



Notice of a public meeting of

Corporate and Scrutiny Management Policy and Scrutiny Committee

- To:** Councillors Levene (Chair), Fenton, Flinders, Galvin (Vice-Chair), Gates, Kramm, Lisle, Reid and Williams
- Date:** Monday, 13 July 2015
- Time:** 5.30 pm
- Venue:** The Thornton Room - Ground Floor, West Offices (G039)

AGENDA

1. **Declarations of Interest**

At this point, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. **Minutes** (Pages 1 - 6)

To approve and sign the Minutes of the last meeting of the Committee held on 15 June 2015.

3. **Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. The deadline for registering is **5.00pm on Friday 10 July 2015**. Members of the public can speak on agenda items or matters within the remit of the committee.

To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

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4. Executive Leader, Finance and Performance

The Executive Leader will be in attendance at the meeting to report on his priorities and challenges for 2015/16.

5. Deputy Leader & Executive Member for Economic Development & Community Engagement

The Deputy Leader and Executive Member for Economic Development and Community Engagement will also be in attendance to report on his priorities and challenges for 2015/16.

6. Consultation on Decision Making Arrangements (Pages 7 - 18)

This report asks Members to consider proposed options for the implementation of new decision making arrangements and make comments for consideration by the Executive on 30 July 2015.

7. Yearsley Pool Update Report on the Work of the former Ad Hoc Scrutiny Committee (Pages 19 - 46)

This report provides the Committee with details of the work carried out by the former Yearsley Pool Ad Hoc Scrutiny Committee as requested at its meeting on 15 June 2015.

8. Scrutiny Topic Assessment - The Expansion of Local Democracy using Digital Means (Pages 47 - 54)

This report presents a scrutiny topic proposed by James Alexander on the expansion of local democracy using digital means. Members are asked to decide if they wish to proceed to scrutiny review with the topic.

9. Scrutiny Annual Report (Pages 55 - 66)

This Draft Annual Scrutiny Report summarises the work of the five Overview & Scrutiny Committees for the municipal year June 2014 – May 2015, and asks Members to agree the report prior to its presentation to Council in July 2015.

10. New Arrangements for Petitions (Pages 67 - 80)

This report provides the Committee with details of petitions received and actions taken, as set out in the Schedule at Annex A. Members are asked to agree an appropriate course of action in each case.

11. Work Plan 2015/16 (Pages 81 - 82)

To consider the Committee's work plan for the 2015/16 municipal year.

12. Any Other Business

Any other business which the Chair decides is urgent.

Democracy Officer:

Name: Jill Pickering

Contact details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

0City Of York Council

Committee Minutes

Meeting	Corporate and Scrutiny Management Policy and Scrutiny Committee
Date	15 June 2015
Present	Councillors Levene (Chair), Fenton, Galvin (Vice-Chair), Gates, Kramm, Lisle, Reid, Williams and Derbyshire (Sub for Cllr Flinders)
Apologies	Councillor Flinders

1. **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.

2. **Minutes**

Resolved: That the minutes of the last meeting of the Committee, held on 7 April 2015, be approved and signed by the Chair as a correct record.

3. **Public Participation**

It was reported that there had been one registration to speak at the meeting, from Fiona Evans on behalf of the Yearsley Pool Action Group in relation to Agenda item 6 – Yearsley Pool Ad Hoc Scrutiny Committee.

Fiona Evans requested members to formally close the Yearsley Pool Ad Hoc scrutiny review for a number of reasons which she outlined. In particular, the change in Council administration, that the new Executive had made a commitment to keep Yearsley pool open and, as only one member of the existing scrutiny committee remained on the ad hoc committee. She felt that cross party working with the aims of reducing the subsidy and

examining operating options could now be facilitated by other less formal means. She also thanked the Ad Hoc Committee for their work to date.

4. Arrangements for Overview & Scrutiny in York

Consideration was given a report which highlighted the Council's structure for the provision of the overview and scrutiny function and the resources available to support it, together with the terms of reference for the individual scrutiny committees.

The Democracy and Member Support Manager provided a Committee update about proposed changes to the terms of reference for the scrutiny committees.

The Chair confirmed that consideration was being given to pre decision scrutiny and increased consultation. He highlighted the need for scrutiny to be more proactive and for work plans to include items related to the new policy element of the Committees role, with assistance from the Council's policy team. He also suggested additional generic scrutiny and subject specific training with one or two yearly work planning.

Resolved: That the report and the specific remits of the individual Policy and Scrutiny Committees be received and noted.

Reason: To inform Members of the scrutiny arrangements.

5. Update on Implementation of Recommendations from Previously Completed Community Engagement Scrutiny Review

Members considered a report which updated the Committee on implementation of the outstanding recommendations arising from the previously completed scrutiny review on Engaging Communities.

Consideration was given to the two outstanding recommendations listed at Annex A of the report, relating to improvements in joint working at Ward Committee meetings and work on the identification of associations or groups to

disseminate information in areas where no Parish Council or Resident Association existed.

The Chair referred to the changes in ward committee arrangements going forward, highlighting that signoff of the outstanding recommendations related to the previous ward committee model. He confirmed that scrutiny of the new arrangements would follow as they came forward.

Officers referred to current work being undertaken on the formalising of future policy, in particular the role of the Committee and pre decision scrutiny arrangements.

Some Members expressed concern at the sign off of the outstanding recommendations, prior to agreement and set up of the new Ward Committee arrangements but were reassured that, if the recommendations were signed off, that the work of the Task Group would be incorporated into any future review and, following further discussion it was

- Resolved:
- (i) That the two outstanding recommendations in relation to the previously completed scrutiny review on Engaging Communities be signed off.
 - (ii) That Officers from the Communities and Equalities Team be invited to attend the Committees next meeting to outline the new Ward Committee arrangements.

Reason: In order to finalise the work of the previous scrutiny review and to update Members on future arrangements for Ward Committees.

6. Yearsley Pool Ad Hoc Scrutiny Committee

Consideration was given to a report which provided the Committee with information on the current situation regarding membership of the Ad Hoc Scrutiny Committee, set up to investigate ways to reduce the subsidy given to Yearsley Pool whilst securing its long-term future.

The Chair confirmed the need to continue to examine ways of reducing the subsidy and expressed concern at the request to disband the Committee, prior to concluding its work.

Some Members also confirmed their concern at the public speaker's suggestion to close the ongoing Yearsley Pool review, particularly following work previously undertaken, the high level of public engagement, Nestlé's proposals for an employees' gym and reiterating that there was still a need to reduce the subsidy for the pool.

Other Members felt, in view of the loss of membership of the Ad Hoc Committee, that the review should be abandoned; however the Committee could be reconstituted at a later date, if required.

The Scrutiny Officer highlighted the Committee's work to date, confirming the changes in membership and the options now open to Members

Following further discussion Cllr Kramm moved and Cllr Williams seconded option (i) at paragraph 18 of the report and the continuation of the Yearsley Pool Scrutiny Review and appointment of a new Ad Hoc Scrutiny Committee to carry out the work. On being put to the vote this motion was lost.

Cllr Fenton then moved and Cllr Reid seconded option (ii) at paragraph 18 of the report, the closure of the Yearsley Pool scrutiny review in light of the priorities in the new Executive's policy programme. On being put to the vote the motion was lost.

Cllr Galvin then moved and Cllr Lisle seconded and it was

Resolved: That the Yearsley Pool Scrutiny Review be abandoned and that a report be presented to the Committee's next meeting, of the Ad Hoc Committee's findings to date and the options open to the Committee to move this review forward.

Reason: To enable options to reduce the Council subsidy to Yearsley Pool to be identified.

7. **New Arrangements for Petitions**

Members considered a report which outlined the Committees new role in the initial consideration of petitions received by the Authority. Consideration was also given to the schedule of all petitions considered to date by the Committee, including details of any new petitions received since the Committees last meeting in April, at Annex A.

The Chair referred to the schedule which detailed every petition received to date and action taken, since the Committee had taken on this new overseeing role in October 2014.

Members confirmed that, in order to make the information relevant and manageable for future meetings and, as long as the schedule of petitions was publically available, that an annex in a reduced format would be acceptable for consideration at future meetings.

Resolved: That future petitions reports presented to the Committee include an annex of current petitions and agreed actions, following consideration of the petitions by the relevant Executive Member.

Reason: To ensure the Committee carries out its new requirements in relation to petitions.

8. **Work Plan 2015/16**

Consideration was given to the Committee's work plan for the 2015/16 municipal year.

Officers confirmed that the Bi-annual Workforce Strategy Monitoring Report listed for the 9 November 2015 and 9 May 2016 meetings could be removed from the work plan. It was noted that the final monitoring report had been presented to the April 2015 meeting and that a new combined People and Organisation Development Plan was now being developed.

Members referred to the attendance of the Executive Leader and Deputy Leader at the Committees next meeting and suggested this would be an opportune time to discuss how the

policy elements of strategic finance could be incorporated in pre decision call in.

Resolved: That the Committee's work plan for 2015/16 be received and noted, subject to the following changes and additions:

13 July 2015

Addition - Annual Scrutiny Report

Addition - Consultation on future scrutiny participatory role in executive decision making

Addition - Yearsley Pool - Ad Hoc Committees findings to date and options open

14 September 2015

Addition – Future Ways of Scrutiny Working

9 November 2015

Removal – Bi-annual Workforce Strategy 2012-15

9 May 2016

Removal – Bi-annual Workforce Strategy 2012-15

Reason: To inform Members of the Committee's work during the current year and work that will be continuing into the next municipal year

Councillor D Levene, Chair

[The meeting started at 5.00 pm and finished at 6.10 pm].



Corporate & Scrutiny Management Policy & Scrutiny Committee**13 July 2015**

Report of the Monitoring Officer

Consultation on Decision Making Arrangements

1. Background

- 1.1 The new council leadership want policy and scrutiny committees to have the opportunity to debate and make recommendations on matters requiring an executive decision before a final decision is taken.
- 1.2 The Executive will be considering a report at their meeting on 30th July 2015 proposing options to be consulted on for implementing this new system. Because of the timing of the meetings this Committee and Audit and Governance Committee are being consulted prior to the Executive. It is then proposed that there will be a further period of consultation with a view to reporting back to the Executive in August. This will allow any new working arrangements which do not require constitutional change to be implemented as speedily as practicable. The proposed Executive report is annexed to this report (see Annex A).
- 1.3 The proposals will allow Policy and Scrutiny Committees to see reports prior to executive decisions being made. It is, of course, possible for Policy and Scrutiny Committees to exercise earlier oversight of the most significant issues affecting the City and to attempt to influence policy direction. Members of the Committee may wish to consider how their work planning arrangements can ensure that they can exercise this early influence where appropriate.

2. Consultation

- 2.1 This report is being presented to the Corporate and Scrutiny Management Committee by way of consultation. It will also be considered by the Executive and Audit and Governance Committee. Political groups and the independent Members will also be asked for their views.

3. Council Plan

3.1 Effective and inclusive decision making will assist in achieving all Council plan priorities.

4. Implications

4.1 The implications are set out in the annexed report.

5. Recommendations

5.1 Members are requested to consider this report and the report at Annex A, make comments for consideration by the Executive.

Reason: To enable revised decision making arrangements to be put in place.

Contact Details:

Author and Chief Officer responsible for the report:

Andy Docherty
Assistant Director
Tel No. 01904 551004

Report Approved



Date 02/07/2015

Wards Affected:

All



For further information please contact the author of the report

Background Papers: None

Annexes:

Annex A - Proposed Report to the Executive, 30 July 2015



Executive**30 July 2015****Report of the Monitoring Officer****Consultation on Decision Making Arrangements**

1. Summary

- 1.1 A key priority of the new council leadership is to ensure there is greater cross-party involvement in the decision making process and that these decisions are taken in a more open and transparent way.

The new leadership want policy and scrutiny committees to have the opportunity to debate and make recommendations on matters requiring an executive decision before a final decision is taken.

This report sets out proposals for how such a system could be introduced and identifies some issues which may arise. It is proposed that this report form the basis for consultation with Audit and Governance Committee, Corporate and Scrutiny Management Policy and Scrutiny Committee, political groups and independent members.

- 1.2 The proposals seek to balance three key principles:

- That there should be an opportunity for scrutiny of executive decisions before they are made
- That proper decision making should not be unduly delayed or fettered
- That there should be greater transparency not only of what decisions are made but by whom.

2. Who will undertake pre decision scrutiny?

- 2.1 It is proposed that the arrangements for scrutiny will vary according to whether the decision is proposed to be taken by the full Executive or an Executive Member acting alone.

- 2.2 For an Executive Member decision it is suggested that the policy and scrutiny committee within whose remit the issue lies will have the scrutiny responsibility. For matters coming to the Executive it is proposed that CSMC will be the scrutiny committee.
- 2.3 The suggestion that CSMC have oversight of Executive reports is made simply for reasons of effective administration. There may be concerns that this means that members of the relevant scrutiny committee will not get to scrutinise the most significant decisions relating to their area. This concern could be mitigated by one or more of the following:
- Scrutiny committees asking for early reports on significant issues in advance of Executive reports being drafted and thereby influencing policy development and the contents of the final Executive report
 - Arrangements for representatives of the scrutiny committee to have a right to participate in the debate at CSMC
 - Considering the make up of CSMC – could it, for example, be largely made up of the Chairs of the other scrutiny committees?

