



## Notice of meeting of

### Shadow Executive

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

**Date:** Wednesday, 9 July 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 15 July 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 25 June 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 8 July 2008, at 5.00 pm.

## **5. Executive Meeting on 15 July 2008 - Calling-in**

To consider the items on the agenda for the Executive meeting to be held on 15 July 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 4 July 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](mailto: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 সর্ববরাহ 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

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MEETING	SHADOW EXECUTIVE
DATE	25 JUNE 2008
PRESENT	COUNCILLORS SCOTT (CHAIR), GUNNELL, KING, LOOKER, POTTER AND SIMPSON-LAING
APOLOGIES	COUNCILLOR MERRETT

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**18. 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.

None were declared.

**19. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during consideration of Annexes 2 and 3 to Executive agenda item 7 (York Racecourse) (minute 24 refers) and Annex 3 to Executive agenda item 10 (Capital Programme Outturn) (minute 27 refers), on the grounds that they contained information relating to the financial or business affairs of particular persons (including the authority holding that information), which 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).

**20. MINUTES**

RESOLVED: That the minutes of the last meeting held on 11 June 2008 be approved and signed as a correct record.

**21. PUBLIC PARTICIPATION**

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

**22. 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 30 June 2008:

*The Shadow Executive:*

- *highlighted that a motion to Council in April 2008 requested a report to the Executive in June on web-casting meetings of Full Council but this report was not listed on the Forward Plan;*
- *agreed to provisionally request officers for the following items on the Executive Forward Plan:*

*Executive on 15 July*

- *Review of Homelessness Strategy 2008/13*

*Executive on 29 July*

- *Tang Hall Area Asset Management Plan*
- *Former Family Centre, Sixth Avenue, Heworth*
- *Key Considerations in the Approach to the Medium Term Financial Strategy*

## **23. CPA CORPORATE RESPONSE**

The Shadow Executive considered a report which was listed as item 6 on the agenda for the Executive meeting on 30 June 2008, at page 13. The report presented the results of the Council's CPA Corporate Assessment, conducted in January, and considered the Council's response to the CPA recommendations and their impact on corporate improvement planning.

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

*The Shadow Executive:*

- *recognised that the Council was good at service delivery but had major concerns about corporate strategy;*
- *highlighted that silo thinking and service delivery in silos was still present, as demonstrated by concerns regarding cross cutting issues such as HR, Equality and Anti Social Behaviour;*
- *agreed that there was a need for Members to be involved and for political will and responsibility, but the report did not detail how this could be fulfilled;*
- *highlighted that Terry Collin's responsibility regarding Member training was scheduled for August when many Members would be away;*
- *raised concerns about the Communication Strategy which was part of the Policy Prospectus last year and still not fulfilled;*
- *reiterated their previous comments for scrutiny reform;*
- *challenged the Executive to take leadership and appoint one of the Executive Members to sort this out.*

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.

**24. YORK RACECOURSE - APPLICATION FOR LEASE EXTENSION AND AMENDMENTS - REPORT BACK ON THE RESULTS OF FURTHER NEGOTIATIONS**

The Shadow Executive considered a report which was listed as item 7 on the agenda for the Executive meeting on 30 June 2008, at page 31. The report presented the results of further negotiations between Officers and York Racecourse with regard to the granting of a new lease, as requested at the Executive (Calling In) meeting on 27 November 2007, and recommended that the new lease now be granted.

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

*The Shadow Executive:*

- *were disappointed at the report in that it did not progress issues first raised which resulted in the SMC Call-In;*
- *supported the views expressed by Ward Councillors;*
- *highlighted to the Executive that facilities such as provision of toilets should be seen as a separate expenditure with the cost covered by extra racecourse income rather than a growth bid;*
- *suggested the purchase of portable toilets by a possible income stream and there should be a separate allocation of money to residents affected by the racecourse and those attending the races through Ward Councillors.*

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.

**25. YEAR END REVIEW OF PERFORMANCE 2007/8**

The Shadow Executive considered a report which was listed as item 8 on the agenda for the Executive meeting on 30 June 2008, at page 47. The report provided an overview of how the Council had performed during the financial year 2007-2008.

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

*The Shadow Executive:*

- *noted a mixed report.*

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.

**26. GENERAL FUND - PROVISIONAL REVENUE OUTTURN 2007/08**

The Shadow Executive considered a report which was listed as item 9 on the agenda for the Executive meeting on 30 June 2008, at page 107. The report presented the projected 2007/08 out-turn position on the Council's General Fund Revenue Account, Housing Revenue Account (HRA), Collection Fund, and Public Service Agreements (PSAs) for 2007/08, and asked Members to consider requests for under-spent project budgets to be carried forward and resultant transfers to reserves.

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

*The Shadow Executive:*

- *expressed concerns that the Executive and the previous leader gave a misleading picture of the financial situation facing the Council in the run up to the budget Council in February 2008, and this scaremongering was not helpful and frightened the most vulnerable;*
- *expressed concern at the level of underspend and subsequent carry over;*
- *highlighted that the CPA indicated concern in capital projects not being completed, which appeared to be transferring to management of revenue and demonstrated further indication of financial mismanagement;*
- *called on the Executive to get their house in order.*

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.

**27. CAPITAL PROGRAMME OUT-TURN 2007/08 AND REVISIONS TO THE 2008/09 - 2010/11 PROGRAMME**

The Shadow Executive considered a report which was listed as item 10 on the agenda for the Executive meeting on 30 June 2008, at page 147. The report presented the final out-turn position of the Council's capital programme for 2007/08, together with the statutory declaration on the funding of the programme, sought approval for any necessary changes resulting from underspends, overspends and slippage, and provided an update on the future capital programme and a change to accounting policy relating to the statutory minimum revenue provision.

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

*The Shadow Executive:*

- *noted the report and referred the Executive to the comments in relation to the capital projects.*

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.

**28. STATEMENT OF ACCOUNTS 2007/08**

The Shadow Executive considered a report which was listed as item 11 on the agenda for the Executive meeting on 30 June 2008, at page 173. The report invited Members to review and comment upon the Council's financial accounts for the financial year 2007/08 before submitting them for approval by Full Council on 30<sup>th</sup> June 2008.

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

*The Shadow Executive:*

- *highlighted that they had not had sight of the finalised report and the draft report was not provided in sufficient time to allow detailed comment;*
- *reserved their right to make further comments later when the finalised report was made available.*

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 3.40 pm].

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