

|                  |  |
|------------------|--|
| Meeting          | Corporate Services, Climate Change and Scrutiny Management Committee (Calling In)  |
| Date             | 3 June 2024  |
| Present          | Councillors Fenton (Chair), Merrett (Vice-Chair), Ayre, B Burton, Crawshaw, Melly, Nelson, Rowley, Waller, Orrell (Substitute for Cllr Widdowson), Wann (Substitute for Cllr Healey), J Burton (Substitute for Cllr Coles) and Whitcroft |
| Apologies        | Councillors Coles, Healey and Widdowson  |
| In Attendance    | Cllr Lomas, Executive Member   |
| Officers Present | Claire Foale, Assistant Director, Policy and Strategy<br>Lindsay Tomlinson, Head of Democratic Governance and Deputy Monitoring Officer  |

---

### 1. **Declarations of Interest (5:32 pm)**

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

Cllr Merrett noted that he was a member of the York Bus Forum and also the Enhanced Partnership for Buses Forum, however, he did not consider this to be prejudicial to the meeting.

### 2. **Exclusion of Press and Public (5:32 pm)**

The Chair noted that should Members wish to discuss the contents of Annex B to the report, the meeting would need to move into private session.

### 3. **Minutes (5:33 pm)**

Resolved:

- i. That the minutes of the meeting held on 11 March 2024 be approved as a correct record.
- ii. That the minutes of the meeting held on 07 May 2024 be approved as a correct record, subject to an amendment as follows:

‘The Chair opened the meeting by stating that he had been advised by officers that new information had come to light which meant that the Executive Decision, taken on 18 April 2024, would no longer be implemented.

Officers reported that the information was unrelated to the call-in and an urgent report would be presented to the Executive meeting on Thursday 9 May...’

#### **4. Public Participation (5:35 pm)**

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

#### **5. Called-in Item: Advertising Contract (5:35 pm)**

Members considered a report which set out the reasons for the call-in of the decisions made by the Executive on 9 May 2024 in respect of the above matter, along with the committee’s remit and powers in relation to the call-in.

The decisions were contained in the extract from the relevant Decision Sheet at Appendix 1 to the report. The original report and associated annexes A and B were attached at Appendix 2. The decisions has been called in by Cllrs Smalley, Hollyer and Knight for the following reasons:

- *The report did not set out the difficulties that previous applicants that have applied for free standing digital advertising boards have had in getting their applications approved by the planning department. Therefore, the level of additional advertising revenue that would be achieved in this circumstance was not taken account for when this decision was made.*
- *No consideration for the reputational risk of the City of York Council and it’s relationship with key stakeholders in the city (such as manufacturing and tourism stakeholders).*

- *No consultation has taken place with the public with that they would like to see be included in a long-term contract to deliver bus shelters in York; including no commitment to replace glass planes with plexiglass, increase the frequency of graffiti removal. No joined up approach with Parish Councils that have responsibility for some other bus shelters.*

The Lead Call-in Member, Cllr Smalley, addressed the committee and expanding on their reasons for the call-in. There were no questions from Members.

The Executive Member for Finance and Major Projects then addressed the committee regarding the decision and responded to questions. The Officer responsible for the report to Executive spoke to clarify aspects of their report and to answer questions.

[6.22 -6.24 pm, Cllr Nelson left the meeting.]

Finally, Cllr Smalley summed up on behalf of the Calling-in Members and the Executive Member summed up the Executive position.

During the above process it was confirmed that the detailed specification for the bus shelters / advertising boards had not been decided; Members were welcome to provide input into the process. Parish Councils had not been consulted and any digital advertising was subject to the relevant planning permission.

Under the provisions of the council's constitution at the time the call-in was made, Members were asked to state individually whether they considered the core principles identified in the call-in request (Appendix 3) had been breached or not. The following options were available:

- In the event of the majority of Members finding no breach, the call-in request would be immediately closed with no further action unless the Committee identified any areas worthy of future exploration by the scrutiny function.
- In the event of the majority of Members finding a breach, the called in decision would be referred back in full for further consideration at the next appropriate meeting of the Executive.

With five Members finding there had been a breach, and eight Members finding there had not been a breach, the call-in fell and it was:

Resolved: That the call-in request be closed.

Reason: To determine the outcome of the alleged breach in Executive decision making.

Cllr S Fenton, Chair

[The meeting started at 5.31 pm and finished at 6.54 pm].