

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 15th October, 2009, starting at 6.30 pm

Present: The Lord Mayor (Cllr John Galvin) in the Chair, and the following Councillors:

ACOMB WARD

Simpson-Laing
Horton

BISHOPTHORPE WARD

CLIFTON WARD

King
Scott
Douglas

DERWENT WARD

Brooks

DRINGHOUSES & WOODTHORPE WARD

Reid
Holvey
Sunderland

FISHERGATE WARD

D'Agorne
Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
B Watson

HAXBY & WIGGINTON WARD

R Watson
Firth

HESLINGTON WARD

Jamieson-Ball

HEWORTH WARD

Potter
Funnell
Boyce

HEWORTH WITHOUT WARD

Ayre

HOLGATE WARD

Crisp
Bowgett

HULL ROAD WARD

Cregan

HUNTINGTON & NEW EARSWICK
WARD

Orrell
Hyman
Runciman

MICKLEGATE WARD

Fraser

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Hudson
Healey
Gillies

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

Moore
Waudby
Watt

STRENSALL WARD

Kirk
Wiseman

WESTFIELD WARD

Sue Galloway
Steve Galloway
Waller

WHELDRAKE WARD

Vassie

Apologies for absence were received from Councillors Merrett, Hogg, Pierce,
Alexander and Gunnell

34. HON ALDERMAN GERALD DEAN

The Lord Mayor invited all Members to observe a minute's silence in memory of Hon Alderman and ex-Councillor Gerald Dean, who had died the previous month.

35. DECLARATIONS OF INTEREST

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

Cllrs Crisp, Douglas and Simpson-Laing each declared a personal and prejudicial interest in agenda item 14 B (iii) (Cllr Gillies' Notice of Motion in respect of the Shadow Executive), as members of the Shadow Executive in receipt of special responsibility allowances for that role. Cllr Simpson-Laing also wished to place on record her membership of UNISON.

Cllrs Potter and Scott each declared a personal, non prejudicial interest in agenda item 14 B (iii), as members of the Shadow Executive not in receipt of special responsibility allowances for that role.

36. POINT OF ORDER

At this stage in the meeting, Cllr Scott announced that he wished to raise a point of order in respect of Cllr Gillies' Notice of Motion at item 14 B (iii) on the agenda. He objected to the inclusion of this motion on the agenda, on the grounds that it was ultra vires, being already under consideration by the Audit and Governance Committee in accordance with Standing Order 16. Having taken advice from the Head of Legal Services, the Lord Mayor ruled against Cllr Scott's submission and confirmed that the motion had been properly included on the agenda and would be debated later in the meeting.

37. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during any discussion on the exempt minutes of the Extraordinary meeting of Council held on 22 July 2009, on the grounds that they contain information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. Such information is classed as exempt under paragraph 5 of Schedule 12A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

38. MINUTES

RESOLVED: (i) That the minutes of the Ordinary Council meeting held on 9 July 2009 be approved and signed by the Chair as a correct record, subject to the following amendments:

- a) Under minute 13 (Declarations of Interest), Cllr Simpson-Laing's declaration of interest was as a member of UNISON and not as a previous member.
- b) Under minute 18 (Petitions), the reference to the no.18 bus at petition no. (ix) should refer to the no.16 bus.

(ii) That the minutes of the Extraordinary Council meeting held on 22 July 2009 be approved and signed by the Chair as a correct record.

39. CIVIC ANNOUNCEMENTS

The Lord Mayor welcomed to their first meeting of Council the new Chief Executive, Kersten England, Cllr Barbara Boyce, the new Member for Heworth and Sally Burns, the new Director of Neighbourhood Services. He also announced the imminent departure of Quentin Baker, the Head of Civic, Legal and Democratic Services, and wished him well in his new post in Cambridge.

