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MEETING	SCRUTINY MANAGEMENT COMMITTEE (CALLING IN)
DATE	7 JULY 2008
PRESENT	COUNCILLORS GALVIN (CHAIR), BLANCHARD (VICE-CHAIR), ASPDEN, I WAUDBY, SCOTT, SIMPSON-LAING, TAYLOR AND HYMAN (SUBSTITUTE FOR CLLR R WATSON)
APOLOGIES	COUNCILLOR R WATSON

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### **1. 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 Waudby declared a personal, non prejudicial interest in agenda item 5 (Minute 5 refers), as a recipient of tickets from York Racecourse in her capacity as a former Lord Mayor of York.

Cllr Blanchard declared for the record that he had been in e-mail correspondence with Mr Darby, the Chair of York Racecourse, but not in relation to the issues to be discussed at this meeting.

### **2. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting should any discussion arise on the information in Annex B to agenda item 5 (Minute 5 refers) relating to the financial or business affairs of particular persons, on the grounds that this information is 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).

### **3. PUBLIC PARTICIPATION**

It was reported that there had been two registrations to speak at the meeting under the Council's Public Participation Scheme, both in relation to agenda item 5 (Minute 5 refers).

Marian Horton spoke as a resident of the Knavesmire who had not personally experienced anti-social behaviour from race-goers but had witnessed it taking place. She accepted that the Racecourse had a valuable part to play in the economic and social life of York. However, she felt that there should be more effort to involve and negotiate with local

residents, given that they had to suffer the effects of the alcohol sales that contributed to the Racecourse's revenue.

Nick Jones spoke as a resident of Scarcroft Hill who had been personally affected by anti-social behaviour from race-goers leaving the course. He expressed disappointment that the Racecourse was not prepared to contribute to tackling these issues. He urged the Council not to grant the lease unless concessions could be negotiated to reduce the anti-social behaviour suffered by residents of the South Bank and Scarcroft areas.

#### 4. MINUTES

RESOLVED: That the minutes of the meeting of the Scrutiny Management Committee (Calling In) held on 12 May 2008 be approved and signed by the Chair as a correct record.

#### 5. CALLED-IN ITEM: YORK RACECOURSE, APPLICATION FOR LEASE EXTENSION AND AMENDMENTS – REPORT BACK ON THE RESULTS OF FURTHER NEGOTIATIONS

Members received a report which asked them to consider the decisions taken by the Executive, at their meeting on 30 June 2008, regarding the grant of a new 99 year lease of land to York Racecourse. The decision had taken account of the results of further negotiations between Council Officers and the Racecourse, as requested by the Executive on 27 November 2007.

An extract from the minutes of the Executive meeting, setting out their decisions on this item, was attached as Annex A to the report. The original report, on which that decision had been based, was attached as Annex B. The decision had been called in by Cllrs Fraser, Merrett and Gunnell for the following reason:

*“That in making their decisions the Council’s Executive gave inadequate consideration to the concerns of local residents.”*

Members were invited to consider the following options:

**Option A** – confirm the decisions of the Executive, on the grounds that there was no basis for reconsideration;

**Option B**- refer the decisions back to the Executive, for them to reconsider or amend in part their decisions.

Cllrs Merrett and Fraser addressed the meeting on behalf of the Calling-In Members. They expressed their support for the Racecourse as an attraction to visitors and residents but emphasised that the problems with policing, toilet arrangements and traffic management had still not been addressed. They urged the Committee to recommend that the Council find extra funding, either from the lease income or by seeking a contribution from the Racecourse, to address the policing and toilet issues this year and that a wider review of traffic issues be carried out, taking account of new developments in this area. They also suggested that the Racecourse should offer benefits to local residents, such as discounted tickets.

After questions and a full debate, Cllr Scott moved, and Cllr Blanchard seconded, that the decisions be referred back to the Executive with the following recommendations:

- “a) That the new lease be entered into, in accordance with the Executive’s Resolution (i)*
- b) That the contribution of York Racecourse to the economy of the City be recognised;*
- c) That monies be provided by the Council, either from the lease income or by other financial provision, to combat anti-social behaviour by race-goers, including littering and toilets, and to provide proper policing;*
- d) That a Traffic Masterplan be prepared to examine traffic issues for the whole area around the Racecourse, taking into account the new development at the Terrys factory site and the potential new community stadium.”*

On being put to the vote, the above motion was declared carried by 5 votes to 3 and it was

RESOLVED: That Option B be approved and the decisions referred back to the Executive for reconsideration, with a recommendation that they:<sup>1</sup>

- a) confirm their original decision to grant the new lease, in accordance with Resolution (i) from the meeting on 30 June;
- b) recognise the contribution of York Racecourse to the economy of the City;
- c) resolve that monies be provided by the Council, either from the lease income or by other financial provision, to combat anti-social behaviour by race-goers, including littering and toilets, and to provide proper policing;
- d) resolve that a Traffic Masterplan be prepared to examine traffic issues for the whole area around the Racecourse, taking into account the new development at the Terrys factory site and the potential new community stadium.

REASON: In accordance with the Constitutional procedures for called-in decisions and to deal with the issues raised by the Calling-In Members.

Action Required

1. Refer decisions back to Executive.

GR

J Galvin, Chair

[The meeting started at 5.00 pm and finished at 6.30 pm].