXECUTIVE ITEMS 5-12) AND SIMPSON-LAING
APOLOGIES	COUNCILLORS EVANS AND KIND

192. 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.

Councillors Horton and Looker declared personal non-prejudicial interests in Executive item 8 (Concessionary Travel Scheme for Elderly and Disabled Persons – Implications of Appeal by First York) as holders of bus passes.

193. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of Annex A to Executive item 8 (Concessionary Travel Scheme for Elderly and Disabled Persons – Implications of Appeal by First York) (minute 199 refers) and Annex 2 to Executive item 9 (Waste PFI – Updated Outline Business Case) (minute 200 refers), on the grounds that they contained information relating to the financial or business affairs of particular persons, which was classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

194. MINUTES

RESOLVED: That the minutes of the meeting of the Shadow Executive held on 7 March 2007 be approved and signed by the Chair as a correct record.

195. PUBLIC PARTICIPATION

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

196. EXECUTIVE FORWARD PLAN

The Shadow Executive made the following comments on the Forward Plan at page 7 of the papers circulated for the Executive meeting to be held on 27 March 2007:

The Shadow Executive:

- *May require Officer attendance at the relevant Shadow Executive meeting/s in respect of the following items (current Executive dates in brackets):*
 - *Should York be a World Heritage Site? (24/4)*
 - *Draft Sustainable Development Strategy for CYC (24/4)*

197. MINUTES OF THE LOCAL DEVELOPMENT FRAMEWORK WORKING GROUP

The Shadow Executive considered a report which was listed as item 6 on the agenda for the Executive meeting on 27 March 2007, at page 9. The report presented the minutes of recent meetings of the Local Development Framework Working Group and asked Members to consider the advice given by the Working Group in its capacity as an advisory body to the Executive.

Having discussed the issues set out in the report, the following comments were agreed:

The Shadow Executive:

- *With regards to minute 26, express concern regarding the two years plus projected delay to the achievement of a Local Development Framework and the knock on consequences this has on the Area Action Plan for the York Central and British Sugar sites, and is alarmed at the imminent demise of the Structure Plans and the lack of preparation for this, in terms of putting in place arrangements to protect the green belt.*
- *With regards to minute 36, note the comments at the meeting regarding the extremely high private rent levels in the city, as indicated by the consultants, and also note that the issue of sub-division of properties was raised at the meeting but omitted from the minutes.*

RESOLVED: (i) That the Executive be asked to take the above comments into account when considering this item.

(ii) That the item not be called in.

198. FUTURE YORK RACE MEETINGS - TRAFFIC MANAGEMENT ARRANGEMENTS

The Shadow Executive considered a report which was listed as item 7 on the agenda for the Executive meeting on 27 March 2007, at page 29. The report advised Members of the results of the traffic management arrangements adopted during the 2006 racing season and made appropriate recommendations concerning future York race meetings.

Having discussed the issues set out in the report, the following comments were agreed:

The Shadow Executive:

- *Express concern at the situation regarding traffic policing and the arbitrary capping of traffic management funding arrangements to meet a previously allocated sum, in terms of their negative impact on traffic and parking arrangements for residents.*
- *Note that there is a strong case for the racecourse, as the financial beneficiary, to fund the measures.*
- *Highlight their concern about the particular issue of pedestrian and cyclist safety with the suspension of the Tadcaster Road crossings.*
- *Query the proposed arrangements on Knavesmire Road and are not convinced that they eliminate safety hazards.*

RESOLVED: (i) That the Executive be asked to take the above comments into account when considering this item.

(ii) That the item not be called in.

199. CONCESSIONARY TRAVEL SCHEME FOR ELDERLY AND DISABLED PERSONS - IMPLICATIONS OF APPEAL BY FIRST YORK

The Shadow Executive considered a report which was listed as item 8 on the agenda for the Executive meeting on 27 March 2007, at page 53. The report advised of the outcome of an appeal by First York to the Department for Transport for additional reimbursement payments in respect of bus travel concessions and considered the likely implications of the appeal decision for the Travel Concession Scheme in 2006/07 and 2007/08.

Having discussed the issues set out in the report, the following comments were agreed:

The Shadow Executive:

- *Are surprised that this was not covered in contingency as it was flagged up at a Quality Bus Partnership related meeting in December 2005 and the notice was given in April 2006.*

RESOLVED: (i) That the Executive be asked to take the above comments into account when considering this item.

(ii) That the item not be called in.