The Lord Mayor then announced the receipt of the following gifts, which were on display in the Council Chamber:

- A book entitled *Stonegate Voices*, presented by the York Archaeological Trust
- A book entitled *Celebrating Jorvik*, which provided a photographic record of historic artefacts in York.

40. PUBLIC PARTICIPATION

The Lord Mayor announced that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Joe Armer, of the Youth Council, spoke about young people in York and their problems and aspirations. He urged Council Members to listen to and work with young people, who were not only future citizens but were often directly affected by Council decisions.

With the consent of the Lord Mayor, Cllr Runciman, the Executive Member for Children and Young People's Services, responded to Joe Armer's comments. She welcomed the involvement of young people in the meeting and drew attention to the Youth Council debate held in the Council Chamber as part of Local Democracy Week, and to a forthcoming debate of the Youth Parliament to be held in the House of Commons.

41. PETITIONS

Under Standing Order 7, petitions were presented by:

- (i) Cllr Simpson-Laing, on behalf of residents calling for a 20 mph zone on Ouseburn Avenue.¹
- (ii) Cllr Simpson-Laing, on behalf of residents calling for a 20 mph zone in Millgates.²
- (iii) Cllr Brooks, on behalf of Kexby Parish Council, calling for a 40 mph speed limit on the A1079 through Kexby.³
- (iv) Cllr Crisp, on behalf of residents calling for a 20 mph zone in the Holly Bank area of the City.⁴
- (v) Cllr Simpson-Laing, on behalf of residents calling for a 20 mph zone in Viking Road.⁵
- (vi) Cllr Simpson-Laing, on behalf of residents calling for a 20 mph zone in Low Poppleton Lane.⁶

It was then

RESOLVED: That the above petitions be referred to the Executive or appropriate Committee.¹⁻⁶

Action Required

1-6: Schedule report/s on Forward Plan for Executive or Executive Member Decision Session and keep the relevant Members updated on progress SS

42. REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS

A written report was received from the Executive Leader, Cllr Andrew Waller, on the work of the Executive.

In presenting his report, the Leader endorsed the comments of the Lord Mayor with regard to the welcoming of Kersten England, Sally Burns and Cllr Boyce to the meeting and the departure of Quentin Baker. These comments were echoed by leaders of the Opposition Groups in their responses to the report. The Leader also responded to questions from the Opposition Group leaders in respect of his recent visit to Brussels, the provision of swimming facilities in the City, the Barbican and Castle Piccadilly sites, the Urban Eco Settlement, improvements to the Ring Road and preparations for potential cuts in public spending following the General Election.

The Leader then moved, and Councillor Runciman seconded, the recommendations contained in the following minutes of the Executive

meetings held on 21 July, 8 September, 22 September and 6 October 2009 respectively:

- Minute 55 – Land at the Rear of Acomb Explore, Front Street, Acomb¹
- Minute 68 – Minutes of Working Groups²
- Minute 69 – Capital Programme Monitor 1³
- Minute 81 – Administrative Accommodation Project Financial Update⁴
- Minute 90 – Revised Financial Regulations⁵
- Minute 91 – Swimming Facilities

Each set of recommendations was moved, seconded, debated and voted upon separately and on being put to the vote each was declared CARRIED. It was therefore

RESOLVED: That the recommendations contained in Minutes 55, 68, 69, 81, 90 and 91 of the Executive meetings held on 21 July, 8 September, 22 September and 6 October 2009 be approved.

Action Required

- | | |
|---|----|
| 1. Vary the Capital Programme to bring forward funding to acquire the two sites | SA |
| 2. Make the required change to the Constitution and membership list for YPWG | SA |
| 3. Make the agreed adjustments to the Capital Programme | SA |
| 4. Make the agreed adjustments to the Capital Programme | SA |
| 5. Incorporate the revised Financial Regulations into the Constitution | SA |

43. NOTICE OF MOTION - SHADOW EXECUTIVE

The Lord Mayor announced that he intended to vary the order of business so as to deal at this point in the meeting with the Notice of Motion submitted by Cllr Gillies in respect of the Shadow Executive, at item 14 B (iii) on the agenda. This was to enable Members to debate the matter fully.