3. How will a decision come for scrutiny?

- 3.1 It has always been possible for a Scrutiny Committee to identify issues which will, in due course, require an Executive decision and for the Committee to review those issues. Such scrutiny at an early stage of policy development can help frame future debates and reports and is not in any way affected by these proposals.
- 3.2 What these proposals do seek to achieve is to give Scrutiny and Policy Committees the opportunity to see a report in its final (or close to final) form and to debate recommendations on the report prior to the final decision being made.
- 3.3 There are various ways that the Council could arrange to bring a report to the relevant scrutiny and policy committee including:
- All decisions coming for scrutiny routinely
 - Any Member being able to request a proposed decision be added to the Scrutiny agenda

- Replicating the post decision “call in process” requiring three Members to call the decision to Committee
- Have the Chair/Vice Chair operate as a filter for Member requests in much the same way as Planning Committee operates in bringing to Committee matters which would normally be decided under delegated powers.

3.4 Having all matters come for scrutiny routinely may not be the best use of Committee or Officer time and so some filter system is recommended. That in use for planning matters works well and may be an appropriate model.

4. How will Members know what decisions are to be made?

4.1 The Forward Plan is key to this and there will need to be considerable discipline in adding matters to the Plan in good time and with sufficient detail as to what is to be decided.

5. What would the timescales be?

5.1 Working backwards a possible **minimum** timeline for a decision to be taken at a meeting of the Executive might look something like:

Day 0 (Thursday)	Executive meets
Day minus 8 (Wednesday)	Executive agenda published with CSMC recommendations
Day minus 14 (Thursday)	CSMC meets
Day minus 22 (Wednesday)	CSMC agenda published
Day minus 24 (Monday)	Democratic services notified that decision is to be scrutinised
Day minus 41 (Friday)	Forward plan published

5.2 This timeline has some issues.

- The only practical way to make this system work is to move CSMC from a six weekly to a monthly cycle, meeting a fortnight before each Executive meeting.
- The Forward plan is currently published monthly as standard (previously this was a legal requirement). 28 days notice is required between publication and decision. It is suggested that a move to a rolling Forward Plan with weekly publication would make sense and the timetable above requires it.
- More seriously this time line allows only one full working day between notification that the decision will be scrutinised and the report needing to be with democratic services. Accordingly either Officers would have to work to having final reports ready for the CSMC agenda deadline or the timetable needs to be pushed back.
- The timeline is based on giving Members at least two week's notice to "call in" a decision. There is a question as to whether that is reasonable notice. Whatever the right notice period is, it is suggested that it needs to be set by reference to the decision date.

5.3 The issue is perhaps even greater for Executive Member decisions. The proposal is that decision sessions will run to the same timetable as the relevant scrutiny committee. With the exception of Health Scrutiny, those Committees are scheduled to meet seven times a year. If that continues then this may have consequences for the timeliness of proposed decisions. Given publication deadlines, some decision may wait up to twelve weeks. Possible options discounting a return to private decision making are:

- Move all Scrutiny Committees to a monthly cycle
- Schedule Executive Member decisions sessions between as well as alongside Scrutiny meetings allowing matters which have not been called in to be progressed more swiftly

5.4 Under current arrangements any decision made by the Executive or an individual Member is open to post decision call in. That could, of course, further stretch the timetable.

5.5 None of these issues are insurmountable and most decisions should be able to follow this process. There does though need to be a level of pragmatism which accepts that some urgent decisions will have to be made sooner than this system allows. Some decisions have a statutory timeline which may be difficult to meet while following this process – for example the Council has eight weeks to designate a Neighbourhood Area in connection with neighbourhood plan applications. Officers can determine these if straightforward but where there are objections they will be presented to the Executive Member. At best this will be known four weeks into the process. Other decisions may be urgent because of potential financial or reputational impacts on the Council. These decisions ought to be very much in the minority.

6. Urgent decisions

6.1 There are several ways that the issue of urgent decisions could be tackled. Options might include:

- A “special urgency” process for decisions which are particularly urgent. There is such a process for making key decisions which are not on the Forward Plan. That involves seeking the consent of the Chair of the relevant scrutiny committee to the decision being taken. An alternative would be for the Leader to certify that the decision cannot wait and then be accountable to CSMC for so certifying.
- A “general urgency” process for decisions which cannot wait until the next scheduled meeting but can be taken after normal notice of a meeting has been given and the meeting held.

6.2 A general urgency process might then involve one of the following:

- a) Scheduling a special meeting of the appropriate scrutiny committee
- b) Refer the decision to CSMC if it has a scheduled meeting within an appropriate timescale
- c) Establishing an “urgency” sub committee of CSMC to be called on an ad hoc basis. Such a committee could even meet immediately before the Executive or the decision session.
- d) Referring these decisions to Staffing Matters and Urgency Committee (which has fortnightly meetings scheduled but is not a scrutiny committee)

6.3 Whatever system is implemented Members may wish to consider reviewing its use periodically.

7. How would the scrutiny committee/decision session operate?

7.1 Under current procedures decision sessions operate as though they are a formal local authority meeting. If we continue on that basis then logically the new system would either have:

- the Committee meet, adjourn to allow the decision session to take place and then reconvene or
- the executive business would be the final item on the agenda and the decision session would open on the committee meeting closing.

7.2 Of these two options the latter provides a clearer distinction between the two sets of proceedings but may mean an Executive Member and members of the public interested in an executive decision having to wait some time before the executive business can be completed.

7.3 An alternative solution might be that the executive business is an early agenda item for the Scrutiny committee, public participation takes place at least on that item, an officer presents the report, the Executive Member participates in the debate and at the close of the debate the Chair asks the Executive Member whether he or she is able to announce his or her decision. That decision would then be recorded in a decision notice in accordance with legal requirements. If a decision is delayed it would either be referred to the full Executive or taken at another decision session.

7.4 One potential downside to this suggestion is that it might not be clear who the decision maker is. While it is to be expected that the views of the Committee would be given very great weight, legally the decision rests with the Executive and decisions would be open to challenge if the Executive member does no more than rubber stamp a decision.

8. What about decisions requiring Council approval?

8.1 There are relatively few decisions which require Full Council approval but they include:

- Agreeing the budget

- Agreeing expenditure outside of virement limits – typically significant capital spend
- Agreeing specified key plans – including the local plan and the Council plan

These decisions would not currently be subject to post decision scrutiny.

- 8.2 Cross party engagement in the local plan is already ensured through the Local Plan Working Group.
- 8.3 The budget report is inevitably finalised close to the deadlines for an Executive recommendation and in any case opposition parties tend to like to propose a full budget amendment for Council. Scrutinising the Executive's budget report, even if it can be made available, may not be terribly productive. However, Scrutiny could develop a more significant role in looking at the principles underpinning the budget in the run up to the Executive producing its draft.
- 8.4 It is therefore suggested that Executive recommendations to Council should not be subject to the new pre decision scrutiny process.

9. Scrutiny Committee remit

- 9.1 There is a further consequence for Executive Members in that many of the portfolios come within the remit of more than one Scrutiny Committee. It seems appropriate to review those remits to see whether it is possible to bring them more in line with portfolios.

10. Officer in consultation decisions

- 10.1 To improve openness and transparency the new council leadership also proposes to end the occasional practice whereby decisions may have been taken by an officer in consultation with the Executive Member. Where a decision requires the active involvement of the Executive Member the new leadership believe that the decision should be taken by the relevant Executive Member in a public decision session. This will allow reports to be published in advance and for residents and councillors to speak at the meetings.

11. Options

11.1 The Executive may accept or reject any of the proposals put forward and may put forward alternatives.

12. Analysis

12.1 The analysis is contained in the body of the report.

13. Consultation

13.1 This report is being presented to the Executive, Audit and Governance Committee and Corporate and Scrutiny Management Committee by way of consultation. Political groups and the independent Members will also be asked for their views.

14. Council Plan

14.1 Effective and inclusive decision making will assist in achieving all Council plan priorities

15. Implications

15.1 The implications are:

- Financial – there are no financial consequences arising directly from this report. The final proposals following consultation may have a resource impact, particularly for the staffing of the Democratic Services team, which will need to be considered in due course.
- Equalities - none
- Legal - as York operates a Leader and Cabinet model of decision making under the Local Government Act 2000, executive decisions must be taken in accordance with the provisions of that Act and Regulations issued under it. Decisions will be open to challenge if the Executive or an Executive Member were to slavishly follow the recommendations of a Scrutiny Committee without applying their own independent judgment.

16. Risk Management

16.1 The report identifies risks in respect of the timeliness of decision making and the transparency of decision making.

17. Recommendations

17.1 Members are requested to:

- Indicate any immediate views on the proposals contained in this report
- Agree to consult with both the Audit and Governance Committee and the Corporate and Scrutiny Management Policy and Scrutiny Committee along with political groups and independent members on the proposals in July. Before a final proposal is brought forward in August.

Reason: To enable revised decision making arrangements to be put in place

***Author and Chief Officer
responsible for the report:
Andy Docherty
Assistant Director
Tel No. 01904 551004***

**Report
Approved**



Date 01/07/2015

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

None

Annexes:

None

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Corporate & Scrutiny Management & Policy Scrutiny Committee**13 July 2015**

Report from the Assistant Director Governance and ICT

Yearsley Pool Update Report on the Work of the former Ad Hoc Scrutiny Committee**Summary**

1. This report provides Corporate & Scrutiny Management Policy & Scrutiny (CSMPC) with details of the work carried out by the former Yearsley Pool Ad Hoc Scrutiny Committee as requested at its meeting on 15 June 2015.

Background

2. Yearsley Pool is part of York's heritage and remains the only Edwardian 50 yard pool in the north of England. The current Yearsley Swimming Pool was built in 1908 by Rowntree and Company Ltd and gifted by deed to the citizens of the city of York on 4th May 1909. Some Edwardian features remain to this day.
3. In June 2007, the Council's Executive agreed a £890,000 refurbishment scheme to prolong the pool's life and in July the work started on site. In October 2007 the Executive agreed to add an additional £200,000 to the refurbishment scheme due to a number of difficulties that could not have been foreseen before the work commenced.
4. In September 2014 Cabinet considered an update report on the Community Stadium and Leisure Complex and agreed that the Council should review the future of Yearsley Pool, to be completed by January 2016 (six months prior to the opening of the New Stadium Leisure Centre - NSLC).
5. At the same meeting Cabinet confirmed Greenwich Leisure Limited (GLL) as preferred bidder to operate the new Community Stadium, NSLC and Energise for the next 18 years. As part of their bid GLL agreed that they would operate Yearsley Pool until the NSLC opens.

6. The Cabinet paper noted that during the procurement process options for investment into Yearsley Pool were considered by bidders. However, bidders concluded that it would require considerable investment and better car parking facilities, which to date have not been secured, making it too expensive with a limited leisure offer compared with other options.
7. The cost to the Council of operating Yearsley has been consistently more than £250k per annum over the last five years and this made it a commercially unattractive option as part of the future leisure management contract for the City. The Ad Hoc Sub Committee received details of current financial arrangements and usage figures.
8. The report to Cabinet also noted that the future operation of Yearsley would need to be considered six months prior to the opening of the NSLC, providing the option for the operator to continue with the management if it can be operated without the Council subsidy, or exploring other operational structures with the community and stakeholders if the operator decides not to take up that option. This will be linked to decisions and options that may arise regarding potential investment into the wider Yearsley site. (A detailed planning application for the Community Stadium and sports complex was approved by the City of York's Planning Committee at a meeting on 27 March 2015.)
9. Since the September Cabinet meeting campaigners against the plan have claimed that the loss of funding could put the pool under threat. A petition to safeguard the pool, co-ordinated by the Yearsley Pool Action Group (YPAG), has been signed by more than 6,600 people. A total of 4,631 signed a paper petition while 2,045 signed an online petition and comments can be viewed at:
<https://www.change.org/p/city-of-york-council-save-yearsley-pool>
10. As a result of the public interest in the loss of the Council subsidy and concern over the future of Yearsley Pool, Cllr Aspden submitted a scrutiny topic with the aim of safeguarding the pool's long-term future.
11. Cllr Aspden's proposal for a scrutiny review was initially put to the Learning & Culture Overview & Scrutiny Committee but because of their busy workload Learning & Culture OSC Members agreed that the topic submission should be presented to Corporate & Scrutiny Management Committee (CSMC) for their consideration.
12. At a meeting in January 2015 CSMC received a feasibility report on the proposed scrutiny review of Yearsley Swimming Pool which noted that

the proposed scrutiny review would differ from the Council review because of a number of factors, including:

- The aim of the scrutiny review is to keep Yearsley Pool open while finding ways to reduce the subsidy. It will do more than “explore all options”, one of which is closure. The wording and scope of the review is explicitly about keeping the pool open.
- The proposed scrutiny review will work on a shorter timetable to ensure that recommendations are in place - ideally by autumn 2015 and certainly before January 2016. This will allow the pool a longer period of adjustment before the council subsidy is withdrawn in 2016.
- The review meetings will take place in public allowing a more open and transparent process with greater user/resident engagement. The Community Stadium Project Board is not a public meeting and opposition councillors are unable to scrutinise its reports.
- The proposed scrutiny topic has the support of and will involve the Yearsley Pool Action Group (YPAG) as the key ‘community/user representative’.

13. CSMC decided to proceed with the review and agreed the review aim: “To investigate ways to reduce the subsidy given to Yearsley Swimming Pool while securing its long-term future.”
14. They also agreed to appoint an Ad Hoc Scrutiny Committee consisting of five members (two Labour, one Conservative, one Liberal Democrat and one Independent) to undertake the scrutiny review on their behalf and tasked them with agreeing the review objectives. Following the meeting the agreed nominations for membership of the Ad Hoc Scrutiny Committee were Cllrs Boyce, McIlveen, Richardson, Aspden and Watson.
15. The Ad Hoc Scrutiny Committee met for the first time on 24 February when Cllr Aspden was appointed Chair and the Committee agreed a timetable and the following objectives for the review:

Objectives

- i. Examine alternative funding models from elsewhere and identify any community led schemes;

- ii. Understand the current funding arrangements for Yearsley Pool;
- iii. Understand the value added by Yearsley Pool to both the local community and the city;
- iv. Identify a suitable funding / operating model for Yearsley Pool beyond 2016.

