

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 28th March, 2013, starting at 6.30 pm

Present: The Deputy Lord Mayor (Cllr David Horton) in the Chair, and the following Councillors:

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD

CLIFTON WARD

Douglas
King
Scott

DERWENT WARD

Brooks

DRINGHOUSES & WOODTHORPE WARD

Hodgson
Reid
Semlyen

FISHERGATE WARD

D'Agorne
Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
Watson

HAXBY & WIGGINTON WARD

Cuthbertson
Firth
Richardson

HESLINGTON WARD

Levene

HEWORTH WARD

Boyce
Funnell
Potter

HEWORTH WITHOUT WARD

HOLGATE WARD

Alexander
Crisp
Riches

HULL ROAD WARD

Barnes
Fitzpatrick

**HUNTINGTON & NEW
EARSWICK WARD**

Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Warters

RURAL WEST YORK WARD

Gillies
Healey
Steward

**SKELTON, RAWCLIFFE &
CLIFTON WITHOUT WARD**

Cunningham-Cross
McIlveen
Watt

STRENSALL WARD

Doughty
Wiseman

WESTFIELD WARD

Burton
Williams

WHELDRAKE WARD

Apologies for absence were received from Councillors Galvin, Ayre, Hyman, Jeffries and Barton

66. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial or disclosable pecuniary interests they might have in respect of the business on the agenda.

No additional interests were declared.

67. MINUTES

- RESOLVED:
- i) That the minutes of the Special Meeting of Council held on 13 December 2012 be approved and signed by the Chair as a correct record.
 - ii) That the minutes of the last Ordinary Meeting of Council held on 13 December 2012 be approved and signed by the Chair as a correct record.
 - iii) That the minutes of the Budget Council Meeting held on 28 February 2013 be approved and signed by the Chair as a correct record.

68. CIVIC ANNOUNCEMENTS

The Deputy Lord Mayor reported one item of civic business, relating to the 34th Field Hospital who had had Freedom of Entry to the City of York conferred on them at the December Council meeting. He confirmed that the Lord Mayor had presented the Freedom to the regiment on 9 March 2013 when they were able to exercise their freedom for the first time. A statuette of a medic assisting a fallen soldier had been presented to the City by their commanding officer and all ranks.

69. PUBLIC PARTICIPATION

The Deputy Lord Mayor announced that two members of the public had registered to speak at the meeting.

Gwen Swinburn spoke to raise her concerns regarding three recent important decisions made by Cabinet Members in private

decision sessions. Residents had been unaware of any details of these until the subsequent publication of the decisions with then only a short timescale allowed for call in. It was also unclear from the Council's website whether decisions were to be considered at public or private sessions. She asked Members to consider taking written questions and answers from the public rather than just noting comments at meetings.

Richard Bridge spoke on the current welfare reforms and to their detrimental effect on York residents. In particular to the 'bedroom tax' and the profound effect this would have on residents penalising many unnecessarily. A request was made for the Council not to evict any tenant on the grounds of under occupancy, undertake a review of Council Tax Benefits at the earliest opportunity, particularly the 50% discount for landlords on void properties and undertake a review of the impact of the reforms on the 10% poorest residents in the city. He went on to commend Cllr Gunnell's motion on loan sharks to be considered later in the meeting.

70. PETITIONS

Under Standing Order 7, petitions were presented by:

- (i) Cllr Alexander on behalf residents in Low Green and Croft Farm Close in relation to parking disruption from parents dropping off children at school.¹
- (ii) Cllr Reid on behalf of residents of Chancery Court requesting that the salt bin is put back on the list of salt bins to be filled at the start and throughout the winter period as it is much needed given the age of residents and the incline of the roads and footpath.²
- (iii) Cllr Reid on behalf of residents of Parker Avenue and Hotham Avenue requesting that the ward salt bins are put back on the list of salt bins to be filled at the start and throughout the winter period as they are much needed given the steep incline of the roads and footpaths.³
- (iv) Cllr Reid on behalf of residents of Ridgeway requesting that the salt bin, next to No 10, is put back on the list of salt bins to be filled at the start and throughout the

winter period as it is much needed in this road given the nature of the incline of the road and footpath. ⁴.

- (v) Cllr Reid on behalf of residents of Vesper Drive requesting that the salt bin is put back on the list of salt bins to be filled at the start and throughout the winter period as it is much needed in this road. ⁵.
- (vi) Cllr Brooks on behalf of Kexby Parish Council requesting the provision of an additional bus stop outside the Derwent Care Home for the use of visitors and staff and residents. ⁶.
- (vii) Cllr Doughty in respect of the Towthorpe Household Waste Recycling Centre. This petition informs the Cabinet Member for Environmental Services and the Council administration that residents of the City of York do not want any diminishment in service, whether this is through reduced operating hours, days of operation or seasonal closures at this Household Waste Recycling Centre. ⁷.

The Deputy Lord Mayor confirmed that, Cllr Doughty's petition would be taken into account when discussing the Conservative motion in relation to the Towthorpe HWRC later this evening. The remaining petitions would be referred to the Cabinet, Cabinet Member or appropriate Committee.

Action Required

1. and 6. Schedule items on the Forward Plan, if required, and keep relevant member updated on progress.

MD

2/3/4/5 and 7. Schedule items on the Forward Plan, if required, and keep relevant member updated on progress.

SS

71. REPORT OF CABINET LEADER

A written report was received from the Cabinet Leader, Cllr James Alexander, on the work of the Cabinet.

Questions

Notice had been received of eighteen questions on the written report, submitted by Members in accordance with Standing

Orders. The first five questions were put and answered as follows and Cllr Alexander undertook to provide Members with written answers to the remaining questions:

(i) From Cllr Healey:

“What contingency plans does CYC have in place should the Allerton Park EfW fail to proceed?”

The Leader replied:

“While continuing discussions to establish a way forward with the Allerton Park Waste scheme, the council is also considering alternatives for depositing waste in the short to medium terms. Harewood Whin offers the council sufficient capacity for some years to come but without Allerton Park, alternatives will be required.

We are exploring what capacity there is in other local authority areas through talks with those authorities and also looking at merchant facility providers for alternative solutions.

A report to Cabinet in June will provide more detail and an update on where we go next following the Government’s decision.”

(ii) From Cllr D’Agorne:

“While acknowledging potential benefits of HS2, can the Leader outline what action has been taken to oppose the re-privatisation of East Coast service and to seek assurances that any future franchise will limit fares increases and guarantee HQ jobs being kept in York?”

The Leader replied:

“Can I first of all welcome your acknowledgement of the potential benefits of HS2. I know how difficult this must be for you considering your party nationally is opposed to HS2. I have raised all of the issues you mention to the rail minister, shadow rail minister, both the city’s MPs and the East Coast Main Line Authority group we have set up. The Government has sadly failed to offer assurances these jobs will remain in York, but I will be lobbying, I’m sure with both of the city’s MPs, to ensure that they do in fact remain here once the franchise is awarded.”

(iii) From Cllr Reid:

“Will the Cabinet Leader confirm that the new HS2 trains will be able to travel on the existing line from Church Fenton to York or will this line need upgrading?”

The Leader replied:

“No, not until the Government can confirm this. I suspect there will be some upgrade at the junction where the HS2 line will meet the classic line at Church Fenton.”

(iv) From Cllr Warters:

“Following my support of the Council’s Living Wage policy, would the Council Leader now join me in congratulating the Coalition Government for further assisting low paid workers by increasing personal allowances to £10,000 a year earlier than forecast?”

The Leader replied:

“Yes and thank you for your support. But Coun. Warters I’m sure must be aware that what the Government giveth with one hand, it taketh away with another. For example, if you are low paid, this higher tax threshold will be welcome but the Government’s removal of council tax benefit, of tax credits and the introduction of universal credit will be much less so.”

(v) From Cllr Cuthbertson:

“If the Leader recognises that our current procedures are inadequate and that there is a need for a ‘more open and transparent democratic process’ at Full Council, will he now ensure that Cabinet Members’ decision making sessions are also open, transparent and held in public and not behind closed doors?”

The Leader replied:

“What you are confused about is routine decisions compared to strategic ones. The previous administration used these meetings to create the illusion of activity and progress. My predecessor cancelled 13 out of the 24 he held since they were introduced. I don’t think this is a good use of diminishing resources. These meetings still continue for strategic items that require much needed public engagement.”

I would like to draw your attention to one meeting in particular and ask if you think this is a good use of officer time and resources? On 20th October, 2009 the Executive Member for Corporate Services had one agenda item, bad debts write off. No members of the public registered to speak. The Executive Member then agreed to exclude the press and public for this one item, which was the point of the meeting. This would have had an officer present the report and at least a committee clerk and there will have been administration costs for the meeting.

This administration is committed to openness and transparency. and our procedures bring us into line with most councils in the country at the same time as saving money and being able to redirect it to important areas like adult social care.”

(vi) From Cllr Healey:

“Have CYC or NYCC costed any alternatives to the original Allerton Park scheme yet?”