It was then moved by Cllr Gillies and seconded by Cllr Watt that:

“The new scrutiny format has made the institution of the Shadow Executive redundant. The Council therefore moves to amend the Constitution to abolish the role of Shadow Executive with immediate effect and with the consequence of not paying special responsibility allowances for Shadow Executive spokespersons.

The Council therefore instructs the Monitoring Officer, in accordance with the powers under Article 16 of the Constitution, to effect the necessary changes to the Constitution and to report back upon the details to the Executive in due course.”

On behalf of the Labour Group, Cllr Scott requested that a named vote be taken on the above motion. He then announced that his Group would not be

participating in the vote. On the advice of the Lord Mayor, all members of the Labour Group, except for Cllrs Fraser and B Watson, left the Chamber after the debate and before the vote was taken.

In accordance with Standing Order 15.2.1, a named vote was then taken of those Members present, with the following result:

For	Against	Abstained
Cllr Aspden		Cllr Galvin (Lord Mayor)
Cllr Ayre		
Cllr Brooks		
Cllr D'Agorne		
Cllr Firth		
Cllr Sue Galloway		
Cllr Steve Galloway		
Cllr Gillies		
Cllr Healey		
Cllr Holvey		
Cllr Hudson		
Cllr Hyman		
Cllr Jamieson-Ball		
Cllr Kirk		
Cllr Moore		
Cllr Morley		
Cllr Orrell		
Cllr Reid		
Cllr Runciman		
Cllr Sunderland		
Cllr Taylor		
Cllr Vassie		
Cllr Waller		
Cllr R Watson		
Cllr Watt		
Cllr Waudby		
Cllr Wiseman		
27	0	1

The motion was therefore declared CARRIED and it was

RESOLVED: That the above notice of motion be approved.¹

Note: Cllrs Crisp, Douglas, King and Simpson-Laing all left the Chamber during consideration of the above item, having previously declared their prejudicial interests in this matter, and took no part in the debate or decision thereon.

Action Required

1. Make the agreed changes to the Constitution and schedule a report on the Forward Plan for a future meeting of the Executive

SA

44. RECOMMENDATION OF THE STANDARDS COMMITTEE

As Vice Chair of the Standards Committee, Cllr Horton moved, and Cllr Taylor seconded, the recommendation contained in Minute 21 of the Standards Committee meeting held on 28 August 2009 in respect of the Review of the Protocol on Officer / Member Relations: Reference Back from Council.

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

RESOLVED: That the recommendation contained in Minute 21 of the Standards Committee meeting held on 28 August 2009 be approved.¹

Action Required

1. Incorporate the agreed Protocol on Officer / Member Relations in the Constitution SA

45. RECOMMENDATIONS OF THE AUDIT & GOVERNANCE COMMITTEE

As Chair of the Audit & Governance Committee, Cllr B Watson moved, and Cllr Jamieson-Ball seconded, the recommendations contained in the following minutes of the Audit & Governance Committee meeting held on 21 September 2009:

- Minute 31 – The Introduction of a Corporate Approach to Handling Petitions and E-Petitions¹
- Minute 32 – Review of the Audit & Governance Committee's Terms of Reference (Articles & Functions)²

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

RESOLVED: That the recommendations contained in minutes 31 and 32 of the Audit & Governance Committee meeting held on 21 September 2009 be approved.¹⁻²

Action Required

1. Introduce a Corporate Petitions Register and e-petitions facility based upon the ModGov CMS system DS
2. Appoint an independent advisor to the Audit & Governance Committee and amend the Committee's terms of reference accordingly SA

46. SCRUTINY - REPORT OF THE CHAIR OF THE SCRUTINY MANAGEMENT COMMITTEE AND SMC RECOMMENDATIONS

A written report was received from Cllr Paul Healey, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council, on 9 July 2009.