Budget Consideration

16. At the Council Budget meeting on 27 February 2015 the Council carried a Green Party amendment to the Revenue Budget to “Earmark unallocated future New Homes Bonus up to £300,000 per year for up to five years, from 2016/17 onwards, to maintain the Yearsley Pool.”
17. However, Cllr Aspden took the view that any measures taken to reduce the subsidy to Yearsley Pool can only be a good thing for the city and the original premise of the Scrutiny Review is still sound. There are no guarantees that the New Homes Bonus will continue beyond 2016/2017.
18. Following the local government elections in May 2015 the Conservatives and Liberal Democrats formed a coalition to run City of York Council and a new Executive was appointed. One of the priorities of the new Executive is that Yearsley Pool remains open. However, how this is to be funded is still not clear.

Consultation

19. Residents and pool users were invited to send their comments and concerns to the Sub-Committee via email and these are included in Annex B. All names and contact details have been logged and saved.
20. In addition to comments from individual pool users, the Sub-Committee Members also received emails from York City Baths Club Yorkshire Regional Canoe Polo Club; Overland Underwater SCUBA; Aqua fit; Team Jorvik, York Octopush (underwater hockey) and York Triathlon Club.
21. Subsequently a public consultation meeting was held on 16 March 2015 at the 68 Youth and Community Centre in Monkton Road, York, to gather information to support Objective iii): “To understand the value added by Yearsley Pool to both the local community and the city over and above those being made available at the new leisure complex.”

Information Gathered

22. Many of the emails stress the importance of retaining Yearsley Pool because of its 50 yard pool length and extended lane width which allow swimmers long-course training opportunities that are not available at any other pool in the city. Others note the pool's proximity to the city centre and the health benefits the facility offers.
23. Before the consultation meeting, Ad Hoc Scrutiny Committee Members were given a guided tour of Yearsley by the centre manager and were shown work which had been undertaken to reduce running costs and the limitations of the site which currently prevent expansion and the addition of other leisure facilities. Members also considered site plans of Yearsley Pool, requested by Cllr Richardson.
24. The consultation meeting began with a series of round table discussions at which people could air their concerns with individual Committee Members. The comments were noted and again many stressed that Yearsley was a unique facility for the city because of its length. It was also noted by many that Yearsley was the only pool within comfortable walking distance of the city centre.
25. Suggestions of how to reduce the council subsidy to the pool included examining extra revenue streams by installing a gym on the flat roof of the changing rooms, increasing the marketing of the pool, attracting more users, increasing admission charges but including a membership scheme for regular users and enhancing links to schools. Savings could be made by a review of staffing and by swimming clubs and private users providing their own lifeguards. There were also suggestions that volunteers take over the functions of some paid staff.
26. Bite-sized summaries of the comments and suggestions made at the round table discussions included:
 - Need car parking to attract more users.
 - Review staffing and number of lifeguard, manager roles.
 - More marketing including data captured on each visit.
 - Swim clubs and private users to supply their own lifeguards.
 - Put a gym on the flat roof of the changing rooms.
 - Emphasise it is low cost exercise.
 - It is near wards with socioeconomic needs.
 - The last pool within easy walking distance of the city centre.

- It is a community hub with friendly staff and welcomes new users.
- Design of space makes it secure and friendly.
- There are medical benefits to a large pool.
- Used by many clubs, canoe, SCUBA, YCBC, Aqua fit etc.
- Use volunteers that are not under council control.
- Swimming lessons. Does Yearsley advertise the fact that when lessons are booked you get a card with 10 free swims? We didn't know this until we booked lessons. It makes it even better value and would attract more business.
- Yearsley Pool needs marketing manager. Poppleton Community Centre was low capacity now it is close to 100%.
- Can staffing levels be reduced – too many lifeguards etc.
- Rationalise the use of the pool. Learner v experienced swimmers, e.g. an adjustable boom.
- There are so many 25 metre pools in York. This is the only 50 yard pool in York. More swimmers (and triathletes) want longer pools to train in. York is poorly served for larger pools. Yearsley is a great 50 yard pool which is poorly marketed to long distance swimmers.
- Increase admission fees. Introduce a membership scheme for regular users with added benefits. Partner with schools. Try to attract long distance swim training organisations to generate revenue.
- Youth participation major non-monetary benefit. Only long-course pool.
- Establish a swimmers' trustee group to lobby for grants.
- A 50 yard pool is essential for triathlon and distance swim training. There are only three long course pools in Yorkshire and to close one would mean driving to Sheffield or Leeds for distance swim training.
- Increase some charges e.g. students, pensioners.
- Get some volunteer staffing from York St John, linking with their sports science courses but keep the professional staff.
- Car parking charges (could be refunded/ discounted if they swim).
- Social / fund raising, regular meetings – have sale, coffee mornings at set times (social as well as fund raising).
- Business sponsorship – Nestle, St John, NHS (fitness facility), chocolate firms, Quakers.

- Solar panels, wind turbines to provide power.
- Car parking charges.
- Sponsorship from firms.
- Solar panels on the roof.
- Volunteer window cleaners and painters etc.
- Extra car parking would attract more people to the pool.
- If swimming has gone back into the school curriculum there is now a greater potential to pull kids back into water sports as general users by enhancing the links with schools.
- Pools are a service facility to council tax payers. Proposed pool is on fringe of city. Yearsley serves all and it close to city centre.
- Extra income sources – gym, cafe.
- Is there an argument to change the pool to a specialist use pool only with limited opening times? This would lower running costs by making it more cost effective with less operating costs.
- There should be formal links with York Triathlon Club.
- Have a decent cafe.
- Turn the temperature down. How much would this save?
- Extend the viewing gallery to increase revenue for galas.
- Put a cafe on the changing room roof.

27. The attendees also received a presentation by the Yearsley Pool Action Group (YPAG) which was launched in 1999 when there was an earlier threat to the facility. YPAG stress that the pool tank was designed and built to a high standard without steel reinforcements so there is no corrosion, and a structural survey concluded there is no evidence of concrete failure.
28. The group pointed out that generations of children had learned to swim at the pool, which has produced Olympians and nurtured world class talent in a variety of water sports. However, the group felt the pool's greatest contribution was to the health and fitness of the people of York and the wider community.
29. YPAG also pointed out that Yearsley is York's only long-length pool so is the best pool in the region for clubs, endurance and fitness swimming without continual turning. The width of the lanes allows swimmers to overtake and swim at their own pace.

30. The action group hopes that rather than follow a voluntary community model there is still the option to run the pool professionally with a leaner budget and with some income-generating add-ons, principally a gym.
31. A retired GP at the meeting noted that the health benefits of swimming were fairly obvious in a city with two rivers where swim safety is of paramount importance. The length of Yearsley pool meant people were able to build up stamina and improve cardiac functions.
32. He stated his view that the council has already closed one pool (Waterworld) and the potential closure of Yearsley Swimming Pool, with only one (short) pool replacement, represents a significant sum reduction in swim facilities in York for those learning to swim, as well as those trying to keep healthy.
33. The major benefits of a 50 yard pool are for those people with musculoskeletal problems as it minimises the risks of bumping encountered in smaller pools, in addition the greater length means less stress for those with lower limb problems as it reduces the amount of turns/pushing off the pool side.
34. The closure of the only pool near to central York, and in an area with some of the wards containing greatest socioeconomic need, will have a disproportionate detrimental effect upon a section of the population who need the benefits of swimming most of all.
35. A former pool manager pointed out that when he managed the facility pre-refurbishment, the facility was the cheapest of the council's pools to run. After refurbishment with new energy efficient boilers, insulation and a new plant room amongst other things, it should be even more cost effective to operate, rather than more expensive to run. He questioned the current model of operation, and offered to share his expertise to look at how costs could be reduced.
36. Representatives from York Canoe Polo Club, York Triathlon Club, York City Baths Club and York Canoe Club all maintained that the length of the pool is essential for their various sports. The loss of the facility would have a massive impact on their clubs.
37. York Canoe Polo Club, which hires the pool every Saturday, accepted that canoe polo was not a big sport but pointed out that the Yorkshire region provides half the members of the Great Britain squad. People taking part in the sport were unable to use smaller pools and leagues would fold if Yearsley is closed.

38. York Triathlon Club stressed that the 50-yard length of Yearsley was essential for training. Members need the distance to develop the skills required in open water swimming. There has been a massive growth in triathlon and outdoor swimming and participants need a pool the length and width of Yearsley to train over the longer distance and to swim in a pack.
39. York City Baths Club (YCBC) agreed that the length of the pool is fundamental to building strength and stamina for competitive swimmers as most competitions are run as long-course events. The pool is well used from a competitive point of view and is a positive asset for York. YCBC stage sessions at Yearsley 11 hours a week. The YCBC representative made the point that the review should not just look at the closure of the pool but that such a move would undermine competitive swimming in the city and the surrounding area.
40. York Canoe Club train at the pool every week. If Yearsley was to close they would struggle to find another venue to meet their needs. Canoe sessions are not competitive so they cater for people from a range of ages. If the pool closes the club would struggle to find an alternative and would have to use the river, which is not safe for beginners. For them safety is the key, making sure that people are safe on the water.
41. General comments from the floor included:
 - The need to look at possible additional income streams e.g. arranging triathlons and charging users to enter.
 - Put in place an extension to make a viewing gallery with spectators being charged to watch galas etc.
 - How does the possible closure of Yearsley Pool link with the Council's Transport Policy? There would be an increase in car usage. Yearsley is well-served by buses. It is also close to hospital and Nestle who are major employers.
 - Clarification was sought as to whether the contract for the new facility had been signed – it was suggested that it should not be signed prior to the outcome of the scrutiny review. Officers stated the proposed timescale is May.
 - Clarification sought as to whether the contract included an anti-competition clause. Officers stated that at the moment an anti-competition clause had not been included.
 - Chair stated that the decision had been made by Cabinet and hence the contract could not be stopped.

- Clarification was sought as to whether a new Cabinet in May could stop the contract.
- Officers explained that the Council was at the bidding stage in the procurement process and had sought to include all leisure facilities, but had to set an affordability target. Without the Council subsidy Yearsley Pool would require a car park and additional income streams.
- Consideration could be given to see if Yearsley Pool could be run by a community group.
- Concerns were expressed that if staff were to be transferred this would be done on less favourable employment conditions.
- Clarification was sought as to whether Nestle had been asked to give land to make room for a gym/car park. Officers confirmed that the Council had spoken to Nestle but that it had not been possible to make such provision within the required timescale. A representative from Nestle was present at the meeting and stated that the feedback from the meeting had been interesting and that he was hoping to meet with Committee Members in April.
- Views were put forward that the future of Yearsley Pool is assured before a new pool is built and that the money for the new pool could have been used to save Yearsley Pool.
- Members were asked what more the community could do. The Chair suggested that the community continued to show its support through attendance at meetings and by writing to Members. The Yearsley Pool Action Group stated that it would continue to keep people informed of meetings, including via Facebook.
- Officers suggested that consideration also be given to options for community-led solutions.
- Concerns were expressed regarding the accuracy of the data provided by Sport England in respect of provision at Yearsley.

42. To further support Objective iii) Members of the Ad Hoc Scrutiny Committee visited the pool again on 23 March 2015 to watch a York City Baths Club training session and speak with club officials and the parents of some of the young swimmers.

43. York City Baths Club is governed by an organising committee and is basically a members' club. There is a charge to join and members then pay monthly subscriptions. It is the only club in the city which takes

people as young as four years old and some 90% of members are residents of York.

44. The club has four sections to support a comprehensive programme from learning to swim, through development and into competitive swimming.
 - i. Learn to Swim. This section takes children aged four to 11 and they are taught to swim on an eight stage development plan. The children wear different coloured hats according to their ability and to make it easier for coaches to identify them. There are 280 children on the Learn to Swim programme.
 - ii. Training Programme. This is for children nine years and over who are training to compete at various galas. It is sub-divided into five training squads and has 140 swimmers:
 - a) Development Squad – for children starting to take swim training seriously.
 - b) County Squad – for children aiming to achieve county (Yorkshire) qualifying times.
 - c) Regional Squad – for children aiming to achieve regional (North East) qualifying times.
 - d) National Squad – for children aiming to achieve national qualifying times or competing at national level.
 - e) Club Squad – competitive but for children for whom swimming is not their primary sport.
 - iii. Swim fit. Enables swimming for fitness or to complement training for other sporting activities.
 - iv. Masters. An adult competitive and fitness squad for the over 18s. It has 35 swimmers including British champions.
45. The club is involved in the Amateur Swimming Association's Pathway programme so takes swimmers from other parts of the region to enable them to access long-course training.
46. York City Baths Club is the largest swimming club in the city and it is also one of York's larger youth organisations. YCBC uses Yearsley 11 hours a week and they would book more hours if they could. The club also uses shorter pools at St Peter's, Energise, New Earswick, York Sport and The Mount but Yearsley is the key hub as it both supports long course training and allow for multi-squad training because of its length (50 yards) and lane width (2.5 metres).
47. On the night of the Ad Hoc Scrutiny Committee visit, approximately 50 youngsters from two squads were in the water at the same time for much

of the duration of the two hour session. Long course is considered a fundamental requirement for a balanced training programme.