Reply:

“The council has not costed any alternatives at this stage until we are completely clear on the future of plans for Allerton Park. The Government’s out of the blue decision, without any discussion with local authorities, has obviously put these plans in jeopardy, but we are in discussions with the Treasury over options to mitigate the lost PFI credits. We will be meeting with the relevant DEFRA Minister and his team very soon and will be in a position to update council following that meeting. We certainly expect some cooperation from a Government that has not handled this process well. In an attempt to save itself some money to make its figures look better, it has potentially cost both councils involved millions of pounds.”

(vii) From Cllr D’Agorne:

“What work is being done to ask residents for their views on how to make full council meetings more meaningful and accessible?”

Reply:

“As discussed and accepted by you previously, a paper will be made public over how to improve these meetings. This will then come to Audit and Governance Committee where residents will be able to make their own views known.”

(viii) From Cllr Runciman:

“On the recent Budget, would the Cabinet Leader join me in welcoming the announcement that the tax-free threshold will be increased to £10,000 and would he agree that this is a better situation than under the previous Labour Government where someone working full-time on the Minimum Wage paid £1,000 in Income Tax?”

Reply:

“Yes but I am disappointed the Liberal Democrats in Parliament would not support their own manifesto policy to introduce a mansion tax and would also not support abolition of the 10p tax rate which they were right to previously oppose.”

(ix) From Cllr Cuthbertson:

“Will the Leader confirm that bailiffs acting for City of York Council are pursuing debts that are properly owed to the Council and not the Government; since Labour has made a local choice to pass on reductions in Council Tax Benefit to residents, and will he acknowledge that the Council would be failing in its duty to the taxpayer if it did not collect Council Tax and rents that are due?”

Reply:

“I would have thought a Member of some years would know the council does not collect Government debts. The bailiffs collect different debts owed to the council only.”

(x) From Cllr D’Agorne

“Is this policy being promoted to other key partners in the city as a way to boost inclusion and fairness across York?”

Reply:

“Yes.”

(xi) From Cllr Runciman:

“Could the Cabinet Leader expand upon his thoughts on airport expansion?”

Reply:

“I support airport expansion.”

(xii) From Cllr Cuthbertson:

“Does the Leader agree that the Council’s reputation is being damaged whenever bailiffs visit the wrong premises on its behalf? Will he mitigate this key corporate risk by ensuring that bailiffs only visit the right premises and that unnecessary stress is not caused to innocent residents?”

Reply:

“I saw no evidence of this happening at all. However, some people do leave properties and debts behind to which new tenants can be called upon. In this instance, bailiffs would seek to locate individuals that have moved addresses as a first action.”

(xiii) From Cllr D’Agorne:

“In the absence of the March Local Plan group meeting (cancelled) could the Leader advise whether this work is on track and when public consultation will begin on the preferred options document?”

Reply:

“Coun. D’Agorne has had it explained to him on more than one occasion that Local Plan meetings are scheduled for the benefit of Member availability and meeting space, but only take place when business needs considering. I remain hopeful that one day this will sink in.

But yes, and in the next few months to answer your question.”

(xiv) From Cllr D’Agorne:

“With the demise of much of government funding for warmer homes and home renewables, what green jobs can we expect in the short term before the LCR Green Deal is available?”

Reply:

“I think you raise a very valid point that more needs to be done in the short term as Government promises don't seem to be making an impact quickly enough, and uptake of funding from existing private Green Deal providers has been slow nationally.

Members may know that all funding streams for energy efficiency measures for private sector housing and businesses will cease as

of the end of this month, to be replaced by the Green Deal and the Energy Company Obligation (ECO), a scheme which involves energy companies making contributions towards energy efficiency measures now. While the City Region Green Deal is not immediately available, the latter scheme is and officers are working on plans to ensure that green jobs are supported and new jobs created through our housing improvement and sustainability plans.

Those plans will focus on the three strands of ECO; affordable warmth, carbon saving (general) and carbon saving (communities). The focus I'm pleased to say is on low income households and communities who desperately need help to reduce crippling household energy costs. More detail of our strategy will be considered by Cabinet next Tuesday, where we will set out how the transition will be made from accessing ECO funding to Green Deal funding through the City Region from 2014."

(xv) From Cllr Runciman:

"The Cabinet Leader says that the recent visit to the MIPIM Conference has led to 30 leads but no firm offers. Could he outline what he plans to do now and when would he expect the leads to become firm offers?"

Reply:

"I can't predict the future, but I envisage us getting some positive outcomes from the investment we made at MIPIM. Time will tell, but these things don't always happen immediately and will require a longer term effort on our part. Coun. Runciman can rest assured that I will be the first to let her know when we have news on this."

(xvi) From Cllr Runciman:

"On the recent Budget, could the Cabinet Leader confirm what the top rate of tax was for York residents in the first 12 years and 11 months of Labour's time in Government and what the top rate of tax is now?"

Reply:

"The top tax rate for the majority of the previous Labour Government was less than it is now but this doesn't deflect attention from your party's support for reducing the tax rate for high earners at a time of supporting draconian cuts to the vulnerable through welfare spending reductions. What you need to take into

account is the tax rate was during good times when most people had increasing living standards. At a time when this is not the case the more wealthy should increase contributions to support the poorest. This is happening through other forms of taxation and should happen through the basic rate of tax. To do otherwise I think shows a Government with the wrong priorities.”

(xvii) From Cllr Runciman:

“On the recent Budget, will the Cabinet Leader join me in welcoming the fact that over the five years of this Parliament under the Coalition, a millionaire in York (earning £1m p/a) will pay £381,000 more tax on their income (income tax and NICs) than they did under the last five years of the Labour Government?”

Reply:

“I refer you to my previous answer.”

(xviii) From Cllr Runciman:

“On the recent Budget, would the Cabinet Leader join me in welcoming the decision to cancel another of Labour’s planned fuel duty rises – meaning fuel will now be 13 pence per litre less than under Labour plans and would the Leader agree that this has a beneficial effect on York residents as it will now be £7 cheaper to fill up your car than under Labour, and fuel duty has now been frozen for almost three and a half years?”

Reply:

“I welcome any measure that reduces the pressure on ordinary people trying to get on in life. But this freeze must be set against increases in the tax burden the Coalition has imposed on such people. Fuel price increases have resulted from the VAT increase the Coalition Government introduced. This was something the Liberal Democrats campaigned against before the election. You may recall Nick Clegg stood in front of a billboard with Charles Kennedy saying stop the Tory VAT bombshell, before getting squarely behind the tax hike only a few weeks later.”

72. RECOMMENDATIONS OF THE AUDIT AND GOVERNANCE COMMITTEE

As Chair of the Audit and Governance Committee, Cllr Cunningham-Cross moved, and Cllr Brooks seconded, the following recommendations contained in Minute 60 of the Audit and Governance Committee meeting held on 19 March 2013.

CONSTITUTIONAL CHANGES RELATING TO PUBLIC HEALTH

That Council make the appropriate constitutional amendments to formally set up a Health and Wellbeing Board and endorses the terms of reference as attached, to the report.

On being put to the vote, the recommendations were declared CARRIED and it was

RESOLVED: That the above recommendations of the Audit and Governance Committee meeting held on 19 March 2013 be approved. ¹

Action Required

1. Make necessary constitutional amendments. AD

73. SCRUTINY - REPORT OF THE CHAIR OF THE CORPORATE AND SCRUTINY MANAGEMENT COMMITTEE

Council received the report of the Chair of the Corporate and Scrutiny Management Committee at pages 105 to 108, on the work of the Committee.

Councillor Wiseman then moved and Cllr Runciman seconded acceptance of the report and it was

RESOLVED: That the scrutiny report be received and noted.

74. REPORT OF CABINET MEMBER

Council received a written report from Cllr Simpson-Laing, Cabinet Member for Health, Housing and Adult Social Services.

Notice had been received of twenty seven questions on the report, submitted by Members in accordance with Standing Orders. The

first three questions were put and answered as follows and Members agreed to receive written answers to their remaining questions, as set out below:

(i) From Cllr Doughty:

“Firstly, let me begin by congratulating Councillor Simpson-Laing on her proclamation to 'make a difference'. This is a laudable aim but it is unfortunate that within this statement, the first paragraph of the Cabinet members report aims to make purely political statements that have the potential for causing serious misunderstanding and anxiety to residents in the City. Can she please tell Council what benefit cuts are being referred to that are making the city unequal, less fair and with reduced life outcomes and if any actual evidence exists to support these claims?”

Cabinet Member replied:

“Cllr Doughty, as a Councillor I have the right to express my views and concerns with regard to the residents of this City when I believe that the policies of your Government, as I did under the previous administration, are detrimental those residents. Not to express my concerns over the devastating cuts to Local Government funding would be a failure of my duties, as would not informing residents of the effects that changes to benefits will have on their lives. We are undertaking this process of informing as it has become clear both locally, and nationally that Government has done little to pre-warn or prepare those in receipt of benefits or service cuts exactly what they are facing.

Cllr Doughty should remember that Adult Social Care takes up a large proportion of the Council's Budget and that that percentage will continue to rise due to the City's increasing older population and as a result of improved healthcare. With that in mind, Cllr Doughty needs to realise that many people will be affected and that if this Council cannot provide the same levels of service in the future, than it did in the past, then the work to make the City a more equal place will go backwards not forwards.