Cllr Healey then moved, and Cllr Funnell seconded, the recommendations contained in Minute 14 of the SMC meeting held on 28 September 2009 and relating to a referral from the Community Safety Overview and Scrutiny Committee requesting a change to their terms of reference.

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

RESOLVED: That the recommendations contained in Minute 14 of the Scrutiny Management Committee meeting held on 28 September 2009 be approved.¹

Action Required

1. Amend the Constitution to incorporate the agreed changes to the terms of reference of the Economic & City Development and Community Safety Overview & Scrutiny Committees SA

47. REPORT OF EXECUTIVE MEMBER

A written report was received from Cllr Reid, the Executive Member for Neighbourhood Services.

Notice had been received of ten questions on the report, submitted by Members in accordance with Standing Orders. The questions were put and answered as follows:

(i) From Cllr King:

“Would the Executive Member agree that air quality monitoring is of little value unless the Council takes action to improve air quality. In doing so will she confirm to Council what action has been taken to improve air quality in the AQMA against a trend of worsening air quality, given this wasn't deemed important enough to feature in her report?”

The Executive Member replied:

I would agree that monitoring on its own has little value but I can assure Cllr King that the monitoring has informed a great deal of action.

The review and assessment of air quality is a legal requirement under sections 82-84 of the Environment Act 1995 Part IV.

We have an extensive range of air quality monitoring, comparable to larger cities in the country that includes 11 real time air quality monitoring stations monitoring air pollution continuously. We have 325

diffusion tubes that monitor air pollution on radial routes and other busy roads.

Once we declared an Air Quality Management Area in 2002 it became a legal requirement to monitor air pollution in the AQMA. The air quality monitoring stations also monitor pollution from major developments in certain areas of York.

This network enables the council to determine where air pollution is impacting on the health of local residents and to monitor the effects of transport policy on air quality.

The Environment Act 1995 Part IV also imposed a legal duty to produce an air quality action plan (AQAP) to improve air quality in York and to meet the health based air quality objectives.

Many of the measures in the Plan have already been delivered. These include:

- New planning guidance on sustainability*
- A successful car club*
- Cleaner, lower emission taxis*
- Graduated parking charges based on vehicle age, fuel type and engine size*

And we are progressing.

- 3 New Park & Rides*
- A low emission zone feasibility study*

Other measures to improve air quality will be progressed via the Local Development Framework, the City Centre Area Action Plan, the third Local Transport Plan (LTP3) and the emerging Low Emission Strategy.

These include:

- Extension of the foot streets and their hours of operation*
- A freight transshipment centre to remove heavily polluting diesel lorries from the city centre and AQMA*
- Promotion of electric vehicles and the infrastructure to support them.*
- A low emission strategy will build on the existing air quality action plan, LTP3 and the Climate Change Strategy and look holistically at emissions of CO₂, nitrogen dioxides and particulates from all sources and not just transport or development.*

A word of caution is needed as not all the measures that seem attractive have the desired effect. For example, the government is encouraging vehicle manufacturers to reduce CO₂ emissions, but by adjusting their engines, emissions of nitrogen dioxides have increased.”

In response to supplementary questions put by Cllrs King, Simpson-Laing and D’Agorne, the Executive Member confirmed that the issue of air quality on Water End, Clifton Green and Westminster Road as a result of traffic works carried out in that area had not been raised as a matter of concern, but Officers had raised concerns about air quality in the Fulford Road and Leeman Road areas. She had no details to hand of the Council’s response to government on Air Quality Action Areas but could supply this information to Cllr D’Agorne.

