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MEETING	SCRUTINY MANAGEMENT COMMITTEE
DATE	28 SEPTEMBER 2009
PRESENT	COUNCILLORS HEALEY (CHAIR), ORRELL, SCOTT, SIMPSON-LAING, TAYLOR, WAUDBY AND ASPDEN (SUBSTITUTE FOR CLLR R WATSON)
APOLOGIES	COUNCILLORS FUNNELL AND R WATSON

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## **PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**

### **7. 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 Aspden declared a personal non-prejudicial interest in agenda item 6 – Minute 12 refers (Referral of Councillor Call for Action regarding maintenance, parking and safety issues at Broadway shops) as a member of Fulford Parish Council.

Councillor Simpson-Laing declared a personal non-prejudicial interest in Minute 6 of the meeting of 27 July 2009 as a school governor.

Councillor Scott declared a personal non-prejudicial interest in agenda item 6 – Minute 12 refers (Referral of Councillor Call for Action regarding maintenance, parking and safety issues at Broadway shops) as a Member who had sat on the EMAP that had looked into this matter, as a former member of the Parish Council and as a user of the shops on some occasions.

### **8. MINUTES**

RESOLVED: That the minutes of the meeting held on 27 July 2009 be signed as a correct record.

### **9. PUBLIC PARTICIPATION**

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

**10. UPDATE REPORT - REFERRAL FROM COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE**

Members considered a report detailing a referral made by the Community Safety Overview and Scrutiny Committee requesting a change to their terms of reference. Scrutiny Management Committee were asked to comment on the referral so that their views could be fed into a report to Council.

At the first meeting of the new Community Safety Overview and Scrutiny Committee, concerns had been expressed that the Licensing and Regulatory function had been included as part of the remit of the Economic and City Development Overview and Scrutiny Committee, rather than the Community Safety Overview and Scrutiny Committee. Officers had also pointed out that the Building Maintenance function did not appear as part of the remit for any of the new committees.

- RESOLVED: (i) That SMC recommend to Council that the Licensing and Regulatory function be removed from the remit of the Economic and City Development Overview and Scrutiny Committee and included within the remit of the Community Safety Overview and Scrutiny Committee.
- (ii) That SMC recommend to Council that the building maintenance function be included within the remit of Economic and City Development Overview and Scrutiny Committee.

REASON: To ensure clarity in the terms of reference of the scrutiny committees.

*(see also Part B Minute)*

**11. TRAFFIC CONGESTION SCRUTINY REVIEW - RESIDENTS CONSULTATION SURVEY**

Members received a report that provided an update on progress with the Residents Consultation Survey to be carried out in support of the ongoing Traffic Congestion Ad-hoc Scrutiny Review.

Consideration was given to the options available regarding distribution of the survey and the costs involved. Concerns were expressed at the delays that had occurred in progressing this matter.

- RESOLVED: (i) That the contents of the report be noted.
- (ii) That the Traffic Congestion Ad-hoc Scrutiny Committee be made aware of SMC's views on the importance of moving forward with the review and that the survey be distributed with the December issue of Your City.

REASON: To enable the survey to be carried out.

**12. REFERRAL OF COUNCILLOR CALL FOR ACTION (CCFA)  
REGARDING MAINTENANCE, PARKING AND SAFETY ISSUES AT  
BROADWAY SHOPS**

A report was received that asked Members of the Scrutiny Management Committee (SMC) to decide whether the proposed Councillor Call for Action (CCfA) regarding maintenance, parking and safety issues at Broadway Shops fell more within the remit of the Community Safety Overview and Scrutiny Committee or the Economic and City Development Overview and Scrutiny Committee.

Councillor D'Agorne went through the issues with the committee and explained the efforts that had been made to try to resolve the problems.

RESOLVED: That the proposed scrutiny topic based on the Councillor Call for Action (CCfA) regarding maintenance, parking and safety issues at Broadway shops, be referred to the Economic and City Development Overview and Scrutiny Committee for further consideration.

REASON: To enable a decision to be made as to whether or not to carry out the proposed scrutiny review.

**13. URGENT BUSINESS - STRENGTHENING LOCAL DEMOCRACY**

The Government had released a consultation document in relation to "strengthening local democracy" as part of a paper on "Building Britain's Future". The consultation had been announced on 21 July and responses were due by 2 October 2009. As a result, the Chair of the Scrutiny Management Committee had agreed to take this report as an urgent item to enable the Committee to endorse the Council's response to the consultation and to formally submit its views within the stated deadline for the scrutiny elements of the consultation.

Consideration was given to Annex B to the report – City of York Council's proposed draft response.

RESOLVED: That the proposed draft response at Annex B be approved for inclusion in the Council's formal response to the Government, subject to a statement being included in the final paragraph of page 2 to reiterate that if councils were to be given extra responsibilities for scrutiny this should be fully resourced by central government.

REASON: To enable the Council to respond formally within the consultation period.

## **PART B - MATTERS REFERRED TO COUNCIL**

### **14. UPDATE REPORT - REFERRAL FROM COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE**

Members considered a report detailing a referral made by the Community Safety Overview and Scrutiny Committee requesting a change to their terms of reference. Scrutiny Management Committee were asked to comment on the referral so that their views could be fed into a report to Council.

At the first meeting of the new Community Safety Overview and Scrutiny Committee, concerns had been expressed that the Licensing and Regulatory function had been included as part of the remit of the Economic and City Development Overview and Scrutiny Committee, rather than the Community Safety Overview and Scrutiny Committee. Officers had also pointed out that the Building Maintenance function did not appear as part of the remit for any of the new committees.

- RECOMMENDED: (i) That the Licensing and Regulatory function be removed from the remit of the Economic and City Development Overview and Scrutiny Committee and included within the remit of the Community Safety Overview and Scrutiny Committee.
- (ii) That the building maintenance function be included within the remit of Economic and City Development Overview and Scrutiny Committee.

REASON: To ensure clarity in the terms of reference of the scrutiny committees.

*(see also Part A minute)*

Councillor P Healey, Chair  
[The meeting started at 5.00 pm and finished at 5.45 pm].