

Meeting	Cabinet (Calling-In)
Date	3 March 2015
Present	Councillors Williams (Chair), Crisp, Cunningham, Levene, Looker and Simpson-Laing (Vice-Chair)
In attendance	Councillors D'Agorne, Galvin and Watson

8. Declarations Of Interest

At this point in the meeting, Members were asked to declare any personal interests not included on the register of interests, any prejudicial interests or any disclosable pecuniary interest which they might have in respect of the business on the agenda. No additional interests were declared.

9. Minutes

Resolved: That the minutes of the last meeting of Cabinet (Calling-In) held on 27 January 2015 be approved and signed by the Chair as a correct record.

10. Public Participation

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme, and that two Members of Council had also requested to speak in relation to the Called-In item.

Paul Hepworth, spoke on behalf of the Cyclists' Touring Club, to request Cabinet to continue with the proposed establishment of a Congestion Commission for the city. He supported the set up of a Commission, prior to the election, to enable work to commence as soon as possible in tackling the city's congestion and increasing gridlock.

Councillor D'Agorne spoke to express his disappointment at the lack of cross party support for the Commission with professional expertise to look at alternative ways of reducing congestion. He

suggested that, with the wealth of local knowledge as an alternative, consultation could be undertaken with Group Leaders to appoint a Chair and Vice Chair to undertake consultation and engagement. With an online survey to progress this work to find quick win improvements.

Cllr Galvin, addressed the meeting as Chair of the Corporate & Scrutiny Management Committee. He expressed his full support for the recommendations of the Scrutiny Committee for deferral of the set up of a Congestion Commission until after the local election.

11. Called-In Item: A Congestion Commission For York

Members received a report which asked them to re-consider the decision made by Cabinet on 10 February 2015, in relation to the establishment of a Congestion Commission for York. This had included proposals for a city-wide conversation building on known expertise in the field to bring forward strategic recommendations for Council's consideration.

Details of the Cabinet's decision were attached at Annex A to the report and the original report of the Director of City and Environmental Services, to Cabinet, attached at Annex B.

The decision had been referred back to Cabinet by the Corporate and Scrutiny Management Committee (CSMC). This followed the calling-in of the Cabinet's decision, firstly by Councillors Richardson, Healey and Doughty on the following grounds:

- It is difficult to see how such a large new look at congestion can be embarked upon given the refusal of the cabinet to look into lessons learned from the Lendal Bridge trial;
- It is wrong for the council to commit to fund a major committee, select its members, including paid independent experts, and set out the committee's operating criteria and timeline three months prior to local council elections, which may well result in a change in the priorities of the council;
- There is an issue of democratic accountability and it lessens the chance of having an outcome which will

realistically be implemented, that the panel will have more non-elected than elected members;

- It is naive to suggest that such decisions could possibly be made without taking into account the political calculations of all members of the council, which this close to an election would not necessarily be conducive to creating an independent committee seeking long-term solutions;
- The costs of the proposed committee are well beyond the budget set for internal scrutiny committees and too high given the other pressures on council funds.

The Cabinet's decision, had secondly been called in by Councillors Aspden, King and Watson on the following grounds:

- These proposals involve spending £135,000 - mostly on expensive external consultants – but fail to demonstrate that this expenditure offers value-for-money for residents.
- The report says that “officers have reviewed a range of such bodies” but these options on the size/structure/cost of the committee have not been presented to opposition members.
- Appointments (including the Chair) and various approaches have been made without any reference to the views of opposition members.
- The report does not specify direct resident and business involvement on the committee only the creation of a vague sounding Citizen's Jury.
- The report does not properly show how existing council staff/resources/previous studies will be properly utilised.
- The report fails to give a clear commitment to an achievable timeframe or tangible, realistic and cost-effective outcomes.

Cabinet noted that CSMC had supported referral back of the decision with a recommendation that Cabinet should consider deferring any consideration of the setting up of a Congestion Commission until after the local election in May 2015.

The Cabinet Member for Transport, Planning and Economic Development confirmed that he had attended the CSMC (Calling-In) meeting and had noted the concerns raised in relation to the call-in of this decision. However, it was felt that the forthcoming elections should not preclude undertaking preparatory work and the setting up membership for a Congestion Commission. It was felt particularly important that the authority should be seen to be taking the matter of congestion seriously and making a commitment to residents.

Members referred to previous work undertaken and existing measures taken to tackle congestion, yet despite this work congestion and air quality still remained a major challenge to the city. They also expressed concern that deferring a decision to set up a Commission would delay work that could be used to take the Commission's work forward.

Following further discussion it was

Resolved: That Option b) be approved and that the original decision of Cabinet (Minute 100) from their meeting held on 10 February 2015, in respect of the establishment of a Congestion Commission for York be reaffirmed. ¹.

Reason: To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

Action Required

1. Proceed to establish a Congestion Commission. SCT

Cllr D Williams, Chair

[The meeting started at 5.00 pm and finished at 5.20 pm].