In response to a further supplementary question from Cllr R Watson on financial support received from government, which was allowed by the Lord Mayor on the grounds that Cllr Watson's early request to put the question had been ignored due to technical problems, the Executive Member replied:

"The grants from DEFRA in the past have enabled us to build a proactive air quality programme and it had been hoped to money would be available to continue that approach and progress some of these measures, especially the feasibility study for a low emission zone, at a fast rate. Unfortunately, this has been delayed by disappointing grants from DEFRA in the last 2 years.

In 2008/09 CYC submitted a bid for £222k. We initially received only £15k; initially, but a further request that year did give us a further £27k. In 2009/10 we asked for £195,025. We received £16,500, but have again requested that they reconsider.

Both these grants are well below what we need to progress our plans and reflects that the overall grant available across the country have not be increased to reflect the legal obligations on Local Authorities and the increased work that is now taking place nationally."

(ii) From Cllr King:

"Would the Executive Member agree with me that the Government should be congratulated for awarding the City of York a grant to run a publicity campaign on under age tobacco sales?"

The Executive Member replied:

"It was welcome extra income in order for us to enact Government legislation."

In response to a supplementary question put by Cllr Holvey, the Executive Member replied:

"In 2008/09 we received £8,162.04 of funding from the Department of Health to assist in education and enforcement work in relation to tobacco. We ran a promotional campaign (on bus shelters near to secondary schools and at the cinema) We also undertook a series of test purchases including targeting vending machines. The targeting of vending machines where there is less supervision and the raise in the legal age for buying tobacco does show a sharp rise in the level of illegal sales compared to previous years.

From 2004 -08 - test purchasing produced no illegal sales of tobacco. During the period that the funding was used in 2008/09 there were 10 test purchases of vending machines with 6 illegal sales and 60 test purchases at retailers with 3 illegal sales all in October when the law had only just changed."

(iii) From Cllr King:

"It is pleasing to see working days lost to sickness are down to 11.25 days on average per full time employee from 19.2. Can the Executive Member inform us when the Council is likely to reach the lower agreed target that has been set?"

The Executive Member replied:

“The directorate is continuing to implement the absence management policy robustly, sickness does remain a priority within the directorate plan, and that we are continuing to seek proactive ways to improve the level of staff absence. We will continue to hold initiatives such as health fairs, which look at a lifestyle as well as health issues and don't just concentrate on work related issues. Involving staff in the Excellence in Everything programme is also improving attendance levels and attitudes to work. We will also continue to look at using machinery and new technology that helps reduce injuries at work. The recently acquired machine to lift kerb and paving stones is one example of this and expanding the use of wheeled bins and therefore reducing the amount of lifting that our waste operatives have to do is another.

The 08/09 outturn was 11.25 days with a target this year of 11 days. Up to end August 09/10 we had lost 4.71 days compared to 6.37 days in the equivalent period in 08/09. I am therefore hopeful that we will hit the 11 day target.”

In response to supplementary questions put by Cllrs Taylor and King, the Executive Member indicated that any examples of abuse of the absence management policy should be brought to the attention of the appropriate director and that she was as confident as she could be at this stage that any changes to working practices arising from the More for York review would not lead to an increase in the number of working days lost to sickness.

[Answers to the following questions were supplied in writing after the meeting, the ten minute deadline for questions on the Executive Member's written report having expired at this point.]

(iv) From Cllr Looker:

“I agree with the Executive Member that the Groves recycling pilot has been successful, but could she comment on the significant resistance to the proposal that wheelie bins be stored to the fronts of properties, as well as the more general requirement that refuse be presented to the fronts of properties, rather than at the rear as residents have been used to?”

The Executive Member replied:

“There has been some reaction to wheeled bins in a few streets and officers are working with residents in these areas. This work is ongoing and compromise has been reached to the satisfaction of many residents.

Further consultation is being undertaken by officers and a report on the work being carried out as a result of the petitions received from just 3 streets in the Groves area will come to my Executive Member Decision Session in November. The lead petitioner was happy with that timescale.