Along with the cuts to Government funding to this Council I am also referring to the reduction in the Local Housing Allowance to the lowest 30% of housing in the PRS, the introduction of Universal Credit, the removal of inflationary rises to Child Benefit, Child Tax Credits, Working Family Tax Credits, Maternity Pay, Paternity Pay, the constant and often intrusive re-assessments of

those receiving disability benefits – their reduction and freezing to name but a few of the benefits many people receive in this City. The changes taking place are fact, something your colleagues across the country seem to accept but not the Conservatives in York. Because of these changes it will make it more difficult for many residents to continue to live and contribute to the City. When you have less money in your pocket and prices are rising at a rate greater than the support you are receiving, then living in the City on a low wage makes the ability to stay here more difficult and thus less equal. If you have a poor diet and cannot afford to heat your home then you will have reduced life outcomes.

You ask for evidence, well, increased enquiries about, and an actual rise in, homelessness, increased enquiries for help to the CAB, an increase in the incidence of Domestic Violence, increased debt levels and a rise in those taking out pay day loans, the list goes on.

I am very clear as I have no misunderstanding of the Government's policies and the work that the Council, and partners are undertaking, to help those the Government has caused anxiety to."

(ii) From Cllr Runciman:

"The Cabinet Member refers to the Archer Close Council housing development (started under that last Lib Dem administration). At the December Council meeting the Cabinet Member said that she expected 102 affordable homes in total to be completed in York during the current financial year. This would have been the lowest outturn for 6 years. What are her current estimates of the likely outturn for the current financial year, the forthcoming year, and how many of these are the result of section 106 contributions?"

Cabinet Member replied:

"110 Affordable Homes are projected to complete in the current year - 33 are through current planning gain.

In 2013/14 we currently project 90 completions of which 32 are on S106 sites. This figure will change and we are hopeful that some recent permissions, New Lane Huntington (30) , and Tannery (11) may start to deliver homes."

(iii) From Cllr Wiseman:

“Rather than simply reporting on a consultation around sheltered housing having taken place in summer 2012, could the Cabinet Member report the finding of that consultation and could she tell Council whether, as a percentage of interested parties (Tenants, Carers, relatives etc), the 200 responses are sufficient for a representative sample?”

Cabinet Member replied:

“When writing a report to Council, a Cabinet Member aims to inform Councillors of an overview of the work undertaken in the Cabinet Member’s portfolio area so that it will either elicit further questions, at Council, or as I am quite happy to do, at other times. I could have given much more detail on this consultation in my report but that could then have taken up my whole report.

The survey was undertaken in August 2012, and the purpose was to find out how residents felt about their scheme, including their own flat and the communal areas. This included

Decor in the communal areas

Accessibility (e.g. mobility around scheme, size of rooms in own flat)

Sense of community in the scheme (activities, events, involvement in wider community, resident consultation, etc)

Individual circumstances (reasons for moving into the scheme, length of time in scheme, how easy it was to ‘settle’ in the scheme etc)

When they wanted to have the staff cover on site

198 surveys were returned – a return rate of 54% for the 364 properties. We did not survey relatives and carers separately, however residents were invited to have input from relatives/carers if they wished. Officers and I felt that this was a good return rate. We have displayed survey results for residents in all schemes, and we are keeping residents informed about actions we are taking in response to their feedback, so hope to further improve response rates next year.

Surveys have been examined for each of the 11 schemes, however overall results show that

79% feel that the size of the rooms in their flats is adequate or better

20% feel that their kitchen is not large enough

82% attend regular residents meetings in the schemes

93% feel safe in their scheme

88% feel that their scheme is welcoming

There were very variable results about the decor in schemes – in most schemes this was considered to be good/very good, however in 3 schemes there were a number of residents who were less happy, and considered this to be adequate or poor.

Action has been taken in response to surveys

Re-decoration of dining room at Barstow House

Replacement of hallway carpets at Barstow House

Re-fit of communal kitchen areas at Barstow House and Glen Lodge

Re-fit of laundry facilities at Marjorie Waite Court and Glen Lodge

Further work is planned in response to resident feedback for 2013-14, and we plan to run the survey again around August 2013.”

(iv) From Cllr D’Agorne:

“How many empty homes are there in York and how many of these can we realistically expect the new 'dedicated officer' to bring back into use in the coming year?”

Reply:

“After years of empty homes being all but ignored in the City it was right to create the post of Empty Homes Officer to tackle the small scale but persistent problem in the City with high demand on housing meaning that every home unused counts.

The work of the Empty Property Officer will be measured against the Empty Property Strategy, which I agreed in 2011, and action plan which laid out four key aims.

1) Maintaining accurate information about the numbers of long term empty homes – significant progress has been made in this area and in particular has ensured that officers are targeting those homes which not only maximise the amount of New Homes Bonus available but also those which cause significant problems to neighbours.

On the council tax register there are currently 294 properties which have been empty for more than six months. Only some are eligible for New Homes Bonus and only a few cause detriment to the neighbourhood, many homes are empty due to the natural turnover of the market, for example being sold or are in probate or the owner is in care. 146 of the 294 homes are ones where they fall into the criteria for action, i.e. they are not actively being marketed for sale etc and the Empty Property Officer will be focusing on these properties.

2) Encouraging owners of privately owned empty homes and owners of vacant property to bring them back in to residential use.

A target of 30 homes per year was set as a realistic but a stretched target given the relatively low numbers of empty homes within the city. This has been exceeded this year with 34 homes being brought back in to use.

In addition we have commissioned a feasibility study, part funded by the Joseph Rowntree Foundation, with the Northern Civic Trust of England to determine the extent of the problem of disused upper floors in the historic centre of York with a view to understanding the causes of the problem and what action can be taken to bring them into use for residential use. Fabrick Housing Group have submitted a bid to the Homes and Communities Agency for grant funding to support the conversion of 18 dwellings above shops/commercial premises in the centre of York. We will know the outcome of the bid in May and conclusion of negotiations with the property owners will follow.

3) Targeting owners whose empty homes cause a significant detrimental impact to the neighbourhood

Officers have assessed the properties which have been brought to their attention through council records/planning and other partners such as the Police and directly from residents. A report will be brought later this year considering the enforcement options available to the council to tackle those owners who refuse to work with the council and whose properties are affecting others.

4) Strengthening existing and develop new partnerships to reduce the number of long term empty homes in the city. The resource of the Empty Property Officer has meant that a more coordinated approach both internally and externally can be developed which has seen the benefits which I have already highlighted.

Councillors may want to note that his work was particular welcomed by residents when he worked with a number of agencies (Police/Fire/Planning) to ensure that the garage formerly known as Reg Vardy was properly secured against squatters. This property has now been demolished, already improving the neighbourhood and planning permission has been obtained for student homes.”

(v) From Cllr Aspden:

“The Council’s original Elderly Persons’ Homes (EPH) Modernisation Programme envisaged 200 specialist residential care beds - 55 beds at Fordlands, 90 beds at Lowfield Village, and 55 beds at Haxby Hall. With the scrapping of the Fordlands project, can the Cabinet Member assure residents that these 200 beds will still be provided?”

Reply:

“The May 2012 Cabinet report on the EPH review identified a programme to create three new facilities providing 200 beds based on a projected level of need and subject to further detailed work on financial affordability. Approval in principle was given to progress work on the first two facilities with a decision on the need to replace Haxby Hall to be taken at a later date. A report to Cabinet, expected in June, will provide members with options to replace the facility originally proposed for the Fordlands site at Burnholme, and will set out the overall financial model for new facilities.”

(vi) From Cllr D’Agorne:

“Will City of York Council join the growing number of local authorities that include Brighton and Hove, Bristol, Islington, Dundee, East Lothian and other Scottish councils who have already pledged that no council tenant will be evicted from their home because of arrears resulting from the so-called 'bedroom tax'?”

Reply:

“The Council is visiting all its tenants that are affected by the bedroom tax offering guidance on financial management, assisting them with opportunities to downsize including the resources available through the incentive scheme and ways of maximising their income and appropriate referrals for specialist advice (future prospects, CAB) and support. Ultimately only when every effort has been made to help tenants maintain their payments will enforcement action be taken. The final decision on such matters rests with the courts.”

(vii) From Cllr Richardson:

“Could the Cabinet Member illuminate council on the outcomes anticipated through the ‘Tenancy strategy’, ‘Equalities Facilitator’ and ‘respect standard for housing management’ and will these ambiguous initiatives incur additional costs or place further work upon our existing teams working within Housing?”

Reply:

“The Tenancy Strategy is a statutory requirement set out in the Localism Act 2011 and requires the authority to publish its approach to a number of issues.

The guidance states that the strategy should aim to:

- Set out the principals to the management of Social and Affordable rented homes.
- Give guidance to social housing providers in York, how the local authority thinks they might best use this important resource to meet housing needs in the City.
- Seek to set out principles around the use of fixed term tenancies, views around the allocations policy, discharging homeless duty into the Private Rented Sector and the approach to ‘affordable rents’.

The most contentious matter for this administration is the use of fixed term tenancies. Broadly speaking the authority is opposed to the widespread use of these tenancies partly because of the additional administrative burdens they place on landlords. We are also concerned that wide use of fixed tenancies could undermine our successful efforts to build mixed and sustainable communities.

