



Notice of meeting of

Shadow Executive

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

Date: Wednesday, 16 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 22 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 - 4)

To approve and sign the minutes of the Shadow Executive meeting held on 2 April 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 15 April 2008, at 5.00 pm.

5. Executive Meeting on 22 April 2008 - Calling-in

To consider the items on the agenda for the Executive meeting to be held on 22 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 11 April 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.

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন অর্ধাতে তথ্য জানানোর জন্য সব ধরনের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোঅবী সরবরাহ করা হবে। টেলিফোন নম্বর (01904) 551 550।

Yeteri kadar önceden haber verilmesi koşuluyla, bilgilerin terümesini hazırlatmak ya da bir tercüman bulmak için mümkün olan herşey yapılacaktır. Tel: (01904) 551 550

我們竭力使提供的資訊備有不同語言版本，在有充足時間提前通知的情況下會安排筆譯或口譯服務。電話 (01904) 551 550。

اگر مناسب وقت سے اطلاع دی جاتی ہے تو ہم معلومات کا ترجمہ مہیا کرنے کی پوری کوشش کریں گے۔ ٹیلی فون (01904) 551 550

Informacja może być dostępna w tłumaczeniu, jeśli dostaniemy zapotrzebowanie z wystarczającym wyprzedzeniem. Tel: (01904) 551 550

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	2 APRIL 2008
PRESENT	COUNCILLORS SCOTT (CHAIR), FRASER, GUNNELL, HORTON, KING, LOOKER, MERRETT, POTTER AND SIMPSON-LAING

188. 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 Potter declared a personal non prejudicial interest in Executive Item 6 (Review of the Council's Constitution – Minute 194 refers) as the Older People's Champion and as a member of the Social Inclusion Working Group.

Cllr Fraser declared a personal non prejudicial interest in Executive Item 6 (Review of the Council's Constitution – Minute 194 refers) in relation to staffing matters as a member of the retired section of Unison and Unite.

Cllr Scott declared a personal non prejudicial interest in Executive Item 6 (Review of the Council's Constitution – Minute 194 refers) as the Children and Young Peoples Champion, and in Executive Item 7 (Theatre Royal Funding Agreement – Minute 195 refers) as a member of the Theatre Royal and as his partner was engaged in unpaid work experience at the Theatre Royal.

Cllr Looker declared a personal non prejudicial interest in Executive Item 7 (Theatre Royal Funding Agreement – Minute 195 refers) as an unpaid non voting secretary to the Theatre Royal Board.

189. 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 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.

190. MINUTES

RESOLVED: That the minutes of the last meeting held on 19 March 2008 be approved and signed as a correct record.

191. PUBLIC PARTICIPATION

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

192. 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 8 April 2008:

The Shadow Executive:

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

Executive on 22 April

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

Executive on 6 May

- *Residents Opinion Survey Results 2007/08*
- *Use of LPSA2 Reward Grant*
- *Gas Servicing – Future Procurement*
- *Back Street Petition*
- *A review and updating of the protocol governing the political management of the council for the 2008/09 year*

193. MINUTES OF THE ECONOMIC DEVELOPMENT PARTNERSHIP BOARD

The Shadow Executive considered a report which was listed as item 5 on the agenda for the Executive meeting on 8 April 2008, at page 13. The report presented the minutes of the most recent meeting of the Economic Development Partnership Board and asked Members to consider the advice given by the Board 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:

- *supported the recommendations of the Board;*
- *agreed that it was long overdue and a long called for reform;*
- *highlighted that consultation had not been conducted with the Future York Group regarding the change of structure as indicated in the original report that went to the EDPB, and were surprised this was not mentioned in 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.

194. REVIEW OF THE COUNCIL'S CONSTITUTION

The Shadow Executive considered a report which was listed as item 6 on the agenda for the Executive meeting on 8 April 2008, at page 23. The report asked Members to consider a number of proposed changes to the Council's Constitution, with regard to the size of the Executive, Standing Orders, terms of reference for the Urgency Committee, clarification around working groups, Champions, and expansion of the role of the Standards Committee.

Having discussed the issues set out in the report and questioned officers present at the meeting, the following comments were agreed:

The Shadow Executive:

- *welcomed the recognition for changes to the Constitution but were disappointed that these were still not going far enough;*
- *In relation to:-*
 - *Section A on Standards Committee – agreed with the need to continue to review whether non councillors should receive remuneration and look at other authorities' practices for information.*
 - *Section C on Urgency Committee – suggested that a Human Resources Committee would be a better option. That committee should have sufficient importance to reflect the importance of the issue. In the meantime, the name should be Urgency and Staffing Matters Committee.*
 - *Section D on reducing Executive portfolios – welcomed the reduction in size of the Executive but highlighted that the issue of social inclusion was a cross cutting matter for this council; did not agree that social inclusion fitted into the Leisure portfolio; as there were currently no strategic portfolios in the Council structure recommended that the Leader should take that strategic role and ensure its development within each directorate; agreed that the Constitution needed to be amended to reflect the demise of the Executive Member and membership of the Social Inclusion Working Group and the Young People's Working Group; agreed that there was a need to consider how social inclusion was addressed; were disappointed that the wording only refers to liaising with groups and this should be made stronger.*
 - *Section E on Economic Development Partnership Board – supported the Board's recommendation for two councillors and agreed that Paragraph 19 of the report should read two and not three councillors.*
 - *Section F on Champions – agreed that these needed a defined role and suggested a job description containing*

rights of access to Council meetings/decision making structure and Standing Orders; agreed that there was a need to introduce an Equalities Champion; highlighted that there was a need to differentiate between the elected and non-elected champions when considering the roles.

- *Section G on Working Groups – highlighted that they always had concerns about the ability of Working Groups to participate within the Council decision making process and this needed to be addressed in the Constitution.*

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.

195. THEATRE ROYAL FUNDING AGREEMENT

The Shadow Executive considered a report which was listed as item 7 on the agenda for the Executive meeting on 8 April 2008, at page 47. The report, deferred from the Executive meeting on 25 March, asked Members to approve a new Service Level Agreement (SLA) with the Theatre Royal. The additional information on this item requested by the Executive at the last meeting was included as an Annex.

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

The Shadow Executive:

- *reiterated their comments from the last Shadow Executive meeting;*
- *recommended option 3;*
- *asked the Executive to consider giving an inflation increase for 2008/09 to the Theatre.*

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 3.18 pm and finished at 4.00 pm].