Because of the way recycling is collected, all residents are asked to put their recycling at the front of their property. It therefore makes sense to also ask for residual waste to be put at the front of properties.

Presenting waste in rear lanes does have an impact on the efficiency of our hardworking crews and adds to manual handling problems. Guidance from the Health & Safety Executive states such work should be kept to a minimum and avoided where possible. I am sure that Cllr Looker would agree with me that the health and welfare of our staff is an important factor when we make decisions about waste collection. We also now have many streets that are part of the wider alley gating scheme and our agreed policy is we will not go into gated alleys to collect waste.

If we did want to continue collecting from back lanes we would either have to invest in smaller vehicles in order to empty wheeled bins from the rear of houses, clearly considerably less efficient as the vehicles would need to be emptied more often. The alternative would be to impose central collection points. We are exploring this option in some very specific locations but Labour found to their cost that residents were not happy to have this solution imposed on them wholesale.

I would remind Council that of the nearly £15.5 million we have paid in landfill tax to the Government they have returned to us only just over £2.5million in grants. If we had received more back we might have more collection options available to us.”

(v) From Cllr Firth:

“Can the Executive Member outline how City of York Council compares to “family group” of Local Authorities (as defined by Government) and Unitary Council delivering a similar service in terms of recycling rates, value of money and residents’ satisfaction?”

The Executive Member replied:

“Of the 15 Unitary Authorities in our family group we have the best recycling rates. In 2007/08, the last year for which we have comprehensive figures, we recycled 43.37% of our waste. The next closest was Bath with 42.94% and the lowest Calderdale with just 25% of waste recycled.

What is most interesting to note, however, is the collection costs. We also have the 2nd cheapest collection and disposal costs of the 15 at £78.53 per ton. The cheapest, Stockton pay £76.20 per ton but only recycle 26.22% of their waste. Ironically, the worst recycle, Calderdale, have the highest collection costs at £112.10 a ton.

Comparing our customers opinions with that of 27 Unitary Authorities delivering similar service the Place Survey showed that York is 10th in a league table of satisfaction with refuse collection at 79%, 10th in a league table of satisfaction with kerbside recycling and 10th overall in the combined measure. However, in terms of Value for Money York is third in the league table, behind two authorities with much lower levels of satisfaction.

East Riding, our closest Unitary Authority, still operates a weekly residual waste collection alongside a doorstep recycling. Our overall satisfaction rate with refuse and doorstep recycling collections is 77% while theirs is only 2 points higher at 79%. But, as I said, our collection costs are £78.53 per ton whilst theirs is over 22% higher at £100.92.

By all the measures, we offer our residents a value for money service which has a high satisfaction level but our Waste Strategy is designed to improve on those results.”

(vi) From Cllr King:

“I am glad to see security changes have now been implemented at the Eco depot. Could the Executive Member tell me how much money has been wasted by putting the reception at the rear of the building and not providing proper security when the building was first built?”

The Executive Member replied:

“The plans approved in 1999 were not really fit for purpose by the time the Council was in a position to progress a new depot in 2003. The new Lib Dem Council was very creative in progressing the Eco depot but constructing the largest straw building in Europe with its many sustainable features had slightly higher build costs. The contract was design and build and as the project progressed it was felt that a stand alone gatehouse was not necessary at the time for a number of reasons.

- There were absolutely **no** security measures at the old site. Members of the public were able to walk around at will and there was open access at night.*
- The location was in the same area and therefore not subject to significant higher levels of burglary, theft, anti social behaviour etc.*
- The security office was to be situated overlooking the entrance gates.*
- CCTV was installed.*
- There were no Member objections either at the design stage or at Planning Committee.*
- There is no public access to the Eco depot site*
- The new sites would have gates that have always been closed at night and weekends.*

As with all new developments there are often changes to be made once operations are up and running. As already reported to Council the Road Haulage Association carried out a risk assessment and recommended some changes but the major catalyst for the security barriers was the high profile given to the sole incident of theft by a member of this Council.

