



Notice of meeting of

Shadow Executive

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

Date: Wednesday, 2 April 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 8 April 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 - 6)

To approve and sign the minutes of the Shadow Executive meeting held on 19 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 1 April 2008, at 5.00 pm.

5. Executive Meeting on 8 April 2008 - Calling-in

To consider the items on the agenda for the Executive meeting to be held on 8 April 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 28 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	19 MARCH 2008
PRESENT	COUNCILLORS SCOTT (CHAIR), FRASER, GUNNELL, HORTON, KING, LOOKER, MERRETT, POTTER AND SIMPSON-LAING

179. 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 Scott declared a personal non prejudicial interest in Executive Item 6 (Theatre Royal Funding Agreement 2008/09 - minute 184 refers) as a Theatre Royal member and as his partner was engaged in unpaid work at the Theatre Royal.

Cllr Looker declared a personal non prejudicial interest in Executive Item 6 (Theatre Royal Funding Agreement 2008/09 - minute 184 refers) as the company secretary to York Theatre Royal.

Cllr King declared a personal non prejudicial interest in Executive Item 6 (Theatre Royal Funding Agreement 2008/09 - minute 184 refers) as the Theatre Royal council representative.

Cllr Potter declared a personal non prejudicial interest in Executive Item 8 (Review Report – Safe City – Minute 186 refers) as the North Yorkshire Police Authority representative.

Cllr Fraser declared a personal non prejudicial interest in Executive Item 9 (Gas Servicing Future Procurement – Minute 187 refers) due to his membership of the retired section of Unison and TGWU.

180. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of the following:

Annex A to Executive Agenda Item 9 (Gas Servicing Future Procurement – Minute 187 refers) on the grounds that it contained information relating to the financial or business affairs of any person (including the authority holding that information). This information was classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

181. MINUTES

RESOLVED: That the minutes of the last meeting held on 5 March 2008 be approved and signed as a correct record.

182. PUBLIC PARTICIPATION

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

183. EXECUTIVE FORWARD PLAN

The Shadow Executive made the following comments on the Forward Plan at page 9 of the papers circulated for the Executive meeting to be held on 25 March 2008:

The Shadow Executive:

- *agreed to provisionally request officers for the following items on the Executive Forward Plan:*

Executive on 8 April

- *Review of the Council's Constitution*

Executive on 22 April

- *Carbon Management: Strategy and Implementation Plan*
- *Regional Transport Board Park and Ride Bid Result and Application to Use Contingency Funds*

184. THEATRE ROYAL FUNDING AGREEMENT 2008/09

The Shadow Executive considered a report which was listed as item 11 on the agenda for the Executive meeting on 25 March 2008, at page 11. The report asked Members to approve a new Service Level Agreement (SLA) with the Theatre Royal, to come into effect once the current SLA came to an end on 31 March 2008.

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

The Shadow Executive:

- *noted that the current grant represented a cut in real terms which the Executive might wish to review;*
- *recommended Option 3 to the Executive;*
- *recommended*

- a. *an extension of the pricing policy for those on low incomes and families, especially in relation to the pantomime,*
- b. *broadening the audience of the Theatre Royal, and that both should form part of the SLA.*

- 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.

185. ANNUAL AUDIT LETTER

The Shadow Executive considered a report which was listed as item 7 on the agenda for the Executive meeting on 25 March 2008, at page 23. The report summarised the key messages, findings and conclusions set out in the Annual Audit Letter of the District Auditor in respect of the 2006/07 audit year.

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

The Shadow Executive:

- *agreed that this letter raised significant concerns;*
- *agreed that paragraphs 22 to 24 showed a tokenistic approach to social inclusion and resident engagement;*
- *agreed that there was no strategic approach as highlighted in the key messages;*
- *noted the high sickness level, as detailed in paragraph 31, and that it might continue or get worse;*
- *raised concerns about the quality of data, as detailed in paragraphs 52 and 53;*
- *noted concerns at paragraph 21 about leisure facilities;*
- *agreed that paragraph 56 showed the training requirements for members and officers;*
- *agreed that paragraph 58 gave a clear warning to the Executive that new arrangements in regards to the CAA would put significant emphasis on the experience of citizens;*
- *agreed that considering the current downward trend, the Executive should take action so that the situation did not get any worse than it was.*

- 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.

186. REVIEW REPORT - SAFE CITY

The Shadow Executive considered a report which was listed as item 8 on the agenda for the Executive meeting on 25 March 2008, at page 51. The

report responded to a request from Group Leaders for a review report which highlighted how the Council could assist the police in making improvements in relation to the Safe City agenda.

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

The Shadow Executive:

- *were pleased to note the improvement in SYP performance;*
- *welcomed the improvement since the change of chair and congratulated the Chief Superintendent (Area Commander York) of North Yorkshire Police;*
- *welcomed the increased involvement of police officers;*
- *supported Tier 1 access points but raised concerns about who would be consulted on the 38 access points and highlighted that there should be community and Councillor input;*
- *were pleased that attendance at neighbourhood planning meetings was mandatory*
- *noted that the experiences of the effectiveness of neighbourhood planning meetings in replacing JAG's varied from ward to ward;*
- *noted with concern limited resources were dictating the structure to be adopted;*
- *agreed that the ending of JAGs might dilute the impact and co-ordination resulting in less in all wards than pre JAG, and it was going to a lowest common denominator;*
- *agreed that there was a need for more community involvement in determining suitable locations for fixed and mobile speed cameras, as speeding affects communities more than by serious injury;*
- *noted that the prospectus asked for details of speed reduction measures, including speed activated signs, and this was not sufficiently covered in the report;*
- *agreed that an overview of speeding and accidents was required as there was no strategic approach to road safety;*
- *agreed that in relation to paragraph 17, the council had a responsibility to develop and support engagement in relation to the socially excluded, and noted that the police had a community engagement strategy, and asked the Executive to also develop one;*
- *agreed that in relation to Annex 3, there was a need to be clear as to what ward members could expect in terms of reporting, feedback and consultation, and*
- *recommended that good practice should be shared and co-ordinated.*

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.

187. GAS SERVICING FUTURE PROCUREMENT

The Shadow Executive considered a report which was listed as item 9 on the agenda for the Executive meeting on 25 March 2008, at page 79. The

report presented the results of a recent procurement exercise undertaken in relation to gas servicing and suggested a future direction for the gas servicing and maintenance service to council dwellings, following expiry of the current contract on 31 March 2008.

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

The Shadow Executive:

- *agreed that there had not been a proper analysis of costings, savings and customer satisfaction;*
- *agreed that they could not make a decision as there was a need for further information;*
- *agreed that the report should be deferred until further information was provided.*

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 3.45 pm].

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