48. The club has a service agreement with Yearsley Pool and among other things has bought anti-wave lane ropes and starting blocks which are stored at and also used by the pool.
49. It costs more than £200,000 a year to run the club with the greatest amount of its income – £160,000 – being spent on pool hire.
50. To support Objective ii) the Committee discussed the framework for an all options appraisal and considered confidential information around the GLL contract. The Committee was reassured that there was no anti-competition clause in the contract with GLL as it stands and were told that the contract would not be signed until after May's election.
51. In connection with this objective, as referred to in paragraph 7 above, the Yearsley Pool centre manager provided information on the current funding arrangements and usage figures for Yearsley Pool, providing details of the pool's income and expenditure as well as user figures for 2013/2014
52. Committee Members were told during public participation that in the past Yearsley had been the cheapest Council pool to operate. YPAG stated that, in 1999/2000 the pool had cost £95,000 compared to Edmund Wilson Pool costs of £170,000. After refurbishment, with a more energy efficient building and plant, Yearsley Pool should have been more cost effective. However the operational management approach had changed.
53. It was suggested the financial information provided for the Committee was not sufficiently detailed and that it was essential to have full information as to how money was being spent to identify where savings could be made.
54. The centre manager's Yearsley Pool outturn figures covered the years 2009/10 to 2013/14 and show the income and expenditure for the pool and the Council's contribution
55. The pool costs approximately £121 per hour to operate and currently generates approximately £75 per hour based on the pool opening 15 hours per day, 355 days of the year.
56. The Committee wanted to know what steps had been taken to increase revenue streams and which had been successful. Members accepted that Yearsley takes a long-term view to attract more users in the face of competition from other pools and other sports. For safety reasons

Yearsley sets a limit of 120 pool users at any one time and for activities such as inflatable sessions often have to turn people away.

57. The Committee Chair asked for figures on the pool operation before 2009 when it appeared the pool operated cheaper. Officers told the Committee that the problem with looking at past costs was that the pool was operated within a compulsory competitive tendering regime by the direct labour organisation. Figures were lost in the way accounting was done. There was no transparency of cost in that previous regime. There was no way to see transparency of how much things cost when it was wrapped up in such a contracting regime.
58. The Chair asked for more details on a number of issues, including:
- A breakdown of “other costs” included in the centre manager’s financial summary;
 - A comparison of running costs particularly with Energise;
 - Capacity limits for other pools in York;
 - Details of club use and what other pools they use;
 - Financial figures before 2009;
 - An explanation of figures prior to 2005;
 - Examples of how the pool is marketed, the costs involved and the effectiveness.
59. As a consequence figures were provided to the Sub-Committee detailing Yearsley Pool accounts over the past 10 years showing income and expenditure, net costs and total pool users.
60. Going back to 2003/04, Yearsley was run by Total Leisure Management (TLM) so there would be a need to access to Commercial Services’ separate accounting system, and this no longer exists.
61. For information, the Assistant Director for Communities, Culture & Public Realm reported to the Council’s Executive on 2 December 2003 that:
The current cost to the Council of providing the leisure facilities: Barbican, Edmund Wilson, Yearsley, and Oaklands is made up as follows:

	£,000s
Total Leisure budgets	875
TLM existing operating loss	125
Total current cost to CYC	1,000

This can notionally be split as follows:

	£,000s
Barbican Auditorium	235
Swimming and sports provision	765
Total current cost to CYC	1,000

62. However, the Yearsley Pool Action Group has saved a document considered by the former Leisure Services Committee at a meeting on 8 May 2000 which gave a comparison of the running costs of facilities at the Barbican, Edmund Wilson, Yearsley, Oaklands Sports Centre and Waterworld.

ANNEX 2

BUDGETS, USAGE AND SUBSIDY DATA

Table 1 Expenditure by site 1999/00

1999/2000	Barbican	Edmund Wilson	Yearsley	Oaklands Sports Centre	Waterworld Huntington Stadium
EXPENDITURE	£'000's	£'000's	£'000's	£'000's	£'000's
Operational Costs	333	128	77	142	(160)
Business Rates	342	42	18	0	203
Total	675	170	95	142	43

63. Figures published in December 2014¹ compares Yearsley Pool financials and usage with those of other pools in the city for the past two years.

Pool Users

Pool	2012/13	2013/14	Total
Yearsley	122,985	118,611	241,596
Energise	193,890	183,605	377,495
Sports Village	58,833 - Opened in Aug	110,218	169,051

¹ Freedom of Information CCF4615 December 2014

Financials

Pool	Subsidy 2012/13	Subsidy 2013/14	Total Subsidy
Yearsley	£252,000	£240,000	£492,000
Energise	£271,000	£131,000	£402,000
Sports Village	-	-	-

- Energise - £100,000 reduction in council contribution in 2013/14 and £54,000 repayment of £234,000 capital borrowing.

Promotions

64. The centre manager subsequently provided information about Yearsley Pool's recent promotional activity
65. Programming:
Annual programme planning and programme development considering under used the pool space and possible new opportunities and trends, reviewed throughout the year as necessary.
66. Leaflets:
Annual production of timetable leaflet distributed on site, at Energise, at Visit York, to York NHS Hospital, Sport and Active Leisure Team and some libraries.
67. On site:
 - Banners and promotional advertisements around the site.
 - Activity promotional banner placed outside Yearsley Pool, facing the road on Haley's Terrace.
 - Discounted Loyalty card promoting more regular use of the pool
68. Online
 - Website current and up to date.
 - Yearsley Pool close to the top of most swimming searches on Google only beaten by paid adverts.
 - Yearsley Pool Face book page
 - Promotions run on Groupon offering reduced price aquafit and reduced price loyalty cards.

- Promotions run on Living Social offering reduced price loyalty card.

69. Door to Door house hold distribution

- 39,207 promotional leaflets distributed July 2014
- 39,207 promotional leaflets distributed January 2015

70. Events held at the pool

- Swimathon
- Easter Egg dive.

71. Corporate

- Advertisement in the military family magazine, targeted at military families coming to York
- Advertisement in the NHS staff benefits booklet
- Advertisement through the Nestle staff corporate network
- Web banner on St John University web site for staff and students.
- Advisement in the CYC staff benefits booklet

72. Schools

- All holiday information promoted through Shine
- Yearsley Pool branded drinks bottles given to schools along with free swims for raffle and children's prizes.
- All primary school Head Teachers contacted via email promoting Yearsley Pool as a venue for their school swimming.

73. Clubs

Indirect and direct contact is made with clubs prior to annual programme planning to develop and improve club use.

74. Press and Magazine advertising

- Local link Quarter Page April 2014
- Families Magazine Half Page May 2014
- Local Link Quarter Page June 2014
- Grand Depart Supplement (Tour the France) Quarter Page June 2014
- Families Magazine Half Page July 2014
- Local Link Quarter Page August 2014
- Support advert for York against Cancer Local Link August 2014
- Local Link Quarter Page October 2014
- Local Link Quarter Page November 2014
- York Press Health Promotion Nov 2014

- Local Link Quarter Page January 2015
- York Press Shape Promotion January 2015
- What's on Families magazine Feb 2015
- Local Link Quarter Page January 2015
- Local Link Quarter Page March 2015

75. Community Advertisements

- Ongoing Promotion promoting Yearsley Swimming Pool running within Creepy Crawlies
- Notice boards at Clifton Moor Tesco promoting Yearsley Pool and Swim York Swimming Lessons at Energise and Yearsley Pool.
- Yearsley Pool leaflets, drinks bottles and swim vouchers offered out by Sports and Active Leisure staff at community events.
- Yearsley Pool promotion within the Energise leaflet.
- Health walks operated from the pool

76. Local Radio

- Minster Radio promotion, Joint swimming promotion with Energise
- Minster Radio Promotion, Host of Double your Money completion.
- Minster FM live broadcast from Yearsley Pool. June 2015.

77. The centre manager also provided updated information to the Sub-Committee on Yearsley Pool usage from 2005-06 to 2014-15 a 2015 pool programme showing pool usage per hour and samples of promotional leaflets distributed by the pool, including Military Families Guide, Time To Swim promotion, Swim for Life holiday promotion and Swim Aquafit voucher.

Stakeholder Groups

78. To support Objective iv), to identify a suitable funding / operating model for Yearsley Pool beyond 2016, the Committee agreed to consult with Yearsley Pool Shareholders.

79. On 1 May the Committee had a positive meeting with the Head of Properties and Facilities Management and the Group Human Resources Director at Nestle. The Committee was pleased to note that the company is keen to improve its health and wellness facilities and intends to provide a gym for employees as part of wider plans to develop the York site.

80. The preferred option is to work with CYC and a leisure company to provide these facilities alongside Yearsley Pool, both for the benefit of employees and to support the local community.
81. At present Nestle has car parking facilities around the Yearsley Pool site and Committee Members were told that this is an issue for the company. It means that 500 employees a day cross the busy Haxby Road to get from the car parks to the factory. This is something the company is concerned about from a safety point of view.
82. As part of the wider plans for the York site, Nestle want to provide car parking facilities on the old Cocoa Works at Nestle South so people can park within the existing perimeter of the site. This in turn would free up land around Yearsley which the company is keen to develop as a gym as part of the health and wellness programme.
83. The Committee was pleased to note that Nestle would very much like to work with Yearsley Pool. The company is open to looking at short-term investment to provide something that would then be subsidised for the benefit of employees while also actively supporting the local community.
84. Members were told that Nestle “absolutely wants to work with the Council” and consider that they have a fundamental role to play.
85. However, they were surprised to note that Nestle had been in contact with senior CYC officers about their plans for the wider York Site but no information on the leisure element of these plans, particularly in regard to Yearsley, has been passed on to the Committee.
86. The Committee agreed that the Chief Executive of CYC and the Interim Director of City & Environmental Services be invited to a future meeting to discuss the options and establish whether these could offer a solution for Yearsley.

Change of Membership

87. In April 2015 Cllr Richardson informed other members of his intention to resign from the Committee in May due to a conflict of interests. The Committee was reduced to just two Members following the local elections in May 2015, and then Cllr Aspden was appointed to the new Executive as Deputy Leader of the Council.

88. As a consequence the Ad Hoc Scrutiny Committee was unable to proceed with the review and at a meeting on 13 June 2015 CSMC considered a report on the membership of the Ad Hoc Committee and was asked whether it wished to appoint a new committee to carry on the review or to abandon the review in light of the priorities in the new executive policy programme.
89. At the meeting the Yearsley Pool Action Group asked that the scrutiny review be formally closed as the new Executive is committed to keeping the pool open and that there could be duplication of the work of the new Executive. It also stated its belief that the aims of reducing the subsidy, looking at operating options and a partnership approach can now “be facilitated by less formal meetings”.
90. CSMC agreed to abandon the review but asked for an officer report for the next meeting to help members identify whether there are any other issues for scrutiny despite the new Executive’s announced commitment to the pool.
91. YPAG later reiterated that they do not support a community-led option and stated their preferred option was to revert to a pre-refurbishment operating model when, they state, Yearsley Pool was the cheapest Council run facility.

Analysis to Date

92. All the emails received are in favour of safeguarding the long-term future of Yearsley Pool.
93. The consultation meeting was attended by about 50 people and again all were in favour of safeguarding the long-term future of the pool.
94. People in York swim more regularly than anywhere else in Yorkshire and the city is among the top swimming cities nationwide with 10.2% of adults in York swimming at least once a week, the 12th highest in the country.
95. While swimming remains the country’s most popular participation sport figures nationally are in decline. Nationally casual swimming has declined by approximately 12% since 2005.
96. The pool has a wide customer base and loyal following but relies on the Council subsidy to continue its current level of operation.

97. Yearsley is the only 50-yard swimming pool in the region and its length and additional lane width are considered essential by competition swimmers and many of the clubs which use the facility.
98. The current nature of the site means there is no scope to introduce additional income streams, particularly a gym and a cafe, which would help reduce the level of subsidy.
99. The car park adjacent to the pool building is owned by Nestle and is used by Yearsley only by agreement with the company. If Nestle were to withdraw this agreement it could impact on pool customers and put existing income under threat. However, the company appears keen to work with City of York Council and a leisure company to provide leisure facilities alongside Yearsley Pool, for the benefit of both its employees and to support the local community
100. The lack of a suitable galleried viewing area makes the pool unsuitable for larger swimming galas, depriving the facility of additional income. Indeed, the York City Baths Club's own gala is staged at Hull.
101. The Yearsley Pool Action Group does not have the appetite to become involved in a community-led solution to reduce the Council subsidy of the pool.
102. The group's request to close the review cites potential duplication and that the aims of reducing the subsidy can be facilitated by less formal meetings. However, when CSMC first agreed to proceed with the review it was accepted there would be some duplication as the scrutiny review was to be undertaken alongside a separate review of Yearsley Pool and that the scrutiny review meetings will take place in public allowing a more open and transparent process with greater user/resident engagement.

To Progress the work

103. Should CSMC consider there is yet more to be done by scrutiny, the former Ad Hoc Scrutiny Committee identified a number of other ways of gathering further evidence to support their objectives.
104. To support Objective iii) The Committee expressed a desire to meet other stakeholders, particularly representatives from York St John University. Several aquatic clubs from the university are among the major users of the pool.

105. The university has also recently opened 57 acres of outdoor sports facilities on Haxby Road so a large number of students pass Yearsley Pool on a daily basis.
106. Members of the former Ad Hoc Scrutiny Committee also agreed to take part in site visits to New Earswick Pool, York Sports Village and Tadcaster Pool to help their considerations.