The cost of purchasing the barriers themselves are the same as they would have been. Retrospective fitting would have cost a few thousand. There was never a plan to site reception at the gate but this is felt to be desirable now that the Eco depot has been in operation for some time.”

(vii) From Cllr Hyman:

“Can the Executive Member tell Council more about the waste minimisation work?”

The Executive Member replied:

“Waste minimisation work is a very important strand in our efforts to decrease the amount of waste we send to landfill. We are members of

the York and North Yorkshire Waste Partnership which allows us to take a county wide coordinated approach to waste campaigns.

Our Waste Minimisation Strategy is designed to limit waste growth to only the additional number of properties being built, i.e. 'zero' growth from existing households, and includes several targeted campaigns and supports the business and community sectors in reducing waste. By linking in with regional and national campaigns, as well as targeted specific local campaigns, the success of this strategy has far outweighed expectations, with York showing an overall fall in waste arising by over 4%. It is pleasing that this trend has continued into the current financial year with a further 5% reduction so far.

All campaigns include radio adverts and are backed up with press releases and information on our web site.

Real Nappy Week is a regular event and includes Nappochino mornings when parents can come along and see the alternatives that are on offer.

Compost Awareness Week was held in May along with an Autumn Tidy Up to promote reuse & composting. York Rotters play an integral part in promoting composting and have helped to divert 220 tonnes of rubbish from landfill. This year they have held 3 training events, attended 10 summer roadshows, attended talks and meetings, work in 6 schools and given about 3,000 tonnes of soil improver to residents at 5 giveaway events

18 schools have set up composting schemes and advice has been given to 18000 residents on home composting.

The Love Food Hate Waste campaign ran a competition linked to the recent Food Festival asking people for their favourite recipes using left over food. A 4 day stall at the Festival attracted more than 1,000 people with practical cooking demonstrations in Parliament St showing quick and easy ways to use food rather than throwing it away.

A competition in Primary schools encouraged children to design posters illustrating ways to reuse and recycle waste generated at home. Winning schools received a wormery composter, with the individual winner receiving a 'worm world' for observing worms at home.

The Choose2Resuse campaign encourages residents to buy and donate reusable items at charity shops and we support the Furniture Warehouse. A roadshow is planned for the city centre after Christmas for people to donate unwanted Christmas presents and items from the traditional post Christmas clear out.

Waste Strategy staff regularly attend a variety of events including ward committee meetings, roadshows, festivals etc. where help and information is freely available to residents."

(viii) From Cllr Sunderland:

"Can the Executive Member enlarge on the results of the Place Survey as they relate to Neighbourhood Services?"

The Executive Member replied:

"9 of the questions in the Place survey related to Neighbourhood Services and the results are very encouraging. 5 are in the top quartile of Unitary Authorities with 2 each in the 2nd and 3rd quartile.

67.4% of residents said that they were very or fairly satisfied with keeping public land clear of litter and refuse and 75% of people agreed that local public services are working to make the area cleaner and greener. These are not only top quartile but puts us at number 1 of all 55 Unitary Authorities. Other top quartile results are that 87.4% of residents are satisfied with their local area as a place to live with 91.9% of those over 65 agreeing. 31.7% agreed that they can influence decisions in their local area. Although that might seem a low percentage it still put us 7th out of 55 Unitary Authorities. Some other authorities must be very low.

74% of residents are satisfied with both recycling collections and household waste sites and 78.8% with waste collections. In all but one of the 9 measures we are above the Unitary Average.”

Only 12.7% of residents said that they have been involved in decisions that affect their area in the last 12 months. This is the one score that was perhaps slightly disappointing particularly given the number of people who are involved in Ward Committees and vote for schemes. We shall be investigating ways of encouraging participation and ensuring people realise that their views really can make a difference.”