It is not envisaged that the strategy will place any additional costs on the authority.

The Respect Standard for Housing Management provides details of good practice for landlords in tackling the issues of anti social behaviour. Any Social Landlord striving to provide the best service would look to adopt the standard. The cost of meeting these standards is met from within existing resources.

The appointment of the Tenancy Engagement and Equalities Facilitator is critical to the Council's need to maximise opportunities to capture tenants' views and direct involvement in the development of services as we are expected to by Government. The aim is to make these services more effectively targeted at the range of needs that we know exist in our increasing diverse City and which are constantly changing due to the current economic situation and changes to welfare. This in turn will help deliver service efficiencies as well as better outcomes for tenants."

(viii) From Cllr Cuthbertson:

"Following the public inquiry into Mid Staffordshire Hospital, will the Cabinet Member join me in welcoming the recommendations of a legal duty of candour to ensure that patients and families are informed if treatment or care has caused death or serious injury, and of a new role of Chief Inspector of Social Care to oversee the care received by elderly and vulnerable people? These recommendations deliver a Liberal Democrat manifesto commitment confirming that poor care is unacceptable, also that staff have a professional duty to speak up about it and should be supported in so doing."

Reply:

"Yes, I very much welcome these recommendations and seeing them implemented as soon as possible. Though I think Coun. Cuthbertson will find that all parties find poor care unacceptable, not just the Liberal Democrats, they just don't need a manifesto pledge to say so."

(ix) From Cllr D'Agorne:

“Will you be pressing the case for active travel and healthy eating/lifestyles to be a central plank of the overall approach to public health in the city?”

Reply:

“Yes.”

(x) From Cllr Doughty:

“Could the Cabinet Member tell us how many new homes have been built or at least commissioned as a direct result of 'Housing week' in November 2012?”

Reply:

“I think firstly it may helpful for Cllr Doughty if I explained the purpose of Housing Week.

The intention of ‘Housing Week’ was to set out the start of a clear approach to *Get York Building*. Details of issues discussed, at workshops and the Housing Summit have formed part of the base evidence for the interventions set out in the Get York Building report that was presented to Cabinet in February 2013 and will also support more interventions which will be brought forward in the coming months.

It think most Members would think it unrealistic to have expected any new homes to have been built as a direct result of Housing Week held 5 months ago, effective though this administration undoubtedly is. The average build time of a new home is closer to 12 months, and often longer, and that is not taking account the drawing up of plans Outline and Reserved Matters, negotiation with statutory agencies such as the Environment Agency, the obtaining of planning permissions and any appeals process that may result from the granting of permission.

The recommendations and initiatives from Housing Week were approved in February, 2013, and officers are now working on the initiatives that include, mortgage support, simplifying S106 agreements, infrastructure investment funding, and a Council House building programme. Affordable Housing ‘targets’ have already been reduced and The Tannery, Strensall was approved under these new targets at last week’s Planning Committee at which Cllr Doughty was present. Referring back to the GYB report

and the actions being taken forward it can be seen that many actions that could be enacted immediately – such as reduced targets, simplified S106 for rural sites - are already in place.

However as previously reported 50-70 new council homes are being commissioned in the first phase of council house building.

I appreciate that Cllr Doughty and some of this colleagues may not support the work we are undertaking in the City but I am assured by the support we have received from the Director General of DCLG that the work we are taking forward here in York is starting to make a difference.”

(xi) From Cllr Doughty:

“Could the Cabinet Member share the projections that tell us that the Council match funding required to develop the Gypsy and Traveller site will be secured solely from additional revenue for new pitches. Assuming these pitches are charged at standard rates and all rent is collected on time, how many decades will it take for the match funding to be recovered and does that figure include any interest charges incurred whilst the initial outlay is being recouped?”

Reply:

“Cllr Doughty needs to understand, as do all Councillors, that this City has a duty to make provision for the Gypsy and Traveller community as set out in the Housing Act 2004 - we are no different from any other Council in the requirement to undertake this duty. This provision also includes the right to access Tenants Choice as all our tenants do on a cyclical basis of replacement and have repairs undertaken when required.

In March 2012, the Government published the Planning Policy for Traveller sites alongside the National Planning Policy Framework (NPPF). The policy sets out the national policy requirements with respect to Gypsy and Traveller provision, which includes a new requirement for a five year supply of Gypsy and Traveller sites. The council will need to take these national requirements into account in the formulation of the evidence base and subsequent Local Plan policies relating to Gypsy and Traveller provision.

Funding for the proposed extension of the Osbaldwick Travellers site is coming from two sources, Homes & Communities Agency

grant funding and match funding from the Council. Match funding from the Council is on the same basis of match funding for any other housing development, i.e. funded from the additional revenue income as a result of the proposed works.

The length of time any borrowing for match funding is taken out over will depend on the longevity of the investment. Match funding for the proposed extension of Osbaldwick Travellers site is over 30 years, as was the case for the match funding for the recent development of 19 new council homes at Archer Close.”

(xii) From Cllr Doughty:

“Could the Cabinet Member inform Council whether the air source heat pump and solar panel initiatives noted on page 110 of the Agenda report have incurred financial costs to taxpayers in York? If so, what are the costs?”

Reply:

“This Council is committed to make York a greener place to live and with the current cost of utilities we will continue to work to reduce the cost of heating for residents who are often in fuel poverty.

The cost of improvement works to the Council’s housing stock does not incur any financial cost to taxpayers in York. Improvement works to our housing stock is funded from income from Council tenants’ rents, the Housing Revenue Account, and appropriate grants where these are available.

The installation of solar panels to our housing stock was funded by institutional investors at no cost to the Council or the York taxpayer. Where these have been fitted the occupiers of the homes benefit from reduced energy costs as a result of the free electricity generated as well as this having a positive impact on reducing the city’s carbon footprint. However, I would say that it was the Government who actually imposed a cost on York tax payers through their mismanagement of the Feed in Tariff – being that they closed the scheme down 3 months early with only a few days notice. This ill-advised move led to ‘fitters’ being laid off – unemployment benefit, residents waiting longer to receive reduced energy bills and the costs of the Government’s failed challenge in the High and Supreme Courts.

To continue with this work I actively encourage Officers to apply for all grants that are advertised by Government.”

(xiii) From Cllr Richardson:

“Thank you for reminding us that Howe Hill Hostel for young people opened in January 2012. As this is now 14 months in the past, will you ensure your future “copy & paste” reports contain up to date information?”

Reply:

“Coun. Richardson, should note that this is my first report to Council since June 2011 and it is only right that I inform Council of all the work undertaken, the huge strides this Labour Council is making, during over that period as not all Members sit on Scrutiny Boards to which I report. I will provide information that I feel is fit and right for Council to receive and which is informative.”

(xiv) From Cllr Doughty:

“It is reassuring to see that we now have some Officer time dedicated to working on bringing empty homes back into use. Is this change expected to make the process more effective and if so, what is the benchmark it will be measured against?”

Reply:

“I refer Cllr Doughty to the answer to my earlier question.”

(xv) From Cllr Runciman:

“How many empty homes are there currently in York and what is the timetable for bringing these back into use?”

Reply:

“I refer Cllr Runciman to the answer to my earlier question.”

(xvi) From Cllr Doughty:

“I am shocked to hear that Government are to introduce a new tax that I have not yet heard of. Could the Cabinet Member point me to the legislation introducing a "Bedroom Tax" and tell us when this new legislation is to commence?”

Reply:

“I’m extremely grateful to Coun. Doughty for drawing Members’ attention to the Government’s bedroom tax unprompted. It is a tax in the same sense as the council’s green bin tax, the main and very important difference being the latter doesn’t and never did exist. I would refer Cllr Doughty to the widely referred to Bedroom Tax, also known as the Under Occupation Subsidy which forms part of the Welfare Reform Act 2012 that even the Telegraph has reported as being a ‘tax’.

It is a tax on those who cannot pay and who are unable to move due to a lack of smaller accommodation both here in the City and across the country. If people do not have the income to pay then they may well cut back on food and heating and that is the Government placing a tax on their abilities to reside in their homes.

A family that has maintained their home for many years, and who receive Housing benefit due to low wages or loss of employment, will see dramatic changes to their lives. If a family has two children of the same sex under 16, say 14 and 8, and those children currently have separate rooms they will now be expected to share a room. This then is a tax on children having their own room and could be detrimental to their education and a tax on being poor – unable to pay rent without assistance.

If the Government had introduced a higher level of Council Tax on large houses with extra rooms then that also would be a tax and that is why a Mansion Tax was proposed but rejected by the Government who would rather attack society’s most vulnerable and those on more meagre incomes.”

(xvii) From Cllr Doughty:

“Within the 'Social Care Services' satisfaction survey quoted on page 112 of the Agenda, could the Cabinet Member share with us when this took place, how many responses were received and the results from the full survey?”

Reply:

“Each year Local Authorities are required to survey eligible service users and submit the results to the Department of Health. The questions are set by the Department of Health. Postal questionnaires were sent out in January 2012 to 879 eligible customers, selected at random as has been practice, who were in

receipt of a service between 30 September and 31 December 2011. A total of 431 customers completed a survey. This gives an excellent response rate of 51% which I am pleased with. This year's survey has now been sent out and we are awaiting results.