Further Information Gathered

107. To support Objective i) The former Ad Hoc Scrutiny Committee was provided with information on alternative funding models from elsewhere which identifies a number of community-led schemes.
108. Examples are listed below on what has been achieved in other parts of the country.
109. Tadcaster Swimming Pool Trust was set up in 1992 by the residents of Tadcaster and with the support of the local council. Tadcaster is home to three major breweries which are main employers in the town and they gave money, land and materials to get the project off the ground.
110. The intention was always for the pool to be operated and managed by volunteers. In the first three years the Trust had a support fund from the local council until the customer base had been established. After the first three years the Trust has received no ongoing support from any grant organisation or the district council. A summary of Tadcaster Pool's operation and finances was also submitted to Members of the Sub-Committee.
111. The Trust operates as a charitable organisation with the use of volunteers and paid employees to help run the facility. The facility has a 25m x 13m main pool and a 12m x 7m teaching along with a 16 station fitness suite.
112. The volunteers work in all areas of the business to support the salaried team. The pool has around 130 volunteers in roles such as lifeguarding, reception, maintenance, swimming teaching and coaching, IT and website design.
113. The Trust receives no ongoing funding from the Local Authority or Sport England and is self sufficient. Any surplus made is put back into the business to improve and maintain the facility.

114. Portishead Open Air Pool is a charitable Trust, run by trustees and staffed largely by volunteers. It relies on the support of the local community and a handful of volunteers who give their time and expertise to ensure the pool remains in operation.
115. North Somerset Council produced a report in 2008 that determined that the open air pool was a financial liability and that it should be closed. A group of six local people formed a company limited by guarantee (which means that all profits must be put back into the pool) in order to save and run the pool. They managed to convince the Council that the Trust had a feasible business plan to run the pool, and in early 2009 a 99-year lease was agreed with the Council, securing the pool's long-term future.
116. The Trust is run by six directors of the company – the Trustees – who are unpaid volunteers. Trustees are elected by members of the Trust at the annual general meeting. There are currently about 100 members and supporters of the pool are encouraged to become members.
117. The only paid members of staff are the lifeguards, duty managers, and manager, all of whom are appointed by the Trustees. Professionally qualified advisers are appointed to advise on legal, accounting, health and safety, building, surveying, plant issues
118. Swim revenue is the main source of income. However, the pool also gains income from sub-letting cafe premises; sales in the tuck shop; fund-raising activities and events; successful grant applications; membership subscriptions and donations.
119. Chipping Norton Lido - West Oxfordshire District Council took over the running of the pool in 1974 and in July 2002, when a new indoor heated pool was opened in the town, the Council decided to close the open air pool.
120. An organisation, 'KOPO' or 'Keep Our Pool Open', was formed in 2003. The organisation was formed around a 'Use it or Lose It' campaign which collected 3,000 names on a petition. With the support of the town council, the group lobbied West Oxfordshire District Council which agreed to a one year reprieve.
121. In 2004, West Oxfordshire District Council stated that they were no longer willing to subsidise the pool and offered to pass the pool to the KOPO committee. The following year, West Oxfordshire District Council provided a grant for half the money it had previously been providing and Chipping Norton Town Council provided a further £6,000 for two years to keep the pool running.

122. The pool is now run by Chipping Norton Lido Ltd, a company limited by guarantee as well as a registered charity. The Board consists of eight trustees. Staff consists around 20 casual and part time staff including a manager, life guards and front of office staff. In order to minimise risk, the Trust does not use volunteer life guards while duty managers are part time paid professionals.
123. Without any public funding other than a small grant from the Town Council each year, the committee of trustees continues to raise funds in order to subsidise the operating costs.
124. The Lenton Centre originally opened in 1931 as a community washhouse to the south west of Nottingham city centre. Since that time it has evolved into a social enterprise. The pool, which is 18 x 7 metres (126 square metres), was opened in 1966 as a training pool for school children and youth organisations. The Community Centre opened in 1979.
125. In 2004, just as the Lenton Community Association was celebrating its 25th anniversary, Nottingham City Council decided to close down Lenton Leisure Centre, which comprised of the swimming pool and gym. They had previously attempted to close them in 1994 and 1999, but had changed their minds on each occasion in the face of local opposition led by members of Lenton Community Association.
126. In 2004, however, they went ahead with closing the leisure centre. The Association, with the support of others in the local community, decided to make a bid to take over the management of the entire building and raised the money to produce a business plan. In 2005, the Association transferred all its assets to The Lenton Centre, which then bought the building, including the swimming pool, from the City Council for £10. The gym was re-opened within weeks, but it took until 2008 to re-open the swimming pool.
127. The Lenton Centre is ultimately owned by the people for the people. It aims to be a hub of activity for the entire local community and offers a variety of health, well-being, educational and social activities and facilities. However none of this would be possible without the involvement of volunteers to help run and improve the centre.
128. Jesmond Swimming Pool. Built in 1938, Jesmond Swimming Pool in Newcastle was closed in 1991. As the third best-performing pool in the area, the local council felt that its users could easily transfer to other pools. In response, the local community got together and formed the Jesmond Swimming Project to campaign to re-open the pool.

129. Jesmond Pool has existed as a community managed building offering a range of sporting and physical activities since re-opening and operating as a charity since 1992.
130. Despite its value as a social enterprise and community facility, Jesmond Pool faced many challenges during its start up phase, the main challenge being proving to the Council that the facility was needed and wanted by the local community and that the enterprise could prosper and was initially allowed only a month-by-month lease by the Council. However, the enterprise proved its worth as a community facility and gained the support of local councillors who saw its benefit in the community.
131. A major milestone for Jesmond Pool since its incarnation as a social enterprise came with the approval of a Big Lottery grant to develop the building in 2002. The grant allowed Jesmond Pool to make major improvements to its entrance and changing rooms, re-tile its pool hall and add sauna and steam room facilities, convert its basement space into a gym, and construct an entirely new floor level which houses an activity room.
132. Over its years as a social enterprise, Jesmond Pool has learnt that two areas have been instrumental to its continued development – a focus on earned income and meeting the needs of customers. Although the enterprise has been the recipient of some grants when needed, as with its refurbishment in 2002, Jesmond Pool has always endeavoured to earn enough through trading to be sustainable rather than rely on grants.
133. Fenham Swimming Pool – was originally run by Newcastle City Council but in 2003 the local authority decided it could no longer afford to subsidise the facility.
134. Local residents formed a committee and registered themselves as a company and charity with the sole aim of reopening the pool. Commissioned surveys demonstrated a demand from the community as a whole and a number of partners became dedicated to the project. These included local schools, residents and health providers.
135. Fenham Pool was reopened in 2005 as a community run pool by the Fenham Swimming Project. Pool users and supporters of the project are invited to become Friends of Fenham Pool and asked make regular donations towards ongoing costs.
136. Bramley Baths is a community-led, not-for-profit fitness centre, which houses a public gym, swimming pool, steam room and space for community events, meetings and fitness classes.

137. Built on the site of a foundry, Bramley Baths first opened as a pool and public bathhouse in 1904. On 1 January 2013, the doors opened to a new era, with a new management team in place running the baths as a social enterprise, having delivered an asset transfer of the building from Leeds City Council. The facility has been championed by local residents and supporters determined to provide an affordable space for health and fitness.
138. Bramley Baths is managed as an IPS (Industrial Provident Society), a not-for-profit organisation with social aims run for the benefit of the community. The building is owned by Leeds City Council, and managed by Bramley Baths & Community Ltd on a 25 year lease. The baths are managed by a professional team led by a Chief Executive, reporting to a Board of Trustees, made up of individuals from West Leeds. The Friends Group (Friends of Bramley Baths) supports the baths through volunteering and fundraising.
139. The Pelican Centre, Tyldesley, Wigan has charitable status and the facilities are managed by full time staff as well as a large number of volunteers.
140. In 2010 it became apparent that Tyldesley Swimming Pool was likely to be closed as it was the oldest and most expensive to maintain pool in the borough and it had the fewest number of people using it.
141. The Pelican Centre community group took over the running of the pool in April 2012 at a time when the pool was losing money and in the first two years of operation the community group turned the finances around resulting in the pool making a modest surplus. The number using the pool doubled to 1,600 people visiting the pool every week.
142. The centre is now being showcased by Sports England as a model of good practice as to how a community should run a swimming pool.
143. The Amateur Swimming Association (ASA) has a guide on how to protect pools threatened with closure which suggests how to source evidence and analyse people's needs to demonstrate that a pool is not only wanted by the community but can also be financially viable:
<http://www.pool-watch.co.uk/index.html>

Further Analysis

144. The Amateur Swimming Association recognises that the nature of pools and their operators are changing more rapidly than at any time over the last 200 years. Pool ownership and operations can be delivered by a

range of providers and community enterprises have a full part to play in delivering this agenda.

145. In recent times many swimming pools nationally have been seen as untenable and unprofitable, which is why local councils all over the UK have been closing them down. However, it is apparent that local pools can not only survive but thrive, with robust business plans, enthusiastic staff, community support and innovative ideas, through a community-run scheme.
146. The fact that the Yearsley Pool Action Group does not support any community-led option would make any further consideration of these schemes redundant unless other user groups prepared to become involved in this work are identified.

Options

147. CSMC are asked to consider the information above and identify any further options for scrutiny work in relation to this topic, if any.

Conclusions

148. The review to date has proved a valuable exercise with a high level of public engagement and a positive response from the consultation meetings.
149. Yearsley Pool has a wide customer base and loyal following but relies on the Council subsidy to continue its current level of activity. Should a new Ad Hoc Scrutiny Committee be formed then any recommendations from the reconvened review that lead to a reduction in subsidy for Yearsley Pool will be beneficial to the city.
150. The discussions with Nestle were encouraging. The company intends to provide leisure facilities for its employees and the preferred option is to work with City of York Council and a leisure company to provide these facilities alongside Yearsley Pool as part of their wider plans for the York site. The facility would benefit both Nestle employees and the local community.
151. The decision to continue with the review after guarantees were given at the Council Budget meeting in February 2015 was because any measures that can be taken to reduce to subsidy Yearsley Pool can only be a good thing for the city and this premise is still sound.
152. The original intention was to conclude this scrutiny review by autumn 2015 and had not the Ad Hoc Scrutiny Committee lost so many members

because of events in May 2015 the committee would have continued its work without the need for CSMC to consider its reformation.

153. The possibility of duplication should not be seen as a barrier to the committee's considerations as it was known by CSMC from the outset that there was always going to be an overlap with work being done by others. The difference when CSMC first agreed to an Ad Hoc Scrutiny Committee was the review timetable and that scrutiny review meetings will take place in public, allowing for a more open and transparent process.
154. Finally, ways to reduce the subsidy given to Yearsley Pool still need to be identified and implemented or the facility will continue to be a drain on Council finances.

Council Plan

155. The review will support the Build Strong Communities and Protect Vulnerable People elements of the Council Plan 2011-15.

Implications

156. No implications are specifically identified within this report relating to the findings of the former Ad Hoc Scrutiny Committee since this report is not presenting a full scrutiny report.

It simply presents the factual information gathered by the former Ad Hoc Committee and the consultation processes it underwent, as requested by this Committee.

157. Members of this Committee will, however, wish to consider whether there are implications arising from the decision made at the last meeting of this Committee (June 2015) not to continue with the Ad Hoc Sub-Committee and from the information contained in this report.

Risk Management

158. Whilst there are no risks associated with the recommendation before this Committee in this report, Members may well want to consider if there is any reputational risk associated with not bringing the work started by the former Ad Hoc Scrutiny Committee to a conclusion.

Recommendation

159. The Corporate & Scrutiny Management Policy & Scrutiny Committee is asked to note the position to date in relation to this review and consider the next step in light of discussions at the last CSMC meeting.

Reason: To inform the next step in the issues raised as part of this review.

Contact Details

Author:

Steve Entwistle
Scrutiny Officer
Tel: 01904 554279
steven.entwistle@york.gov.uk

Chief Officer Responsible for the report:

Andrew Docherty
Assistant Director Governance and ICT
Tel: 01904 551004

Report Approved Date 25/6/15

Wards Affected:

All

For further information please contact the author of the report
Annexes - None

Abbreviations

CSMC – Corporate & Scrutiny Management Policy & Scrutiny Committee
CIPFA – Chartered Institute of Public Finance and Accountancy
GLL – Greenwich Leisure Limited
NPLQ – National Pool Lifeguard Qualification
NSLC – New Stadium Leisure Centre
TLM – Total Leisure Management
YCBC – York City Baths Club
YPAG – Yearsley Pool Action Group



Corporate, Policy & Scrutiny Management Committee

13 July 2015

Scrutiny Topic Assessment - The Expansion of Local Democracy using Digital Means**Purpose of Report**

1. This report presents a scrutiny topic proposed by James Alexander on the expansion of local democracy using digital means – see Annex A, together with background information on e-government transformation. Members are asked to decide if they wish to proceed to scrutiny review.

Background to E-Government Transformation

2. Since the mid-1990s the explosion of the Internet has prompted intense speculation about its ultimate impact upon the economy, society and politics. Many hoped that the Internet would be a powerful new force capable of transforming existing patterns of social inequality, strengthening linkages between citizens and representatives, facilitating new forms of public engagement and communication, and widening opportunities for the development of a global civic society.
3. If politicians were willing to respond to the challenges of digital disruption, the internet could revolutionise the whole political process, massively boosting voter engagement for all ages and move the UK to a system of genuine direct democracy.
4. A recent national [YouGov poll](#) confirmed the majority of people would welcome this change. It found 57% of all UK adults want the opportunity to regularly vote via digital and social media channels on key issues and legislation debated in parliament and this increased to 72% of 18- to 24-year-olds. A significant majority (60%) of this younger age group also said they wanted to be able to vote online in the general election.
5. The delivery of government information and services online through the Internet or other digital means is referred to as 'E-Government'. Unlike traditional structures, which are hierarchical, linear, and one-way, internet delivery systems are non-hierarchical, nonlinear, two-way, and

available 24 hours a day, seven days a week. The non-hierarchical character of internet delivery frees citizens to seek information at their own convenience, not just when a government office is open. The interactive aspects of e-government allow both citizens and bureaucrats to send and receive information. By facilitating two-way interaction, electronic governance has been hailed as a way to improve service delivery and responsiveness to citizens, in the long run generating greater public confidence in government.

