



Notice of meeting of

Shadow Executive

To: Councillors Scott (Chair), Fraser, Gunnell, Horton, King, Looker, Merrett, Potter and Simpson-Laing

Date: Wednesday, 19 March 2008

Time: 3.15 pm

Venue: The Guildhall, York

AGENDA

1. **Declarations of Interest**

At this point, Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. **Exclusion of Press and Public**

To consider excluding the public and press from the meeting during consideration of any exempt information as detailed on the agenda for the Executive meeting to be held on 25 March 2008, under Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

3. **Minutes** (Pages 1 - 4)

To approve and sign the minutes of the Shadow Executive meeting held on 5 March 2008.

4. **Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Shadow Executive's remit can do so. The deadline for registering is Tuesday 18 March 2008, at 5.00 pm.

5. Executive Meeting on 25 March 2008 - Calling-in

To consider the items on the agenda for the Executive meeting to be held on 25 March 2008, and to take a decision on whether to call-in any of these items.

Please note that the reports relating to these items will be published on the Council's website on 14 March 2008. The website address is **www.york.gov.uk** Copies of the Executive agenda and reports are also available for viewing at public libraries in York and can be obtained by telephoning Democracy Support Group on York (01904) 551088.

6. Any Other Matters which the Chair decides are urgent under the Local Government Act 1972.

Democracy Officer:

Name: Tracy Johnson

Contact details:

- Telephone – (01904) 551031
- E-mail – tracy.johnson@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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Holding the Executive to Account

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

MEETING	SHADOW EXECUTIVE
DATE	5 MARCH 2008
PRESENT	COUNCILLORS SCOTT (CHAIR), FRASER, GUNNELL, HORTON, MERRETT, POTTER AND SIMPSON-LAING
APOLOGIES	COUNCILLORS KING AND LOOKER

170. 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 non prejudicial interest in Executive Item 5 (Future of City Archives Service – Minute 175 refers) in relation to any personnel issues, due to his membership of the retired section of Unison.

Cllr Potter declared a personal non prejudicial interest in Executive Item 8 (Derwenthorpe – Amendments to the “Agreement for Sale” and “Framework Agreement” – Minute 178 refers) as a member of the Partnership Committee if agreed, and as a member of the New Osbaldwick Committee.

171. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public not be excluded from the meeting as there was no exempt information detailed on the agenda for the Executive meeting to be held on 11 March 2008, under Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

172. MINUTES

RESOLVED: That the minutes of the last meeting held on 20 February 2008 be approved and signed as a correct record.

173. PUBLIC PARTICIPATION

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

174. EXECUTIVE FORWARD PLAN

The Shadow Executive made the following comments on the Forward Plan at page 13 of the papers circulated for the Executive meeting to be held on 11 March 2008.

The Shadow Executive:

- *noted that the Executive Forward Plan was very light for this month and next month and expressed concerns about the amount of work at future meetings which might be excessive;*
- *agreed to provisionally request officers for the following items on the Executive Forward Plan:*

Executive on 25 March

- *Review Report – Safe City*

175. FUTURE OF CITY ARCHIVES SERVICE

The Shadow Executive considered a report which was listed as item 5 on the agenda for the Executive meeting on 11 March 2008, at page 15. The report proposed next steps in determining a way forward for the future of the York City Archives service.

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

The Shadow Executive:

- *expressed disappointment that there had been little or no progress in relation to the Archives since the scrutiny report in 2005;*
- *agreed that it was time that the Executive took hold of this issue and made decisions;*
- *recommended Option A to ensure that it was properly funded and accountable. Option B would only serve to diminish the service provided by the Archives and could result in a death by a thousand cuts;*
- *agreed that Annex A should not be a 10 year timeframe but a shorter one.*

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.

176. CITY TREE STRATEGY – SCOPING REPORT

The Shadow Executive considered a report which was listed as item 6 on the agenda for the Executive meeting on 11 March 2008, at page 23. The report examined options for developing a strategic approach towards the management and protection of the City's trees.

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

The Shadow Executive:

- *recommended Option B;*
- *agreed that there was a need to include the various strays when considering partnerships;*
- *agreed that the River corridor was important when considering future planning;*
- *encouraged working with local councillors about future sites;*
- *agreed that it should also cover trees on adjacent highways and footpaths.*

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.

177. CITY WALLS: MAINTENANCE AND RESTORATION PARTNERSHIP

The Shadow Executive considered a report which was listed as item 7 on the agenda for the Executive meeting on 11 March 2008, at page 33. The report sought approval to establish a partnership agreement between the Council's City Strategy and Neighbourhood Services departments, for the delivery of maintenance, restoration and major restoration schemes on the City Walls.

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

The Shadow Executive:

- *agreed the recommendations;*
- *were pleased to see the apprenticeship work initiative and hoped that this could be promoted and increased;*
- *recommended that the Council should consider using the apprenticeship model elsewhere;*
- *agreed that there was a need to ensure that this partnership would provide value for money and be able to demonstrate this;*
- *requested further information as to how this would be demonstrated and continued to be transparent.*

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.

178. DERWENTHORPE – AMENDMENTS TO THE “AGREEMENT FOR SALE” AND “FRAMEWORK AGREEMENT”

The Shadow Executive considered a report which was listed as item 8 on the agenda for the Executive meeting on 11 March 2008, at page 39. The report sought approval to make amendments to the original agreements

between the Council and the Joseph Rowntree Housing Trust in relation to the Derwenthorpe site, to enable the sale of land to go ahead and the development to proceed.

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

The Shadow Executive:

- *supported the Derwenthorpe development;*
- *highlighted that they had a number of issues in relation to this paper which they had not been able to resolve, as an officer was not available to attend the Shadow Executive;*
- *noted that the terminology used in the paper was technical and was not easy to understand without specialist knowledge and would therefore not be capable of being understood by Residents. As such it left a number of questions that needed a response from Officers;*
- *The main queries that the Shadow Executive had were as follows:-*
 - *How would the Council ensure that it would achieve value for money in respect to the Joseph Rowntree Housing Trust (JRHT) during the various phases?*
 - *Would there be open book accounting or some other mechanism to assess payments due as outlined in paragraph 4 of the report?*
 - *Would the proposals to maximise profit lead to a diminution of the social and environmental benefits of the project? What safeguards were there in place to prevent this?*
 - *Would the maximising of profits result in an increased density in the development and what safeguards were there to prevent this?*
 - *Under paragraph 5, what was meant by a condition precedent and what were the implications of agreeing to a new condition precedent particularly if the condition was met in whole or in part?*

Depending upon the answers to these questions it was likely that the Shadow Executive would have had supplementary questions.

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.

Cllr Scott, Chair

[The meeting started at 3.15 pm and finished at 3.25 pm].