We have not published the survey in its own right, but the Local Account is our annual report to the public on our achievements and areas for improvements. Results from the survey are included as part of the Local Account.

If further details are needed Cllr Doughty is welcome to ask to meet with officers.”

(xviii) From Cllr Wiseman:

“On page 112 of the Council Agenda, Council is told of financial 'pressure' on the Adults social care budget when children move into adult services. As getting older is one of the few things that can be reliably predicated can the Cabinet Member tell us why these costs were not anticipated at the beginning of the year and whether her department have now learned that vulnerable children will eventually become vulnerable adults who need social care services?”

Reply:

“Cllr Wiseman knows well that prediction with some of the medical conditions that young people have, or the complexities that can develop is not possible. As is recognised, medical science changes frequently and children with conditions not treatable just a few years ago are now living longer, and this is one of the reasons why two year budgeting helps.

Although we can identify most of the young people moving through from Children's to Adult services early it requires careful planning with the individuals, families and other agencies, including Health, to agree what the right support will be, how much it will cost and who will fund what. Many of these decisions can only be taken in year, and are not within the control of the authority, particularly whether or not and what level of support will be available from Health.”

(xix) From Cllr Doughty:

“Could the Cabinet Member tell us whether she believes the proposed new model for Yorkcraft will produce improved outcomes for those using the service and if so, what will this be benchmarked against and how will the outcomes be measured?”

Reply:

“The Council wants to ensure that we provide services that are fit for the 21st Century and which residents wish to use, this is why we are working to improve the outcomes of those who use our services. Work continues on finalising the model for a sustainable Yorkcraft which will include increasing employment training and support offer. Measures of success will be defined and monitored to include the number of vulnerable people supported in to employment. Discussions continue on an economic agenda seeking to gain wider support from local businesses.”

(xx) From Cllr Aspden:

“The Council’s original Elderly Persons’ Homes (EPH) Modernisation Programme envisaged Lowfield Village opening in April 2014 and Haxby Hall opening in 2015, when does the Cabinet Member now envisage these homes will open?”

Reply:

“A report to Cabinet in June will provide an update on the modernisation programme, and will set out revised completion dates and detailed timelines for the new facilities. These will be later than originally indicated due to the unexpected late information with regard to Fordlands environmental conditions, will reflect the complexity of the programme and the need for Officers to ensure that the design of the new facilities delivers the best possible dementia care environment that will support the provision of modern care into the future.”

(xxi) From Cllr Aspden:

“The Council’s original Elderly Persons’ Homes (EPH) Modernisation Programme envisaged the following financial projection: “investment of £67k is needed in year 1 (2013/14), £408k in year 2, £469k in year 3 before a cost saving of £108k begins in year 4 to reduce the investment

required to £361k that year, and subsequently reducing investment amounts of £145k and £39k for years 5 and 6. A £69k saving would accrue in year 7 and increase to £105k saving in subsequent years before repaying these investment costs in year 21 (2032/33). It would then generate a savings of £1.1m, until the capital repayments end in 2038/39 when ongoing savings of £870k per year would accrue". Is the Council still on track to meet these targets and, if not, how far have they slipped and how will this financial shortfall be met?"

Reply:

"A report to Cabinet In June will contain an updated financial model which will set out in a similar fashion to the May 2012 report the overall capital and revenue cost for the project within our current financial climate."

(xxii) From Cllr Cuthbertson:

"What Public Health funding increases are expected in the years after 2013-14 and 2014-15?"

Reply:

"The original baseline Public Health allocation for 2013-14 for the City of York Council based on historic spend for 2013-14 was £6.037 Million which was uplifted by 10% to give an actual allocation for 2013-14 of £6.64m. This will be uplifted by a further 10% next year to give an allocation in 2014-15 of £7.305m. At this stage we do not know what the actual increases will be beyond 2014-15 but the allocation of £7.305m still leaves us £1.56m below the Government's target allocation based on our needs. It's unfortunate that the Government has set a target based on need and then set an allocation that falls well short of that target.

I would then expect further increases in the years ahead but as there has been no indication, this makes future years needs planning more difficult."

(xxiii) From Cllr Cuthbertson:

"How will the work done by the Obesity Working Group of the Council in 2010/11 be used to inform the JSNA and how will the work being planned to address the three JSNA strands of Smoking, Obesity and Domestic Violence differ from previous campaigns?"

Reply:

“Cllr Cuthbertson should be aware that the JSNA is revised at least annually and draws on all available information. The three strands of work will be based on up to date information taking into account all available evidence and updated guidance, such as that produced by NICE and other national organisations.”

(xxiv) From Cllr Wiseman:

“Labour members on the Health Scrutiny Committee have made calls to write to Government and local MP's to complain about levels of Health funding, could Councillor Simpson-Laing tell us whether she has written to Government to thank them for the positive steps in the right direction that are the increased allocations of 10% in each of the next two years to the public health budget in York?”

Reply:

“It may not surprise you to learn that I will not be doing so as I pointed out clearly in a letter to The Press not too long ago.

Our allocation is only £33 per head of population for 2013-14 against a target of £42 per head and for 2014-15 it will still only be £36 per head against a target of £44 per head. Hopefully that explains why I will not be praising the Government on this occasion.”

(xxv) From Cllr Cuthbertson:

“What is the Cabinet Member doing to ensure that the CCG, Hospital and other agencies are working with HealthWatch to ensure that it is able to meet patients’ needs as the new contract gets under way?”

Reply:

“Cllr Cuthbertson should be aware that Healthwatch is a key member of the Health & Well-being Board where the CCG, York Teaching Hospital and the Leeds and York Partnership Foundation Trust are both also members and both are represented by their Chief Executives. Also, the NHS Commissioning Board is represented on the Board by The Director for the York and Humber Local Area Team. The Board will have an overview of the whole Health & Social Care System and will be

ideally placed to ensure that HealthWatch is fully engaged with all appropriate agencies.”

(xxvi) From Cllr Doughty:

“Continuing with her 'making a difference' theme, for the sake of transparency could the Cabinet Member comment on the long list of conferences, meeting visits and events she has recorded at the end of her report and tell us what difference these have made to those she was elected to represent?”

Reply:

“Cllr Doughty appears to be employing similar logic to his thinking on our housing week and the expectation that we should have new homes completed as a result a handful of months afterwards. He should note that these meetings are part of my duties as Cabinet Member and that the meetings are mainly with partners that the Council works with, seeks advice from or seeks to influence. In having these meetings I can ensure better outcomes on Housing, Health and Adult Social provision in the City as to work in isolation and silos leads to poor services and poor practice.”

(xxvii) From Cllr Runciman:

“Further to the list of meetings etc provided by the Cabinet Member does she believe that it is important to talk with residents and community associations and if she does, why is it that she has found time to attend meetings all over the country but failed to regularly attend the Federation of Tenants & Residents Associations?”

Reply:

“I have visited a number of Residents Associations. I feel it is important that the Federation of Tenants & Residents Associations feel that they can discuss matters at their meeting openly and this may not always be possible with a Councillor present.

I have known many of those involved with the Association for over a decade and they know of my support of Council and Social Housing. Because of this they know that I will always make myself available to speak with them when required.”

75. PAY POLICY 2013/14

Cllr Gunnell, as Cabinet Member for Corporate Services, presented a written report presenting the Pay Policy Statement for 2013/14 relating to the pay of the Council's senior staff, to fulfil the requirements of Sections 38-43 of the Localism Act 2011.

Cllr Gunnell then moved a motion to approve the Pay Policy Statement, which was seconded by Cllr Alexander.

RESOLVED: That the motion in respect of the Pay Policy Statement for 2013/14 be approved.

76. TRAVEL ALLOWANCES

As Cabinet Leader, Cllr Alexander moved and Cllr Simpson-Laing seconded, the following recommendations contained in the report of the Monitoring Officer, in respect of anomalies as to when travel costs could be claimed by Members, at pages 141 to 145 of the agenda:

- i) *[That Council] extend the list of approved duties in line with paragraph 5 in the report.*

Reason: To ensure that the list of approved duties properly reflects the range of work undertaken by Councillors.

- ii) *[That Council] request Officers to publish details of all travel and subsistence costs incurred on behalf of Members alongside the details of their allowances.*

Reason: To ensure complete transparency in this area.

On being put to the vote, the recommendations were declared CARRIED and it was

RESOLVED: That the recommendations contained in the report of the Monitoring Officer be approved. ¹.

Action Required

1. Implement use of amended list of approved duties and publish details as from 1 April 2013.

DS

77. ACTIVITIES OF OUTSIDE BODIES

Minutes of the following meetings had been made available for Members to view on the Council's website:

- Fire Authority – 13/02/13
- Safer York Partnership – 06/12/12
- Quality Bus Partnership – 10/12/12
- Yorkshire Purchasing Org – 30/11/12
- Without Walls – 19/12/12
- NHS – 17/10/12

Notice had been received of six questions in respect of the minutes, submitted by Members in accordance with Standing Orders. The first five questions were put and answered as follows and the Members agreed to receive written answers to the remaining question, as set out below:

To Cllrs Merrett and Steward as appointed Council representatives on Quality Bus Partnership – Minutes of 10/12/12

From Cllr Reid:

- (a) “At December’s Council meeting the Cabinet Member told Cllr D’Agorne, in reply to a written question about the sales of “All York” bus tickets, that *“This is a commercial product of the operators. It is commercial data that belongs to the operators and the operators view is that this is commercially sensitive information. It’s disclosure could have a negative impact on both the future development of all York products and on general operations.”*

It now appears from the minutes of the above meeting (para 3.2), which have been made publicly available on the Council website, that you were told at the Partnership meeting (which had taken place 3 days before the Council meeting) that 10,000 of the tickets had been sold in the first quarter. Why has there been such secrecy about these figures and will you now agree to make the total number of tickets sold available to residents and bus users via the Councils web site on a monthly basis?