6. There are four general stages of e-government development that distinguish where different government agencies are on the road to transformation:

Stage 1 - The billboard stage;

In the first stage, officials treat government Web sites much the same as highway billboards, that is, static mechanisms to display information. They post reports and publications and offer data bases for viewing by visitors. There is little opportunity for citizen interaction or two-way communication between citizens and officials. Citizens can read government reports, see the text of proposed legislation, and find out who works in specific offices but they cannot manipulate information or interact with it in any way other than viewing. The public generally is limited to seeing information in the form put together by officials.

Stage 2 - The partial-service-delivery stage;

In this stage citizens can order and execute a handful of services online and start to manipulate informational databases. They can search Web sites for material they want to see, as opposed to the information officials want to present to them. This helps them access materials in the form they prefer. However, online service possibilities are sporadic and limited to a very few areas. Posting of privacy and security statements are not very abundant, and there isn't much accessibility for non-English speakers and the disabled.

Stage 3 - The portal stage, with fully executable & integrated service delivery;

This stage is a one-stop government portal with fully executable and integrated online services. This phase offers considerable convenience to visitors. The entire city or county has one place where all other agencies can be accessed, which improves citizen ability to find information. Agency sites are integrated with one another, and a range of fully executable services are available to citizens and businesses. Officials show they pay attention to the public's privacy and security

concerns by posting policies online. Translation options are available for those who do not speak English or those who are visually or hearing impaired.

Stage 4 - Interactive democracy with public outreach and accountability enhancing features:

Here, government Web sites move beyond a service-delivery model to system wide political transformation. In addition to having integrated and fully executable online services, government sites offer options for Web site personalisation (such as customising for someone's own particular interests) and push technology (such as providing e-mails or electronic subscriptions that provide automatic updates on issues or areas people care about). Through these and other kinds of advanced features, visitors can personalise Web sites, provide feedback, make comments, and avail themselves of a host of sophisticated features designed to boost democratic responsiveness and leadership accountability.

7. The categorisation above does not mean that all government websites go through these steps or that they undertake them in this particular order. Research clearly shows there is a wide variety of ways that e-government has evolved in different cities, counties and countries. However, based on that research, this sequence appears to be a prevalent course of development in many agencies. The commonality of this model therefore, allows researchers to determine an agency's progress based on how far along they are at incorporating various website features.
8. New technologies enhance communication by overcoming geographical distance, promoting ideological variety, opening citizens to more diverse viewpoints, and encouraging deliberation.
9. Furthermore, information technology (IT) alters the capacity and control features of traditional bureaucracies, and has the potential to substantially redistribute power, functional responsibilities, and control within and across government agencies and between the public and private sectors. However, it cannot be ignored that at a time of shrinking budgets, financial considerations restrict the ability of government offices to place services online and to use technology for democratic outreach.
10. Here in York, the aid and use of technology to improve and broaden access to local decision making and scrutiny has been welcomed and the Council has already demonstrated a commitment to making better use of available technology.

11. For example, some years ago the Council implemented its online Committee Management System, which enables the electronic publication of reports, agenda and minutes for meetings. It provides electronic access to officer decisions. It enables the submission of ePetitions and online access to sign those ePetitions. Members of the public can also subscribe to their own specific areas of interest and it provides access to a wealth of information, about elected Members and the democratically accountable bodies to which the Council appoints them.
12. In 2012, the Council introduced an electronic voting system within its Council Chamber to make it easier for the public to see how their elected Councillors voted in major decisions in Council meetings.
13. More recently, the Council introduced web casting of its public meetings so that residents could watch their Councillors scrutinising or making decisions in their own time or without having to come to the meetings themselves.
14. In 2013/14 this Committee undertook a review into democratic engagement which consulted interested groups and individuals on what steps would be helpful to widen local participation in decision making. The findings from that review did not indicate a growing public desire in York for an increase in the Council's delivery of information and services online. Instead it focussed on improving the quality and timeliness of the information currently being provided.

Consultation

15. The Head of Democratic Services & the Head of ICT were both asked for their views on this scrutiny topic proposal. Feedback from the Head of Democratic Services is shown below:

'There are technological improvements which could be made. For instance, the introduction of on-line registration to speak at meetings would provide a more flexible arrangement for residents. There are also improvements which could be made which do not require technological solutions. For example, Members have already agreed new rules by which Council should operate to provide a free flow of questions to Executive Members from the floor during Council meetings, without the prescription of advance notification.'

16. James Alexander has been invited to attend this meeting to present his topic registration.

Options

17. In light of officer comments and the improvements and work in recent years detailed in paragraphs 11-14 above , it is for Members to consider whether there would be any added value in commencing a review of this kind at this time.
18. Alternatively, Members may choose to defer their decision on the topic until further information is made available e.g. Members may wish to consider receiving a progress report on parliamentary digital improvements in 6 - 12 months, to see whether there would be merit in looking into whether any of those improvements, not already introduced at a local level, would be beneficial in terms of engagement and resource implications for York.

Associated Implications & Risk Management

19. There are no implications or risks associated with the recommendation in this report. If a decision is taken to proceed with the review, all implications and risks associated with the findings from the review will be identified within the review final report.

Recommendations

20. Having considered the information provided within this report, Members are recommended to agree whether or not they wish to proceed with the review.
21. If a decision is taken to proceed, Members are recommended to agree:
 - i. A review remit, including a suggested aim and a number of key objectives
 - ii. A timeframe for review completion
 - iii. A Task Group to carry out the review on the Committee's behalf

Reason: To ensure compliance with scrutiny procedures, protocols and workplans.

Contact Details

Author:

Melanie Carr
Scrutiny Officer
Scrutiny Services
Tel No. 01904 552054

Chief Officer Responsible for the report:

Andrew Docherty
Head of Civic, Democratic & Legal Services

Scoping Report Approved

Date 2 July 2015

Specialist Implications Officer(s)

Wards Affected:

All



For further information please contact the author of the report

Background Papers: None

Annexes:

Annex A – Topic Registration Form on ‘The Expansion of Local Democracy Using Digital Means’

SCRUTINY TOPIC ASSESSMENT FORM FOR COUNCILLORS 'ONE PAGE STRATEGY'

What is the broad topic area?

Expansion of local democracy using digital means

What is the specific topic area?

Technology has advanced communication dramatically whilst the democratic input into our democratic institutions have had little change.

Webcasting is a step forward, but is certainly not the end. Expectations from the public have risen to expect to be able to use digital expression as a form of democratic engagement.

To this end the Speaker of the Commons set up a Digital Commission that said the 2020 poll "could be the first election in which people have the opportunity to vote online". Other recommendations in the commission's report include:

- Allowing MPs who are unwell or have childcare responsibilities to be permitted to vote in the Commons electronically, without having to go into the chamber
- Ending restrictions on members of the public using mobile phones in the public galleries in the Commons
- Experimenting with providing live social media coverage of Commons debates

For further information see: <http://www.bbc.co.uk/news/uk-politics-30976610>

Ambitions for the review:

- Better quality and increased democratic engagement.
 - Setting out possible trials for the council to undertake.
 - Recommending roll out of successful trials to other councils and democratic institutions.
-

(For completion by the relevant Overview & Scrutiny Committee)

Does it have a potential impact on one or more sections of the population?

Yes No

Is it a corporate priority / concern to the council's partners? Yes No

Will the review add value? and lead to effective outcomes? Yes No

Will the review duplicate other work? Yes No

Is it timely, and do we have the resources? Yes No

If the answer is 'Yes' to all of the above questions, then the Committee may decide to proceed with the review. To decide how best to carry out the review, the Committee will need to agree the following:

1) Who and how shall we consult?

The Speakers' Digital Commission, IT companies, local media, politicians and residents.

2) Do we need any experts/specialists? (internal/external)

Yes –experts should be called and this should have minimal resource impact.

3) What other help do we need? E.g. training/development/resources

Unknown.

4) How long should it take?

6 – 12 months



Corporate & Scrutiny Management Policy & Scrutiny Committee **13 July 2015**

Report of the Assistant Director of Governance & ICT

Draft Annual Scrutiny Report 2014-15

Summary

1. This Draft Annual Scrutiny Report summarises the work of the five Overview & Scrutiny Committees for the municipal year June 2014 – May 2015, and asks Members to agree the report prior to its presentation to Council in July 2015.

Background

2. This committee is charged with monitoring overall performance in relation to scrutiny review work and providing an Annual Report to Full Council. The last Annual Report for the period June 2013 – May 2014 was presented to this Committee in May 2014 and to Council in July 2014.

Consultation

3. Consultation was not required for the production of this Annual Report. However, consultation is an important element of Overview & Scrutiny and is regularly carried out in support of all scrutiny reviews.
4. The final reports produced for each of the reviews completed during the period June 2014 – May 2015 detail all of the work undertaken, including any consultation carried out. Those final reports and all supporting information can be viewed in full at:

<http://modgov.york.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13029&path=13028>

Options

5. Having considered the draft Annual Report, Members may choose to:
 - Agree any amendments required to the report

- Approve the report for presentation to the meeting of Full Council in July 2015.

Scrutiny Reviews in 2014-15

6. Corporate Scrutiny Review

In June 2014, Corporate & Scrutiny Management Committee expressed an interest in carrying out a corporate scrutiny review during the 2014-15 municipal year to which each of the Overview & Scrutiny Committees could contribute.

7. The Corporate & Scrutiny Management Committee agreed that the theme of the Corporate Review should be around Supporting Older People.

8. Having considered possible topics a number of the scrutiny committees agreed not to contribute as they were either unable to identify a suitable topic or they had insufficient time to complete a review before the start of the purdah period based on their already busy workplans. As a consequence CSMC agreed to abandon the 2014-15 Corporate Review.

9. Other Scrutiny Reviews:

The following scrutiny review was carried out by the Corporate & Scrutiny Management Committee in the last municipal year:

- Equalities Review

In November 2013 CSMC agreed to proceed with a review to raise awareness of the democratic process amongst York's Communities of Identity, and identify any required equalities training for Members. A Task Group was set up and as part of the review a consultation event was held at the Mansion House to meet with representatives from York's Communities of Identity to raise awareness of the democratic process, ways of getting involved, and to identify any barriers preventing their community engagement/involvement. The recommendations arising from the review were endorsed by CSMC in November 2014 and approved by Cabinet in early January 2015.

10. The Economic & City Development Overview & Scrutiny Committee completed two scrutiny reviews in 2014-15:

- Online Business / E-Commerce Scrutiny Review

Started in the previous municipal year, the Committee concluded its work to identify how CYC may better support city businesses to develop their online opportunities and improve their sales, marketing and profitability. To identify any gaps in this support an online survey

was launched asking businesses for feedback and the Task Group also received information on how other towns and cities are supporting the development of online business opportunities. The Task Group held a series of pop-up business cafe events to further identify gaps in support, examined funding opportunities and met with business and trader organisations. The recommendations in the final report were endorsed by ECDOSC in March 2015 and presented and approved by the Executive in June 2015.

- Graduate Business Start-Ups, Entrepreneurialism and Higher Value Jobs Scrutiny Review

At the beginning of the 2014-15 municipal year the Committee agreed to proceed with a review around identifying cost effective ways to attract graduates and entrepreneurs to start up or relocate in York thus enabling the employment of local people at higher than average wages. A Task Group was appointed, and to gather evidence they visited the University of York and York St John University as well as considering best practices from other local authorities and investigating the support available through Higher York and Science City York. The Task Group also met entrepreneurs who had established businesses in the city. The review final report was endorsed by ECDOSC in January 2015 and in early March 2015 Cabinet agreed to note the recommendations and pursue these as part of the work streams for Make it York and the Economic Strategy.

- Proposed Review of the Lendal Bridge Trial

The Economic & City Development Committee twice discussed proposals for a scrutiny review of the Lendal Bridge Trial. In June 2014 the Committee agreed not to proceed on the grounds that such a review would not add value and could be used as a forum for attributing blame. Later, in November 2014 the Committee voted not to proceed as it was felt that a review would not be objective.

11. The Health Overview & Scrutiny Committee carried out one review during 2014-15:

- Supporting Older People Scrutiny Review

Despite the decision by CSMC to abandon the Corporate Review around Supporting Older People, the Committee agreed to progress with a standalone review. After a series of delays and a change of Committee Chair, a Task Group was set up in November 2014 to establish what City of York Council is doing to assist older people. They met with the Vale of York Clinical Commissioning Group and representatives from voluntary organisations to examine how the work

of health workers in the community could be complemented by the voluntary sector with the aim of reducing hospital admissions and enabling older people to live independently for longer. The work on this review is ongoing and is likely to conclude in late 2015.

Proposed Review of NHS Underfunding & Efficiency Savings

In January 2014 the Committee considered a feasibility report arising from a resolution agreed by Full Council to consider a review of the impact on local health services, based on so called 'efficiency' savings and chronic underfunding of the NHS in York. The intention of the review was to enable residents to understand what future services would look like over the period 2015-2020.

Having been informed that Parliament was conducting an examination of the funding arrangements, and recognising the subject was politically charged, the Committee took account of the limited time available to conduct the review before the purdah period began, and chose not to carry out the review at that time.