200. WASTE PFI - UPDATED OUTLINE BUSINESS CASE

The Shadow Executive considered a report which was listed as item 9 on the agenda for the Executive meeting on 27 March 2007, at page 69. The report provided updated financial information on the Waste Private Finance Initiative (PFI) project, identified a revised affordability position for the Council and sought confirmation that Members were committed to finding the additional resources required to make the project affordable.

Having discussed the issues set out in the report, the following comments were agreed:

The Shadow Executive:

- *Note again the failure to demonstrate how funding of the proposed PFI could be met in practice and what the consequences of this might be, in terms of cuts to other services, should this approach be adopted, and therefore cannot support the recommendation.*
- *Also note that the Executive Leader acknowledged that the Council cannot afford this PFI at the last Council meeting.*

RESOLVED: (i) That the Executive be asked to take the above comments into account when considering this item.

(ii) That the item not be called in.

201. CORPORATE ASSET MANAGEMENT PLAN

The Shadow Executive considered a report which was listed as item 10 on the agenda for the Executive meeting on 27 March 2007, at page 81. The report presented a draft Corporate Asset Management Plan for the period 2007-2012 and asked Members to consider approving and adopting the Plan.

Having discussed the issues set out in the report, the following comments were agreed:

The Shadow Executive:

- *Note this report.*

RESOLVED: (i) That the Executive be asked to take the above comments into account when considering this item.

(ii) That the item not be called in.

202. ANNUAL AUDIT LETTER

The Shadow Executive considered a report which was listed as item 11 on the agenda for the Executive meeting on 27 March 2007, at page 137. The report summarised the key findings and conclusions of the District Auditor on the Council's arrangements in respect of the 2005/06 audit year.

It was noted that the additional figures referred to in paragraph 6f) of the report had only just been received and would be made available to Members on 22 March 2007.

Having discussed the issues set out in the report, the following comments were agreed:

The Shadow Executive:

- *Note with alarm the comments in terms of the future Comprehensive Performance Assessment, the failure to address the problems flagged up in last year's Letter and the failure to undertake a genuine partnership approach, a consequence of which is the expression of dissatisfaction by the Council's partners.*

RESOLVED: (i) That the Executive be asked to take the above comments into account when considering this item.

(ii) That the item not be called in.

203. COMPREHENSIVE PERFORMANCE ASSESSMENT REFRESH 2006

The Shadow Executive considered a report which was listed as item 12 on the agenda for the Executive meeting on 27 March 2007, at page 159. The report provided details of the Council's 2006 Comprehensive Performance Assessment (CPA) score, and explained why block scores had changed since 2005.

Having discussed the issues set out in the report, the following comments were agreed:

The Shadow Executive:

- *Note that performance is in decline in important areas and that Housing has dropped two points, from excellent (4 points) prior to 2003, to only 2 points now.*

RESOLVED: (i) That the Executive be asked to take the above comments into account when considering this item.

(ii) That the item not be called in.

204. THE USE OF THE ECOLOGICAL FOOTPRINT & CARBON FOOTPRINT IN YORK TO TACKLE CLIMATE CHANGE

The Shadow Executive received a briefing report and presentation on the use of the Ecological Footprint and Carbon Footprint in York to tackle climate change.

The briefing discussed possible actions that could be taken, relating to housing, food and transport, to reduce the Ecological Footprint and Carbon Footprint in York and therefore the impact on climate change.

Representatives from the Stockholm Environment Institute and the York Environment Forum attended the meeting to contribute to the discussion.

The Shadow Executive thanked officers for preparing the briefing and the representatives for attending the meeting.

RESOLVED: That the briefing report and presentation be noted.

205. CONSIDERATION OF HOW THE LOCAL DEVELOPMENT FRAMEWORK (LDF) CAN HELP ADDRESS THE SUBDIVISION OF DWELLINGS AND STUDENTIFICATION

The Shadow Executive received a presentation which considered how the emerging Local Development Framework (LDF) could attempt to address concerns about the subdivision of dwellings and the increase in family properties being converted to student lets, and therefore help to maintain sustainable communities and facilities.

The Pro Vice Chancellor (Estates & Strategic Projects), Acting Accommodation Officer and Students' Union President attended the meeting on behalf of the University of York to contribute to the discussion.

The presentation and subsequent discussion covered a range of issues relating to the number of flats in York, students and the community, the sub-division of houses into houses in multiple occupation (HMO's), and the need for Design for Life properties.

The Shadow Executive thanked officers for preparing the briefing and the representatives for attending the meeting.

RESOLVED: That the presentation be noted.

D M Merrett, Chair

[The meeting started at 3.00 pm and finished at 5.00 pm].