- (b) As part of the bus improvement work (para 6.0), will the Cabinet Member agree to publicise all bus service reliability information that the Council has access to?

- (c) The minutes of the above meeting say (para 7.1.2) that a Green Bus Fund bid “will be submitted by 26th March 2013”. The bid was being constructed by ARUP consultants. How much has this consultancy work cost, who has paid for it and in what ways were Council Members, taxpayers, bus operators and bus users consulted on the content of the bid before it was submitted?”

Reply:

Cllr Merrett confirmed that a figure had been quoted in reply to a question at the last Council meeting, however the information was still commercially sensitive. It was understood that the original agreement had been to allow publication of annual cumulative totals, which would be continued. Information regarding reliability was also subject to similar restrictions.

It was reported that the cost of the Green Bus Fund bid had been borne by First. Work was ongoing regarding the new Park and Ride site and further information would be provided on this cost when the relevant Officer returned from leave. Information from the Bus Improvement Study had informed the bid prior to submission.

- (i) From Cllr D’Agorne:

“Is the reported 10,000 'All York' bus ticket sales for the first quarter of availability accurate, and why was this considered to be 'commercially sensitive information... whose disclosure could have a negative impact on the future development of all York products and general operations' when I asked for the same data three days later in questions for full council (para 3.2, p55)?

Reply:

Cllr Merrett confirmed that personally, he supported the reporting of this information more regularly however this was in the hands of the bus operators.

To Cllrs Aspden, Barnes, King & Steward as appointed Council representatives on the Fire Authority – Minutes of 13/02/13

(i) From Cllr D’Agorne:

"What are the likely costs and benefits of the proposed joint Fire-Police pilot scheme to test routine pairing of fire and police staff (para 265)?"

Reply:

Cllr King, congratulated Cllr D’Agorne for asking the first question of the authorities’ representatives on the Fire Authority at Council. As a representative since 1994 he confirmed his willingness to answer questions, however, as this particular question related to an item considered in a confidential session, he was only able to provide public information. He went on to comment on the joint pilot scheme in both rural and urban areas, which had been at a minimal cost, explaining the benefits, and confirming that an update on progress was due to be reported back to the Authority in June 2013.

To Cllrs Alexander, Runciman & Gillies as appointed Council representatives on Without Walls – Minutes of 19/12/12

(i) From Cllr D’Agorne:

“Can you report any progress on the proposal to carry live stream CCTV footage of Coney St / Parliament St on Visit York and the Council website during floods to demonstrate that we are still open for business?”

Reply:

“No.” (Cllr Alexander)

78. APPOINTMENTS AND CHANGES TO MEMBERSHIP

RESOLVED: That the appointments and changes to membership of committees as set out in the Council papers pages 147 and 148, be approved.
1.

Action Required

1. Update membership details and inform relevant bodies.

JP

79. NOTICES OF MOTION

(i) Regulation of Loan Sharks

It was moved by Cllr Gunnell and seconded by Cllr Boyce that:

“CYC welcomes the UK-wide campaign to end ‘legal loan sharking’ and believes that the lack of access to affordable credit is socially and economically damaging.

Unaffordable credit is causing a myriad of unwanted effects such as colder homes, rent, council tax and utility arrears, and depression, which itself impacts on job seeking behaviour. All of these effects ultimately lead to poorer health. This practice is extracting wealth from York’s most deprived communities.

Council notes the efforts made cross-party through Amendment 41 to the Financial Services Bill, in May 2012, to properly regulate legal loan sharks but was disappointed with its final report.

Whilst acknowledging recent announcements by the Office of Fair Trading, that the top fifty pay-day loan companies need to change their practices or risk losing their licences, Council is disappointed that the Government is not going to cap the price – interest and costs – of borrowing from pay-day loan companies.

Council believes it is the responsibility of all levels of government to ensure affordable credit for all, and therefore pledges to use best practice to promote financial literacy and affordable lending to help to ensure that wealth stays in the local economy. Council will continue to work with those affected by the introduction of Universal Credit to ensure help is available.

Council resolves:

- To lobby Government to ensure that pressure is kept up so that action is taken to regulate legal loan sharks and a sensible cap placed on levels of interest charges; and

- To further lobby Government on introducing veto powers to Local Authorities to ensure that they are able, through licensing, to prevent socially damaging high street credit agencies operating within their areas.”

On being put to the vote, the motion was declared CARRIED and it was

RESOLVED: That the above motion be approved. ¹.

(ii) Towthorpe Household Recycling Centre

It was moved by Cllr Doughty and seconded by Cllr Richardson that:

“Council notes with concern the deterioration in recycling in York and the negative effects on the environment and on the city’s reputation that such a decline may produce. In particular Council is concerned that household recycling targets look set to be missed and that landfill tax to be paid is predicted to rise by 12.5%. This could be further exacerbated should the Council introduce an unwelcome charge for green bins.

Therefore, in light of the failure to reach these recycling targets and the closure of Beckfield Lane Recycling Centre, Council confirms that it commits to the future of Towthorpe Recycling Centre in order to provide a basic service to residents and to reduce the amount of waste sent to landfill in order to prevent costly increases in landfill taxes.”

Councillor Orrell moved, an amendment to the above motion, as follows:

Insert the following additional paragraph at the end after landfill taxes:

“Council also calls on the Cabinet Member to work with Yorwaste to review the traffic arrangements for Towthorpe Recycling Centre, including investigating better signage and traffic flow within the site. This follows concerns that on occasions traffic has been forced to queue onto Towthorpe Moor Lane, a well used road with a 60mph speed limit, to

gain access to the Recycling Centre and growing fears that closure on one day a week, the introduction of identity checking, and proposals to cease winter green bin collections will make the situation even worse.”

On being put to the vote, the amendment was declared LOST.

A second amendment to the original motion had been submitted by Councillor Taylor, as follows:

Insert the following additional paragraph at the end after landfill taxes:

“In light of the uncertainty regarding the financial viability of the Allerton incinerator project, Council will enter into new discussions with North Yorkshire County Council to explore the viability of a long-term, non-incineration, and high recovery strategy, as proposed in the "Due Diligence" report by Marton-cum-Grafton Parish Council, which it claimed could be more than £120 million cheaper than the Allerton waste management solution.”

On being put to the vote, the amendment was declared LOST.

The original motion was then put to the vote, and also declared LOST and it was

RESOLVED: That the original motion be not approved.

(ii) Green Bin Collections

It was moved by Cllr Reid and seconded by Cllr Runciman that:

“Council Notes:

- Under the previous Liberal Democrat administration the recycling rate increased from 12% to 45% and a successful garden waste collection system operated.
- The Labour Cabinet has closed Beckfield Lane Recycling Centre and is due to miss its 2012/13 recycling and landfill targets, with landfill tax due to increase year on year by 12.5%.

Council believes that introducing charges for green bin collections would further undermine the successful recycling schemes introduced by the Liberal Democrats, lead to a fall in recycling rates, and a further increase in landfill taxes. This would cancel out any short-term income received from charging.

Council therefore calls on the Cabinet to immediately rule out any plans to introduce charging for green bin collections and redouble their efforts to increase recycling rates in York.”

On being put to the vote, the motion was declared LOST and it was

RESOLVED: That the motion be not approved.

(iv) Chancellor’s Autumn Statement

It was moved by Cllr Simpson-Laing and seconded by Cllr Burton that:

“Council is extremely concerned at the detail of the Chancellor’s Autumn Statement and the impact it will have upon services this Council provides to York residents, especially the city’s more vulnerable residents. The 'Statement' shows an ideological Government committed to reducing the ability of councils to deliver quality services and improve their respective areas for their residents.

The Leader of North Yorkshire County Council has confirmed that it is inevitable that the quality of service his council offers will suffer, and Council believes this is true for all local authorities, including York.

Since the Chancellor’s first announcement in 2010 this Council is expecting to lose a total of £21m between 2011 and 2015, a 35% cut in its previous level of funding from Government, inclusive of previously received grants. Together with unfunded budget pressures, this will result in the council needing to make savings of £51.8m over the 2011-2015 period of this administration.

Local Government is being asked to make cuts that far outweigh Government expenditure reductions in Whitehall

Departments. In 2014/15 there will be a 0.6% reduction in public expenditure, yet local government will experience a cut of around 8.7%.

Council agrees with the view of Conservative Local Government Association Leader Sir Merrick Cockell when he says that, “cutting council funding to help pay for nationally-administered economic stimulus programmes would be bad for local frontline services and makes no sense economically”. Council also agrees with the LGA view that councils actively support economic growth.

