
MEETING	SCRUTINY MANAGEMENT COMMITTEE
DATE	15 SEPTEMBER 2008
PRESENT	COUNCILLORS GALVIN (CHAIR), ASPDEN, BLANCHARD (VICE-CHAIR), SCOTT (JOINED THE MEETING AT 5.40PM), SIMPSON-LAING, TAYLOR, R WATSON AND I WAUDBY
IN ATTENDANCE	COUNCILLORS BROOKS AND LOOKER (JOINED THE MEETING AT 5.40PM)

12. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Councillor Waudby declared a personal non-prejudicial interest in agenda item 5 (Final Report of the Education Scrutiny Committee – School Governors) as a governor of Lakeside Primary School.

Councillor Simpson-Laing declared a personal non-prejudicial interest in agenda item 5 (Final Report of the Education Scrutiny Committee – School Governors) as a governor of Carr Infant School.

Councillor Blanchard declared a personal non-prejudicial interest in agenda item 5 (Final Report of the Education Scrutiny Committee – School Governors) as a team leader of Young Enterprise.

Councillor Scott declared a personal non-prejudicial interest in agenda item 4 (Final Report of the Barbican Ad-hoc Scrutiny Committee – Sale of the Barbican) as a resident of Fishergate since 2002.

13. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 28 July 2008 be approved as a correct record and be signed by the Chair.

14. PUBLIC PARTICIPATION

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

15. FINAL REPORT OF THE BARBICAN AD-HOC SCRUTINY COMMITTEE – SALE OF THE BARBICAN

Members received a report, which presented details from the final report of the Barbican Ad-Hoc Scrutiny Committee detailing their review of the sale of the Barbican.

Councillor Looker, as Chair of the Scrutiny Committee, reminded Members that the Committee had investigated the arrangements surrounding the sale of the Barbican site, with the purpose of learning some key lessons for the future. She stated that consultation had been undertaken with Officers, Political Group Leaders and representatives of the pressure groups in order to inform their final report.

Their findings did agree that the decisions taken in relation to the sale had resulted in a significant reduction of capital receipts to the Council. They agreed that this had been due in part to the complicated nature of the transaction, changes to the brief by both the Council and the developers together with the issues and subsequent legal actions around an Environmental Impact Assessment. The Committee had also acknowledged that best value had not been achieved.

Consideration was given to the Scrutiny Committees agreed recommendations:

- i. it was realistic to take two years to formulate a proposal
- ii. it was not unreasonable for a new administration to exercise its democratic right and change the proposal, taking into account the associated risks
- iii. although each decision taken in relation to the sale had been taken in good faith, the delays in making those decisions, the longevity of unforeseen legal action and the shift in land values, had resulted in a significant reduction in capital receipt to the Council
- iv. best value was not achieved taking the project as a whole, even with recognising the reasons outlined in paragraph 24.
- v. there might have been a more effective way of dealing with the pressure groups

Members then questioned the following points in respect of the final report:

- Paragraph 20 – had it been known in 2005 that there was downturn in the property market?;
- It was a fact that no other development had produced such public interest;
- That the democratic process was not suited to deal with complex property deals;
- Had the second consultation exercise been necessary?

Following further discussion it was

- RESOLVED:
- (i) That the Committee endorse the final report and findings of the Barbican Ad-Hoc Scrutiny Committee subject to the following comments being taken into consideration:
 - Scrutiny Management Committees regret at the failure of the Scrutiny Committee to fully take into account the second level consultation.

- The inappropriate language used in the report when referring to pressure groups and Scrutiny Management Committees preference for the use of the words “working with” rather than “dealing with” in recommendation (v).¹
- (ii) The Committee endorse the recommendation that the Executive should commission an officer report which sets out a corporate approach for the Council when dealing with pressure groups and
- (iii) That all future projects have a robust system of risk management, which is regularly reviewed and updated throughout the period of each project.

REASON: To inform the Executive’s consideration of the final report.

Action Required

1. Submit an item onto the Executive Forward Plan and prepare a report for the Executive.

GR

16. FINAL REPORT OF THE EDUCATION SCRUTINY COMMITTEE - SCHOOL GOVERNORS

Members received the final report from the Education Scrutiny Committee detailing their review of School Governors. This Committee had had the remit of encouraging an improved level of community involvement and maximising the diversity and skills of school governors.