12. In 2014-15 the Community Safety Overview & Scrutiny Committee concluded two reviews carried over from previous years:

- Domestic Waste Recycling Scrutiny Review

In July 2012, a Task Group was set up to look at ways of increasing domestic waste recycling. Having carried out an analysis of the recycling rates for the 20 top performing Local Authorities in order to identify best practice, the Task Group agreed to focus their review on the Council's 2013-14 'Recycle More' initiative, initiating test and control areas to gather evidence on the effectiveness of and the benefits arising from the Council's initiatives employed to improve kerbside recycling and reduce the amount of waste sent to landfill. This led to delays in the review whilst the work on those initiatives took place and the comparison work was undertaken. The Task Group's final report was endorsed by the Committee in September 2014 and the recommendations were approved by Cabinet in October 2014.

- A-Boards Scrutiny Review

Work continued on this review throughout 2014-15. Having considered all of the options and combinations of options available to the city regarding the appropriate use of A-boards, the Task Group recommended the introduction of a policy allowing the use of A-boards under strict criteria. They suggested the policy should include a list of streets where the use of A-boards is prohibited at all times due to the limited widths of footways, and that appropriate resources should be identified to ensure the full and proper enforcement of the new policy.

In January 2015 the Committee endorsed the Task Group's views and agreed a further recommendation that the new policy should be trialled for a two year period. In February 2015 Cabinet instructed the Director of City and Environmental Services to prepare guidelines for the use of A-boards across the city, for consideration at a future meeting, and to date this remains outstanding.

- Discretionary Charges in Waste Management Scrutiny Review
The Community Safety Overview & Scrutiny Committee considered carrying out a further review during 2014-15. The intention was to review Discretionary Charges in Waste Management. In July 2014 the Committee received a scoping report which provided an introduction to the topic, which presented some initial information on a number of charging schemes in operation nationally, and suggested a number of other service areas that could be included in a review of charging policy. The Committee agreed to proceed with the review in order to identify possible savings that could be fed into the budget planning process. A Task Group was set up and its first meeting was scheduled to take place in October 2014, but this was later postponed following a change to the membership of the Committee. In November 2015 the Committee reconsidered the topic realising it would not be possible to complete the review within the required timescale to allow its recommendations to feed into the budget planning process. As a result, they agreed not to proceed and the review was abandoned.

13. The Learning & Culture Overview & Scrutiny Committee completed three reviews during 2014-15:

- Disabled Access to York's Heritage and Cultural Offer Scrutiny Review.
In June 2014 the Committee agreed to review disabled access to York's heritage and cultural offer, and set up a Task Group to carry out this work. Current access to York's many heritage and cultural venues was assessed and the Task Group considered best practice in relation to cinemas and theatres; live music venues and tourist attractions. Members also considered Planning Guidance on Disabled Access to Historic Buildings and took into account the views of English Heritage. The Task group consulted with representatives from various groups and interested individuals, and in November 2014 the Task Group met with Visit York to gather their views. In February 2015 the full Committee endorsed the Task Group's recommendations and the final report was presented and the recommendations agreed by the Executive in June 2015.

- Entrepreneurship in York Schools Scrutiny Review

In June 2014 the Committee formed a Task Group to undertake a review aimed at improving entrepreneurship education in York schools. The Task Group considered best practice in other Local Authority areas and a number of national and European schemes designed to encourage enterprise in young people. They also reviewed current practices in York and met with representatives from York schools, NYBEP, and the Children's University and some of its business partners. In an effort to encourage York schools to undertake some form of entrepreneurial activity, the Task Group made a number of recommendations that could work in partnership with the projects that were already underway. They also welcomed the introduction of an Enterprise Governor at each York school and recommended the introduction of both an annual 'Tenner' challenge and a Young Entrepreneur Award as part of the annual Press Awards. The full Committee endorsed the Task Group's final report in March 2015 and this was approved by the Executive in June 2015.

- Narrowing the Gap Scrutiny Review

In November 2014 the Committee commenced a review of the attainment gap of York pupils recognising that the gap between disadvantaged young people and their peers in York was amongst the widest anywhere in the country. A Task Group was appointed and its members attended a conference in early December 2014 which brought together school representatives and partners to share information and examples of best practice, and focussed on what schools needed to do to further improve their efforts. The Task Group also visited a number of York schools to gauge the uptake of the best practice approach, and to gather information on the initiatives schools are implementing. In February 2015 the Task Group's recommendations were endorsed by the Committee and again the final report was approved by the Executive in June 2015.

14. Ad-hoc Scrutiny Reviews

In January 2015 CSMC agreed to a request from the Learning & Culture Overview & Scrutiny Committee to set up an Ad Hoc Scrutiny Committee to undertake a scrutiny review on ways to safeguard the long-term future of Yearsley Swimming Pool.

15. Work on this review is ongoing, and to date the Ad Hoc Scrutiny Committee has taken part in a site visit to Yearsley Pool, held a consultation meeting with pool users and interested parties and visited York City Baths Club to watch two swim squads in action. It has also

considered information on the way community-led schemes from elsewhere are funded. The review is expected to conclude in late summer 2015.

Supporting the Council Plan 2011-15

16. All of the reviews carried out during 2014-15 (identified above) took account of the Council's need to be inclusive and ensure equality in accessing the services being reviewed. Each review also supported a number of the council's other improvement priorities and direction statements:
17. The following reviews were directly linked to the 'Protect Vulnerable People' element of the Council Plan 2011-15:
 - Equalities;
 - Yearsley Pool;
 - Supporting Older People;
 - A-Boards;
 - Disabled Access to York's Heritage and Cultural Offer;
 - Narrowing the Gap.
18. The following reviews were directly linked to the 'Build Strong Communities' element of the Council Plan 2011-15:
 - Equalities;
 - Yearsley Pool;
19. The following reviews were directly linked to the 'Create Jobs & Grow the Economy' element of the Council Plan 2011-15:
 - Online Business / E-Commerce Review.
 - Graduate Business Start-Ups, Entrepreneurialism and Higher Value Jobs Scrutiny Review
 - Entrepreneurship in York Schools
20. The Domestic Waste Recycling Review supported the 'Protect the Environment' element of the Council Plan 2011-15.

Finance & Performance Monitoring

21. Throughout 2014-15 the Overview & Scrutiny Committees received regular quarterly monitoring reports relating to the council's performance and finance management, in service areas specific to their individual remits.

22. In addition, they also received other monitoring reports specific to their individual terms of reference, as detailed below:
23. Corporate & Scrutiny Management Committee received updates / reports on:
 - The Workforce Strategy 2012-15;
 - The Annual Scrutiny Support Budget;
 - The Procurement Strategy;
 - Proposed changes to the terms of reference of two Scrutiny Committees;
 - The progress of the Single Equalities Scheme;
 - The Annual Overview & Scrutiny Report for 2013-14;
24. The Community Safety Overview & Scrutiny Committee received updates on:
 - The embedding of CYCs revised Taxi Licensing Policy;
 - The work of the Horse Bailiff;
 - The Refresh of the Single Equalities Scheme;
25. Throughout 2014-15, the Committee also received a number of updates in support of its responsibility for the discharge of the functions conferred on the Council by sections 19 & 20 of the Police & Justice Act 2006, in relation to the scrutiny of community safety issues, the Police and the work of the local Crime and Disorder Reduction Partnership (CDRP):
 - Bi-annual performance reports from Safer York Partnership (SYP);
 - A presentation from the Probation Service on delivery changes within the service;
 - Update on the work of AVANTE (Alcohol, Violence & Night-Time Economy);
 - A presentation from North Yorkshire Police on the new North Yorkshire Policing Model.
 - An update on the Anti-Social Behaviour Hub;
26. The Economic & City Development Overview & Scrutiny Committee received briefings/updates on:
 - Major developments within the city;
 - Major transport initiatives and issues arising from them;
 - York Economic Dashboard;
 - Update on the Refresh of the Single Equalities Scheme;
 - Low Emissions Strategy including an update of the Air Quality Action Plan;

- Bulk Buying of Energy;
- Update Report from YorCity Construction;
- Management of Regeneration projects in York;
- Universal Credit;
- Update on the economic implications of the Tour de France;
- Update on Newgate / Shambles market;
- Report on the Service Level Agreement for Make it York.

27. The Health Overview & Scrutiny Committee has a statutory role to review and scrutinise the impact of services and policies of key partners on the health of the city's population. As such it received updates on:

- York Health and Wellbeing Board;
- Safeguarding Arrangements;
- Carers' Strategy;
- Residential, Nursing and Home Care Services;
- Proposals for mental health services in York including improving child and adolescent mental health services and the future vision of mental health services across the city.
- Update of Refresh of the Single Equalities Scheme;
- Implications of Deprivation of Liberties Safeguards;
- Lunchtime meal arrangements for sheltered housing residents;
- Castlegate Centre;
- Re-procurement of Musculoskeletal Services;
- Personal Medical Services;
- Elderly People's Homes programme.

28. The Committee were also consulted on a number of issues:

- CCG five-year strategy for integrated health care in York
- Interim plans for Bootham Park Hospital;
- Monitor Investigation into York Teaching Hospital;
- Challenges faced by York Hospital over the Christmas and New Year period;
- Outcome of the Leeds and York Partnership Foundation Trust Care Quality Commission inspection;
- the merger of a number of medical practices in York – York Medical Group and Clifton; Gillygate and Jorvik; Haxby and Gale Farm.

29. Finally, they received a number of reports and presentations i.e.:

- Presentation by the CYC Head of Transformation about the work around Adult Social Care;

- Be Independent presentation about the development of the Community Interest Company and how it provides community equipment loan and telecare services;
- Healthwatch presentation into Discrimination Against Disabled People;
- Presentation by the Care Quality Commission on the new inspection process;
- Presentation by Health Education Yorkshire and the Humber on nurse training and workforce planning;
- Annual report of the Chief Executive of Yorkshire Ambulance Service;
- Annual report of the Chief Executive of York Teaching Hospital NHS Foundation Trust;
- Annual report of the Chief Executive of Leeds and York Partnership NHS Foundation Trust.

30. The Learning & Culture Overview & Scrutiny Committee received:

- York Museums Trust Bi-annual Partnership Delivery Plan Updates;
- York Theatre Royal Bi-annual Service Level Agreement Performance Updates;
- The first bi-annual update on Explore York Libraries and Archives Service Level Agreement;
- Bi-annual Progress Reports on Safeguarding and Looked After Children;
- CYC Stonewall Challenge (Anti-Bullying Strategy Group);
- Update on the Refresh of the Single Equalities Scheme;
- Update on Parks Development;
- School improvement and Ofsted update report;
- School Results outturn.

31. In addition the Committee received presentations from the Chair of York @ Large on the ongoing work of York @ Large; the Chair of Learning City York Partnership and the Chair of York Safeguarding Board.

Acting as Critical Friend

32. During the municipal year 2014-15 each of the Overview & Scrutiny Committees met with the relevant Cabinet Members to hear about their challenges and priorities for the year. They also met with some of the council's appropriate statutory partners to hear about their priorities and challenges.

Monitoring Previous Recommendations

33. Finally, each of the committees received bi-annual updates on the implementation of the approved recommendations arising from their previously completed scrutiny reviews. Those deemed to be fully completed were signed off.

Calling - In

34. Throughout the municipal year 2014-15 there were nine Cabinet/ Cabinet Member decisions called-in for consideration by CSMC. The decision of the Cabinet was upheld in six instances. Those upheld were:
- Improving York's City Centre - Reinvigorate York Public Realm Improvement Projects: Exhibition Square/Theatre Interchange project;
 - Lendal Bridge and Coppergate Traffic Regulation Orders;
 - Community Stadium and Leisure Facilities Update;
 - York Guildhall and Riverside creating a Digital Media and Arts Centre;
 - City of York Local Plan Publication Draft.
 - The Council's Housing for Older People Programme.
35. Three other call-ins were referred back for further consideration. These were:
- Rewiring of Public Services: Business Case for Children's Services in relation to the Castlegate service;
 - Jockey Lane Pedestrian and Cycle Improvement Scheme;
 - A Congestion Committee for York;

Implications

36. There are no known legal, HR and financial implications associated with the recommendation within this report.

Risk Management

37. There are no known risks associated with the recommendation in this report.

Recommendations

38. Having considered the information within this report, Members are asked to approve this Annual Scrutiny Report which covers the period between June 2014 and May 2015.

Reason: To enable its presentation to Full Council in July 2015, in line with Constitutional requirements.

Contact Details

Author:

Steve Entwistle
Scrutiny Officer
Tel: 01904 554279

Chief Officer Responsible for the report:

Andrew Docherty
Assistant Director Governance & ICT

Melanie Carr
Scrutiny Officer
Tel: 01904 552054

Report Approved



Date: 17 April 2015

Specialist Implications Officer(s) - None

Wards Affected:

All



For further information please contact the authors of the report

Background Papers: None

Annexes: None

Abbreviations:

AVANTE - Alcohol, Violence & Night-Time Economy
CSMC – Corporate & Scrutiny Management Committee
CCG – Clinical Commissioning Group
CDRP - Crime and Disorder Reduction Partnership
CYC – City of York Council
ECDOSC – Economic& Development Overview & Scrutiny Committee
NHS – National Health Service
NYBEP – North Yorkshire Business Enterprise Partnership
SYP – Safer York Partnership



Corporate & Scrutiny Management & Policy & Scrutiny Committee**13 July 2015**

Report of the AD Governance & ICT

New Arrangements for Petitions**Summary**

1. Members of this Committee are now aware of their new role in the initial consideration of petitions received by the Authority. The current petitions process was considered by the Audit and Governance Committee on 2 October 2014 and endorsed by Council on 9 October 2014. This process aimed to ensure scrutiny of the actions taken in relation to petitions received either by Members or Officers.