Council resolves:

- Through its membership of the LGA, to campaign on a cross-party basis against these damaging cuts which will push even more York residents into poverty;
- Through that same membership to call for a reversal of the decision to impose an extra 2% cut to local government budgets in 2014/15 on top of the disproportionate cuts already dealt to councils since the Conservative-led Government came to power in 2010.”

On being put to the vote, the motion was declared CARRIED and it was

RESOLVED: That the above motion be approved. ².

Action Required

- | | |
|---|----|
| 1. Lobby Government as set out in details of motion. | WB |
| 2. Through the LGA, campaign on a cross party basis against cuts. | WB |

80. QUESTIONS TO THE CABINET LEADER AND CABINET MEMBERS RECEIVED UNDER STANDING ORDER 11.3(A)

Twenty two questions had been submitted to the Cabinet Leader and Cabinet Members under Standing Order 11.3(a). The guillotine having fallen at this point, Members agreed to receive written answers to their questions, as set out below:

(i) To the Cabinet Leader from Cllr Aspden:

“The ‘Voting Age (Reduction to 16) Bill 2012-13’ sponsored by Liberal Democrat MP Stephen Williams is due for its second reading on 26th April. Will the Cabinet Leader continue his efforts to promote this reform and join me in lobbying York Outer MP Julian Sturdy?”

Reply:

“Yes.”

(ii) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Aspden:

“Could the Cabinet Member outline what has happened to residents who previously received support in the “moderate” care bracket. How many residents have been reassessed and how many now have care needs classified as “substantial”?”

Reply:

“184 residents who received support at ‘Moderate’ received a review. Approximately half (92) were re-designated as having substantial needs, either because their needs had changed since their previous review, or because it was agreed their needs had been wrongly designated as moderate – this is not unusual as peoples needs to change with time due to age and changes in their health situation. Those who remained at Moderate level were offered advice information and support to find alternative ways to meet their needs.”

(iii) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Aspden:

“Labour’s Budget confirmed plans to move the Warden Call service to a ‘social enterprise’ model. Could the Cabinet Member ensure all options are considered before a final decision is taken and proper consultation takes place with users of the service?”

Reply:

“Cllr Aspden should be aware that due to continued Government cuts to the funding of Local Government we are being actively being supported by Government to look at alternative models to

deliver services. Consideration of the options and a full business case will be the subject of a report to Cabinet on the 7th May. Consultation with customers and stakeholders continues and will be included in the report.”

(iv) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Aspden:

“How will the community be involved in decisions on the future of the Fordlands site in Fulford?”

Reply:

“I have no involvement in decisions on the future of the Fordland’s site. Property services and the Capital Asset Board are dealing with this and this is not within my portfolio area.”

(v) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Orrell:

“Following the recommendation of the Fairness Commission to set up an Equity Release Scheme when does the Cabinet Member expect the scheme to start?”

Reply:

“I am glad to see that Cllr Orrell has read the Fairness Commission report. His question relates to the ‘Idea’s for action’ companion report that supported the development of the recommendations in the September 2012 report.

One idea that was presented as part of the consultation was to:

‘Consider equity release scheme for ‘asset rich but cash poor’ elderly homeowners to access {to cash to enable improvements / sustained independent living}.

Whilst this could form a part within any long term strategy to delivering a balanced housing market, our focus has been on the key recommendations arising from the report.”

(vi) To the Cabinet Member for Education, Children and Young People from Cllr Aspden:

“Labour’s Budget included a further £150,000 cut to Youth Services in 2014/15. Could the Cabinet Member guarantee

that the Council will continue to fund and supervise Youth Centres and none will close as a result of this funding reduction?”

Reply:

“The Youth Support Service has been through a process of significant transformation over the past year. This work has helped to modernise the offer to young people in the City and to prioritise individual support for vulnerable young people. In fact the majority of youth work now takes place in a wide range of settings throughout the City – including URBIE. There is also considerable spare capacity at Moor Lane and the 68 Centre for use by other services and community organisations.

In these circumstances it is only right that we review our use of Youth Service buildings to make sure we are not only continuing to deliver the kind of Youth Support Services we need, but that they are in the right locations; and that council assets are being used to the full.

We will be conducting a review over the coming months and I am expecting that by September this year we will be able to bring forward our detailed plan that will meet our plans for the new service offer, and details of the budget reductions.

The review will be undertaken jointly with colleagues in Community and Neighbourhoods and Property Services to determine the best future use for these buildings.”

(vii) To the Cabinet Member for Education, Children and Young People from Cllr Aspden:

“Labour’s Budget included plans to scrap the Toy Library Bus in 2014/15. In a recent letter to the Council concerned parents said that “To lose this wonderful resource would be to the detriment of young learners’ creative development in the York area.” Will the Cabinet Member listen to these concerns and rethink this cut?”

Reply:

“We are consulting with users of the Toy Library after Easter about ways of continuing to provide the service in the light of the Bus itself no longer being fit to continue in service for much longer. It is possible that we could provide the service through Children’s Centres – which now have a much wider reach than when the Toy

Bus was originally commissioned. We are open to other ideas and suggestions and will listen to views, but the costs of replacing the actual bus are prohibitive. While consultations take place the Toy Bus will continue while we consider other options.”

(viii) To the Cabinet Member for Education, Children and Young People from Cllr Aspden:

“Labour’s Budget included plans to cease directly offering play grants and transfer this to Your Consortium. Could the Cabinet Member outline what impact this will have on groups such as SNAPPY?”

Reply:

“Over 2014/2015 the Play grants will transfer to Your Consortium. This is in line with the policy of making grants to voluntary organisations via an arms length group. The current criteria for the Community York will be revisited to take into account the priorities from the new Taking Play Forward policy. Play organisations will be able to apply to the Community York fund and there would seem to be no reason why SNAPPY along with the other play organisations should not be eligible for grants.”

(ix) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“The Green Deal has the potential to deliver significant environmental, social and economic benefits for York. Could the Cabinet Member outline what plans are in place to ensure that York residents benefit from this opportunity?”

Reply:

“A paper is going to Cabinet recommending that CYC participate in a programme to procure a Leeds City Region Green Deal Provider.

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MIId=6883>

This scheme, in its first 3 years, will aim to deliver Green Deal Packages of energy efficiency measures across York’s homes (see above paper).

In addition, and to compliment the Green Deal, the LCR provider will also secure ECO funding for the city, which may fully fund or subsidise certain qualifying energy efficiency measures (see paper

for more details). A communication plan will also support the programme.

Whilst a regional provider will be sought, the scheme aims to be delivered locally, and has potential for local job creation, training and skills development and to tackle climate change and fuel poverty priorities in the City.

We are already piloting elements of the Green Deal in the city, including our solid wall insulation pilot
http://www.york.gov.uk/press/article/174/york_to_trial_solid_wall_insulation_in_the_city

We also recently put on a business engagement/upskilling event for local businesses on the opportunities surrounding the Green Deal.”

(x) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“Could the Cabinet Member outline what consultation will take place with residents in Acomb, Holgate, Dringhouses & Woodthorpe and Westfield under the next phase of the Council’s 20mph roll-out and could he assure these residents that their views will be listened to?”

Reply:

“Consultation on the scheme has already started with officers attending ward committees to gain and understanding of residents opinions and feedback on the initial scheme design. This will be built on over the next month, leading up to the advertising of the formal order in April.

Information about the proposals will be displayed at key community venues in the areas, alongside a series of ‘information days’ allowing officers to meet face to face with residents in key public locations – these will be confirmed in due course. Information will also be made available online on the Council Website and the dedicated York20mph site.

The 20mph@york.gov.uk email address has been active for several months now and residents have already contacted us through this channel to voice their opinion, social media portals are also available to receive comment on an informal basis.

The formal aspect of the consultation will follow, leading up to the advertising of the traffic order in the press and on street.

Household with a frontage on to the proposed new 20mph speed limits will receive a letter, accompanied by plans, inviting them to make representations, if they so wish.

Representations are recorded, considered and reported as part of the legal process in making of the traffic order, which I will then consider, and I can assure that I will always look very carefully at what people have to say.”

(xi) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“Who decided on the design and the position of the new seats that have appeared across the City Centre? Would the Cabinet Member agree that they look no different from a municipal park bench and that in many cases they have replaced other street furniture that was considered to be “clutter”?”

Reply:

“The design for these was considered by the officer design group, in the light of the poor state of a number of the existing seats, the fact that many existing seats didn’t conform with current standards or disabled user needs and finally to address gaps in provision that leave disabled people who need to sit down at frequent intervals in some difficulties. Many of these issues were identified in the York City Centre Access & Mobility Audit that I commissioned on taking office and reflected feedback from equality groups. The design was then endorsed by the Reinvigorate York Board, following consultation. Extensive efforts were made to consult equality groups, particularly disabled, to ensure the designs approved could cater for the needs of a wide range of individual needs.

Providing suitable seating areas in the city centre is an important element of the “offer” to residents and visitors, and therefore enhances the public realm rather than introducing “clutter”. We have received some positive feedback on the introduction.

Wherever possible we should try and have seating every 400m ish, this is not always possible in Coney Street. Most of the benches are additional not replacements.”