Councillor Aspden, as Chair of the Scrutiny Committee, presented the final report and answered Members questions. He confirmed that Members had recognised that there had not been an issue around the current clerking arrangements in extended schools and had therefore agreed not to proceed with Part B of the Review.

Members made the following comments and questioned the following points:

- Had the exit questionnaires listed the timing of meetings and time involvement as reasons for leaving and could this restrict the recruitment of new members?
- Concern that the Governor Support and Development Service did not already have information relating to current governors age, gender, ethnicity, skills and economic background;
- Tribute paid to the hard work undertaken by Governors and to their immense workload to which a high level of commitment was required;

RESOLVED: (i) That the Committee note the contents of the final report and annexes of the Education

Scrutiny Committee on School Governors and endorse the recommendations therein; ¹.

- (ii) That the Committees thanks be conveyed to the Scrutiny Committee for this useful piece of work.

REASON: To inform the Executive's consideration of the final report.

Action Required

1. Submit item onto the Executive Forward Plan and prepare a report for the Executive. GR

17. UPDATE ON IMPLEMENTATION OF RECOMMENDATIONS OF PREVIOUS SCRUTINY REVIEWS

Members received a report, which provided them with updated information on the implementation of the recommendations made as a result of a previously completed review on Guidance For Sustainable Development.

The Assistant Director of Planning and Sustainable Development and the Sustainability Officer were in attendance to answer questions.

RESOLVED: That recommendations 3, 4, 5, 8, 12, 13, 14, 15, 16, 17, 19, 21 and 25 from the review on Guidance For Sustainable Development be reviewed again and the remaining recommendations be signed off. ¹.

REASON: To raise awareness of those recommendations which still have to be implemented.

Action Required

1. To further review the outstanding recommendations. GR

18. CULTURAL QUARTER AD HOC SCRUTINY COMMITTEE – CO-OPTION

Consideration was given to a report, which asked Members to consider formally adopting Sir Ron Cooke onto the Cultural Quarter Ad-Hoc Scrutiny Committee.

Officers stated that, his expertise as former Vice Chancellor of York University and Vice Chair of [York@Large](#), when the original idea for a Cultural Quarter was proposed, would benefit the review.

RESOLVED: That Sir Ron Cooke be adopted as a non-voting co-opted Member for the duration of the Cultural Quarter Ad-Hoc Scrutiny Committee. ¹.

REASON: In keeping with other existing co-option practices.

Action Required

1. To inform Sir Ron Cooke of his adoption to the Committee. GR

19. PROPOSED DEVELOPMENT OF NEW COUNCIL HEADQUARTERS AT HUNGATE - FEASIBILITY REPORT

Members received a report, which asked them to consider a scrutiny topic registered by Cllr Brookes to scrutinise the proposed development of the new Council headquarters at Hungate.

The Head of Property Services and Head of Facilities Management attended to answer Members questions on the topic.

- RESOLVED:
- (i) That it be agreed to proceed with the review, commencing in mid October 2008;
 - (ii) That the remit at Annex C of the report be agreed with the following amendments:
 - (a) The reword of key objective i. to read “ In light of the overall budget, to identify whether the initial budget set was correct i.e. that all the relevant factors had been identified and included for, in particular the volume of all fees both agreed and incurred;
 - (b) The reword of objective ii. to read, “To understand the decision taken in respect of agreeing which CYC department would act as internal ‘client’ and to understand the relationship between Planning and the client’;
 - (c) In objective iv. the addition following the words ”seeking the views of” of the words “statutory consultees, and”;
 - (iii) That an ad-hoc Scrutiny Committee be established on a 2:2:1 basis, the Group from which the Chair will be appointed to be advised, and nominations for membership be sought from Group Secretaries.
1.

REASON: To progress with a review of the topic.

Action Required

1. To seek nominations from the Group Secretaries and to advise the Secretaries from which Group the Chair will be appointed.

GR

Councillor J Galvin, Chair

[The meeting started at 5.30 pm and finished at 6.50 pm].