Background

2. Following agreement of the above petitions process, Members of the Corporate and Scrutiny Management Committee had been considering a full schedule of petitions received at each meeting, commenting on actions taken by the Executive Member or Officer, or awaiting decisions to be taken at future Executive Member Decision Sessions. However, in order to simplify this process Members agreed, at the Committee's last meeting on 15 June, that the petitions annex should in future be provided in a reduced format in order to make the information relevant and manageable.
3. This was agreed, in the knowledge that the full petitions schedule was publically available on the Council's website and that it was updated and republished after each meeting of the Committee.
<http://democracy.york.gov.uk/ecSDDisplay.aspx?NAME=SD1956&ID=1956&RPID=10321482&sch=doc&cat=13020&path=13020>
4. **Current Petitions Update**

A copy of the reduced petitions schedule is now attached at Annex A of the report with the following, current petitions:

20. **Anti-Social Behaviour, Clifton Moor Retail Park**
This petition has been referred to Jane Mowat, Head of Community Safety, in the first instance, it is hoped to provide a further update to Members at the meeting in relation to next steps associated with this petition.

22. **Pedestrian Crossing, Askham Lane/Westfield School**
This petition received at Council from Cllr Waller is due for consideration by the Executive Member for Transport and Planning at a Decision Session on 23 July 2015.

23. **Adoption of Nevison Grove, Stirling Grove and Wilsthorpe Grove**
We have been advised that there are Council policies in place to deal with requests for road adoptions. The lead petitioner has now been advised of the correct procedure in relation to their request.

24. **100% Affordable Community Housing for Oliver House, Bishophill**
This petition was considered in conjunction with the recent report to the Executive on 25 June 2015 regarding the disposal of Oliver House. Unfortunately the Yorspace bid for Oliver houses was considerably lower than the other top 10 bids and it was noted that a decision to sell the site on the basis of community value and high level projections of savings would have been highly challengeable for the authority. The Executive therefore took the decision to support McCarthy and Stone as the preferred bidder for the disposal of the former Elderly Persons Home. The Executive did however note that the Yorspaces bid did achieve the highest score on community value and instructed Officers to work with the group to identify future opportunities.

25. **Aldreth Grove Residents Parking Request**
This petition received by Network Management is due for consideration by the Executive Member for Transport and Planning at a Decision Session on 23 July 2015.

26. **No to Waste Collection Cuts**
This e-petition ran to 30 May 2015 and following changes in the Council administration, any next steps in relation to this petition will be advised following the outcome of revised budgetary

considerations under debate at the forthcoming July Council meeting.

27. **Multi Academy Trust**

The Director of Education of Children's Services, Education & Skills in consultation with the Executive has confirmed that legally it is for the three governing bodies of Millthorpe, Scarcroft and Knavesmire schools to make the decision on whether to convert to a Multi-Schools Academy Trust.

Therefore, the Executive does not believe that a non-binding ballot of the local community would substantially add to the existing comprehensive, inclusive and varied consultation process already underway.

However, the three governing bodies are being asked to reiterate to all parents and stakeholders how they can engage with the current consultation process to make their views known and if necessary extend the consultation timescale to ensure all parties have the opportunity to comment.

The Council's aim continues to be to ensure that children in York have the best possible education and we will continue to work in partnership with schools across the city, whatever their status, to achieve this.

28. **Repair Dodsworth Area Road Surface**

This petition is due for consideration by the Executive Member for Transport and Planning at a Decision Session to be arranged in August

5. **The Process**

There are a number of options available to the Committee as set out in paragraph 6 below. These are not exhaustive. Every petition is, of course, unique, and it may be that Members feel a different course of action from the standard is necessary.

Options

6. Having considered the reduced Schedule attached which provides details of new petitions received, Members have a number of options in relation to those petitions:

- Request a fuller report, if applicable, for instance when a petition has received substantial support;
- Note receipt of the petition and the proposed action;
- Ask the relevant decision maker or the appropriate Executive Member to attend the Committee to answer questions in relation to it;
- Undertake a detailed scrutiny review, gathering evidence and making recommendations to the decision maker;
- Refer the matter to Full Council where its significance requires a debate;

If Members feel that appropriate action has already been taken or is planned, then no further consideration by scrutiny may be necessary.

7. Following this meeting, the lead petitioner will be kept informed of this Committee's consideration of their petition, including any further action Members may decide to take.

Consultation

8. All Groups were consulted on the process of considering more appropriate ways in which the Council deal with and respond to petitions, resulting in the current process. Relevant Directorates are involved and have been consulted on the handling of the petitions outlined in Annex A.

Implications

9. There are no known legal, financial, human resource or other implications directly associated with the recommendations in this report. However, depending upon what, if any, further actions Members agree to there may, of course, be specific implications for resources which would need to be addressed.

Risk Management

10. There are no known risk implications associated with the recommendations in this report. Members should, however, assess the reputational risk by ensuring appropriate and detailed consideration is given to petitions from the public.

Recommendations

11. Members are asked to consider the petitions received and actions reported, as set out in paragraph 4 above and on the attached Schedule at Annex A, and agree an appropriate course of action in each case.

Reason: To ensure the Committee carries out its new requirements in relation to petitions.

Contact Details

Author:

Dawn Steel
Head of Civic & Democratic
Services
Tel No. 01904 551030
e: dawn.steel@york.gov.uk

Chief Officer Responsible for the report:

Andrew Docherty
AD Governance & ICT

**Report
Approved**



Date

3 July 2015

Wards Affected:

All



Background Papers: None

Annexes:

Annex A - Schedule of petitions received and actions taken to date

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Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
<p>20. Anti-Social Behaviour, Clifton Moor Retail Park - calling upon the Council to use those powers that they have to reduce anti-social behaviour taking place on privately owned land forming part of Clifton Moor Retail Park in liaison with the Owners and occupiers of the Park and North Yorkshire Police.</p>	<p>Hard copy to be presented to Council, 26-03-15 (Cllr McIlveen)</p>	<p>31 signatories</p>	<p>Steve Waddington Asst Director Housing & Community Safety T: 01904 554016</p>	<p>This petition has been referred to Jane Mowat, Head of Community Safety</p>			<p>07-04-15 Awaiting progress</p>
<p>22. Pedestrian Crossing, Askham Lane/Westfield School - requesting a pedestrian crossing at the crossing point on Askham Lane to Westfield School to assist with the safe crossing by residents, especially school children, on this busy road.</p>	<p>Hard copy to be presented to Council, 26-03-15 (Cllr Waller)</p>	<p>174 signatories</p>	<p>Andy Vose Transport Planner Strategy T: 01904 551608</p>	<p>Executive Member for Transport & Planning Decision Session</p>	<p>23 July 2015</p>		<p>07-04-15 Noted, await decision</p>
<p>23. Adoption of Nevinson Grove, Stirling Grove and Wilsthorpe Grove - Calling upon the Council to adopt these three roads in order to allow the roads and footways to be included in future resurfacing plans.</p>	<p>Hard copy to be presented to Council, 26-03-15 (Cllr Aspden)</p>	<p>24 signatories</p>	<p>Richard Bogg Highway Development Manager T: 01904 551426</p>	<p>N/A – a CYC policy is in place to deal with requests for road adoptions. Lead petitioner advised of the correct procedure -Cllr Aspden via email on 16th April 2015</p>			<p>07-04-15 Noted, await decision</p>

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
<p>24. 100% Affordable Community Housing for Oliver House, Bishophill -Calling for the Council to support the plan offered by YorSpace to purchase and redevelop Oliver House into 100% affordable housing with community space.</p>	<p>E-Petition Running 18-01-15 to 31-03-15</p>	<p>171 signatories</p>	<p>Philip Callow Head of Asset & Property Management T: 01904 553360</p>	<p>To be considered in conjunction with report to Executive, following election</p>	<p>Executive 25-06-2015</p>	<p>The Executive agreed to:</p> <ul style="list-style-type: none"> • Approve McCarthy and Stone as the preferred bidder for the purchase of Oliver House and the adjoining garages. • To retain Churchill Retirement and Trinity Services as reserve bidders who will be invited back into negotiations if an acceptable deal cannot be secured with McCarthy and Stone. • To delegate to the Director of Customer and Business Support in consultation with the Executive Leader the agreement of the final sale value and terms. • Note that the bid received from Yorospace achieved 	<p>07-04-15 Noted, await decision</p>

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
						<p>the highest score on community value, and instruct Officers to work with the group to identify future opportunities.</p> <p>Reason:</p> <ul style="list-style-type: none"> • To achieve the overall best consideration scheme on the Oliver House site and deliver a capital receipt to the General Fund and the Housing Revenue Account. • To retain commercial tension within the negotiations and ensure that the final deal represents best consideration for the Council. • To ensure the Council achieves the most advantageous deal. • In order to provide Yospace with assistance for any future projects. 	

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
25. Aldreth Grove Residents parking request -Calling on the Council to implement residents parking on Aldreth Grove	Hard copy received by Network Management	17 signatories	Annemarie Howarth Network Management T: 01904 551337	Executive Member for Transport & Planning Decision Session	23 July 2015		
26. No to Waste Collection Cuts- We the undersigned petition the council to • halt any plans to reduce grey bin emptying frequency to 3 weekly or less. • reconsider its plan to introduce a £35 pa charge for emptying all green bins • We further petition the Council to provide an improved network of litter bins and to give a high priority to ensuring that our streets, highways and hedgerows are kept clear of dumped rubbish.	E-Petition Running 18-03-15 to 30-05-15	99 signatories	Neil Ferris Assistant Director for Transport, Highways and Fleet T: 01904 551448	Following changes in the Council administration, any next steps in relation to this petition will be advised following the outcome of revised budgetary considerations under debate at the forthcoming July Council meeting.			
27. Multi Academy Trust - Requesting a ballot to ask parents whether they support the proposed conversation of the following three local schools to create “Multi	Postcards addressed to City of York Council, West Offices	517 individual cards received to date	Jon Stonehouse, Director of Children’s Services Education & Skills T: 01904 553798	The Director of Education of Children’s Services, Education & Skills in consultation			

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
<p>Academy Trust” in the South Bank area.</p> <ul style="list-style-type: none"> • Knavesmire Primary School • Millthorpe School • Scarcroft School 				<p>with the Executive confirmed that legally it is for the three governing bodies of Millthorpe, Scarcroft and Knavesmire schools to make the decision on whether to convert to a Multi-Schools Academy Trust.</p> <p>Therefore, the Executive does not believe that a non-binding ballot of the local community would substantially add to the existing comprehensive, inclusive and varied consultation process already</p>			

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
				<p>underway.</p> <p>However, we are asking the three governing bodies to reiterate to all parents and stakeholders how they can engage with the current consultation process to make their views known and if necessary extend the consultation timescale to ensure all parties have the opportunity to comment.</p> <p>Our aim continues to be to ensure that children in York have the best possible education and we will continue to work in partnership with</p>			

Petition Details	Petition Type	No of Signatures (Approx)	Responsible Officer	Decision maker (e.g. Executive Member, Director)	Date of Consideration	Action Agreed	Date of Consideration by CSMC & Outcome
				schools across the city, whatever their status, to achieve this.			
<p>28. Repair Dodsworth Area Road Surface</p> <p>We the undersigned petition the council to agree that the condition of road surfaces in the Dodsworth Area Residents' Association area, in particular, Dodsworth Avenue, Pottery Lane and Fossway, have deteriorated to such an extent that there has been actual and potential damage to road users.</p>	<p>E-Petition Running 02-6-15 to 02-12-15</p>	<p>2 to date</p>	<p>Neil Ferris Assistant Director for Transport, Highways and Fleet T: 01904 551448 Steve Wragg Flood Risk and Asset Manager 553401</p>	<p>Executive Member for Transport & Planning Decision Session</p>	<p>August 2015</p>		

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Meeting Date	Corporate, Policy & Scrutiny Management Committee Work Plan for 2015-16
8 June 2015 @ 5pm	<ol style="list-style-type: none"> 1. Introductory Report inc. Ideas on Potential Topics for Review in this Municipal Year 2. Community Engagement Review - Update on Implementation of Outstanding Recommendations 3. Yearsley Pool Ad Hoc Scrutiny Committee membership 4. Schedule of Petitions 5. Draft Workplan 2015-16
13 July 2015 @ 5pm	<ol style="list-style-type: none"> 1. Attendance of Executive Leader, Finance & Performance – Priorities & Challenges for 2015-16 2. Attendance of Deputy Leader – Priorities & Challenges for 2015-16 3. Consultation report on Proposed New Governance Arrangements 4. Yearsley Pool Ad-hoc Scrutiny Review - Update on work to date 5. Briefing Paper on Proposed Scrutiny Topic on ‘Expansion of Local Democracy using Digital Means’ 6. Scrutiny Annual Report 7. Schedule of Petitions 8. Workplan 2015-16
14 Sept 2015 @ 5pm	<ol style="list-style-type: none"> 1. Year-End Finance & Performance Monitoring Report 2014-15 (Debbie Mitchell) 2. First Qtr Finance & Performance Monitoring Report (Debbie Mitchell) 3. Report on Future ways of Scrutiny Working (Dawn Steel) 4. Schedule of Petitions 5. Workplan 2015-16
9 Nov 2015 @ 5pm	<ol style="list-style-type: none"> 1. Schedule of Petitions 2. Workplan 2015-16
11 Jan 2016 @ 5pm	<ol style="list-style-type: none"> 1. Second Qtr Finance & Performance Monitoring Report (Debbie Mitchell) 2. Procurement Overview Report (Debbie Mitchell) 3. Scrutiny Support Budget Monitoring Report (Dawn Steel) 4. Schedule of Petitions 5. Workplan 2015-16
7 March 2016 @ 5pm	<ol style="list-style-type: none"> 1. Third Qtr Finance & Performance Monitoring Report 2. Schedule of Petitions 3. Workplan 2015-16
9 May 2016 @ 5pm	

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