- (xii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Runciman:

“The carbon reduction initiative, begun by the Liberal Democrats in 2007, has reduced council emissions by 28% over the past five years. What plans are in place to build on this progress?”

Reply:

“Feasibility work is currently being undertaken to develop a new post 2013 carbon management programme, Any new programme will need to build on the success of the Council’s Green Audit which identified over 400 tonnes of savings from energy efficiency /renewable energy measures across ten schools. These emission savings will form the basis of a wider portfolio of forthcoming projects from across the Council (including opportunities from capital and asset management programmes) to save the Council further carbon over the coming years.

Officers will be bringing forward a paper for consideration by myself.”

- (xiii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Aspden:

“Liberal Democrat run Bath & North East Somerset Council have a fully functioning system for community groups to register ‘Assets of Community Value’ under powers granted under the Localism Act. Could the Cabinet Member outline when community groups will be able to register assets in York and how this process will work?”

Reply:

“The straight answer is no, but work is underway by Officers in Resources, Planning and other Directorates to positively address the opportunity of the new legislation, and I will be working with my colleague, Julie Gunnell, who will be leading on this.”

- (xiv) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Firth:

“Given Labour’s manifesto promise to invest “more money for road repairs” can the Cabinet Member explain why spending on road maintenance and repair fell from £6,388,000 in 2011 to £4,428,000 in 2012?”

Reply:

“As Cllr Firth well knows, the manifesto promise he quotes refers specifically to a commitment to an increase of £60,000 following a Labour win in the May 2011 Local Elections. He may remember that we did win that election, while the Liberal Democrats lost a dozen of their 20 seats, and this commitment was included in our June 2011 Budget (which the Lib Dems voted against). As such this is a pledge we have honoured, a concept I know the Liberal Democrats are unfamiliar with.

With regards to the difference in spend between 2011/12 and 2012/13, this can largely be accounted for by a drop in Government funding, which unfortunately for the people of York, the Labour Party has no control of.

Regrettably, massive Government cuts to the Council’s budget mean difficult decisions have to be taken, and Opposition plans to borrow huge amounts of money for filling potholes now, that residents will have to pay for in the future, is incredibly irresponsible.

It is worth noting that latest Department of Transport figures confirm the condition of York’s principal road network is the best in the Yorkshire and Humberside region - placing the council in the top quartile compared to other authorities in England.”

(xv) To the Cabinet Member for Environmental Services from Cllr Reid:

“Could the Cabinet Member update Council on the situation regarding the Waste PFI project?”

Reply:

“Following DEFRA’s decision to withdraw the Waste PFI credits for the North Yorkshire and York proposal without any consultation, action is continuing on a number of fronts.

Further information has been requested on the technical assessment undertaken to support the decision made by DEFRA. This is still awaited. A meeting to lobby Ministers is scheduled to take place in April, with the Leader of the Council due to attend.

The withdrawal of the PFI credits in itself does not directly impact on the level of capital funding that is required to finance the

Allerton Park Facility. It does however impact on the revenue support from the government to both local authorities. It is Amey Cespa's (AC) responsibility to pull together the required funding package. They are continuing to move towards financial close.

Both local authorities and AC are in discussions with the Treasury on funding options to mitigate the loss of the Waste PFI credits in order to work towards providing an affordable solution to the authorities. The European Investment Bank are still supporting the project up to 50% of the overall funding requirement.

Further information is likely to come forward over the next couple of months as to whether the scheme is still a viable option for the Councils to pursue. We are not yet in a position to determine this. In line with the agreement, any decision on financial close and final affordability would need to be considered by Cabinet.

In the short term, we are able to continue to landfill at Harewood Whin, but as a fall back position we are having informal discussions with other Local Authorities and merchant facility providers as to what other options the council may have in dealing with their waste on a /medium term basis."

(xvi) To the Cabinet Member for Environmental Services from Cllr Reid:

"Could the Cabinet Member outline the new schedule for grass verge cutting after the cuts to 'Smarter York' in this year's Budget?"

Reply:

"Officers are currently examining the options and I will be receiving a report on this and how we increase community involvement in maintaining public green spaces at a Decision Session in late April. This is necessary to deal with the massive cuts being made to the Council's budget by Liberal Democrats in Government."

(xvii) To the Cabinet Member for Corporate Services from Cllr Reid:

"Could the Cabinet Member detail the spending on public art in West Offices, where each installation is from, and where they can be viewed by the public?"

Reply:

“Under the agreed contract the developer of West Offices provided £220k for public art for the new Headquarters. This administration has made sure that the art commissioning has been used to support local creative talent from York and Yorkshire. Jo Fairfax from Halifax has been the lead artist and mentored all the other local artists, most of whom have received their first major commission from this project. All the art, once installed will be in publicly accessible places. Outside the building Matt Lazenby has installed a beautiful quote from Auden into the central seating area and Jo Fairfax has designed a lighting wash for the central facade. Jo has also produced the digital interactive installation in the entrance area called the station master. Once inside the Customer care centre you will be able to see Rachel Welford striking Glass partition showing overlain maps of the city, a theme which is picked up again on the matriculation discs on the entrance doors. Overhead in the central void Suzanne Davis has produced a delightful 3D rainbow of copper threads. We are still working on getting the lighting of this work adjusted correctly so its shimmering interference effect is shown to its full extent. In addition Bright White will be producing an interpretive work where the full effect of the artworks can be appreciated for those with visual disabilities. We have also commissioned John Newling, emeritus professor of Public Art at Nottingham University to work with Students at our universities on a “market place” of creative ideas. This market will be taking place in Early May once the building is fully open.”

(xviii) To the Cabinet Member for Corporate Services from Cllr Cuthbertson:

“How many queries has the Council received about the Housing Benefit changes due to come into effect next month and how many outstanding queries have the Council yet to deal with?”

Reply:

- **“Proactive work** - we have been proactive in raising awareness for 6500 customers on what the welfare reform changes could mean for them, part of which was sending out letters to our customers on 17 January advising on both the LCTS and Social Size Criteria (“bedroom tax”) changes. This is in addition to information available on our website, proactive communications activity by Housing and partners such as CAB through their publications.

(xix) To the Cabinet Member for Crime and Stronger Communities from Cllr Orrell:

“Could the Cabinet Member outline how much ward committees will receive in funding next year?”

Reply:

“Acomb WC Work	3,200
Bthorpe & Wheldrake WC Work	3,190
Clifton WC Work	4,980
Derwent Heworth WC Work	4,340
Dringhouses & Wthorpe WC Work	4,450
Fishergate WC Work	3,280
Fulford & Heslington WC Work	2,780
Guildhall WC Work	2,760
Haxby & Wigginton WC Work	5,160
Heworth WC Work	4,860
Holgate WC Work	4,790
Huntington & New Earswick WC Work	5,010
Micklegate WC Work	4,550
Rural West York WC Work	4,260
Skton Rcliffe Clton WC Work	5,040
Strensall WC Work	3,260
Hull Road WC Work	3,420
Westfield WC Work	5,670”

(xx) To the Cabinet Member for Crime and Stronger Communities from Cllr Firth:

“The funding for Your Consortium is due to end this month. Could the Cabinet Member outline what plans are in place for voluntary sector grant funding after this?”

Reply:

“The launch of the next round of Community York will take place Tuesday 23rd April 2013, at Clements Hall, York from 11am - 2pm. The event provides the opportunity to celebrate the projects funded through the last round as well as inviting bids for the next

year against the themes of the four council objectives of healthy, engaged, inclusive and prosperous communities.”

(xxi) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Runciman:

“Suffolk County Council’s policy of cutting library funding and then outsourcing the service to an Industrial Provident Society has resulted in widespread public opposition, staff reporting the service was at “breaking point”, and last month Stowmarket Library launching a fundraising drive in a bid to stay open. What lessons does the Cabinet Member draw for York from this?”

Reply:

“I’m surprised that Cllr Runciman had not done her homework as she could have easily found out that Suffolk have gone down a completely different route to York.

In their unusual and complicated model every single library has been set up as a separate legal entity and the community benefit society at the centre of the network has for its members only the libraries themselves. This model may or may not suit Suffolk – I cannot say - it is a matter for them.

What I can say is that it bears no relation to the approach we are taking in York and so no lessons can possibly be drawn from it. Central to our approach is the fact that it is being led by our staff who will be the founder members of the community benefit society and will drive it forward with all the energy and skills that they have demonstrated in abundance over the last couple of years. Also, very importantly, library users will be members of our community benefit society. Our initiative is about bringing the service closer to communities involving them in governance and enabling them to shape it to better meet the needs of our communities. Membership of our organisation will be open to everyone – it will be jointly owned by staff and the community but professionally managed.”

(xxii) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Runciman:

“How much is the Council paying Mutual Ventures for its work on the changes to the library and archive service?”

Reply:

“Nothing – The Cabinet Office’s Mutual Support Programme were so taken with our innovative ideas to enhance and protect our libraries and increase community engagement that they are providing the necessary funding.

Despite the threats caused by the Conservative/ Liberal Democrats cuts to local Government funding, this administration is determined to do its best to protect those vital community services provided by our Library Service and so we are very pleased that we have been able to access support in this way.”

Cllr David Horton

DEPUTY LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 10.00 pm]