(ix) From Cllr King:

“I welcome the refurbishment of the toilets at the crematorium, however, could the Executive Member inform council when we will see a report on security and recommendations on disabled people’s toilets for the city?”

The Executive Member replied:

“Officers have sourced an alarm system which when triggered would still show a flashing light outside the facility but also alert a service provider who when then implement an agreed call out procedure. The problem is identifying a service provider who could respond.

Officers are talking to partners to identify a provider who could ensure that the alarm is responded too.

An update on the Community Toilet scheme is due to come to my EMDS in the New Year and an update on this issue will be included.”

(x) From Cllr King:

“Whilst welcoming the intention to provide a better service to bereaved families, can the Executive Member square this objective with the recent unsympathetic removal of families’ personal mementoes from the Garden of Remembrance without any consultation whatsoever with the bereaved families concerned?”

The Executive Member replied:

“The placing of personal mementoes at cemeteries and in the grounds of crematoria around the country is a problematic and sensitive issue.

Mementoes that are meaningful to some are seen as inappropriate by others. All facilities, including York, receive complaints when the numbers of such mementoes around the grounds increase or are placed near to another loved ones memorial . Members will realise it is a difficult situation to manage.

At the crematorium we do explain to the bereaved that only authorised memorabilia is permitted in the grounds. We display a large sign which advises visitors of that fact, and asks them not place memorabilia on the lawns, flower beds and in trees. The sign also advises that we reserve the right to remove such items.

This is an action we do take from time to time. Prior to this action we advise all visitors we do see that this will take place. We do not however have the resources to track down each person responsible for the placing of the item and advise them personally of this action. We do what we can.

We do regret any distress caused to any one because of this action but it is a process we do need to repeat from time to time and is accepted most with good grace and understanding.”

48. ACTIVITIES OF OUTSIDE BODIES

Minutes of the following outside bodies had been made available for Members to view on the Council’s website:

- North Yorkshire Fire & Rescue – meeting on 24/06/09
- North Yorkshire Police Authority – meeting on 29/06/09
- Quality Bus Partnership – meeting on 04/06/09
- Regional Transport Forum – meeting on 16/06/09
- Safer York Partnership – meeting on 23/06/09
- Without Walls Partnership – meeting on 14/07/09
- Yorkshire & Humber Assembly – meeting on 16/01/09

No questions had been submitted to representatives on the above bodies.

49. APPOINTMENTS AND CHANGES TO MEMBERSHIP

(i) Appointments Committee for the Post of Head of Legal Services (Monitoring Officer)

Cllr Waller moved, and Cllr Runciman seconded, the recommendations contained in a report of the Director of Resources seeking approval to establish an Appointments Committee for the post of Head of Legal Services.

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

RESOLVED: That the recommendations contained in the report of the Director of Resources be approved and an Appointments Committee be established for the post of Head of Legal Services.¹

Action Required

1. Establish and convene the Appointments Committee

SA

(ii) Membership of Committees, Working Groups and Outside Bodies

RESOLVED: That the appointments to Committees, Outside Bodies and Working Groups set out on the list circulated around the Council Chamber be approved, subject to confirmation of the correct name of the body listed as the '*Local Government Yorkshire and Humber Regeneration & Housing Board*'.

Note: the full list of agreed appointments is attached as an annex to these minutes.

50. NOTICES OF MOTION

(i) York Central

It was moved by Cllr Waller and seconded by Cllr Steve Galloway that:

“Council notes:

1. The suspension of the development of York Central by Network Rail and the National Railway Museum (National Museums of Science and Industry) due to the current difficult economic climate.
2. The importance of the York Central site to the long term economic interests of the city and to the wider region.
3. The progress that has been made by the York Central Board.

Council calls for the York Central Board to remain in operation to aid with:

1. The promotion and development of the site
2. Maintaining work on the development potential of the site with partner
3. Examination of funding sources, and mechanisms, for infrastructure costs associated with the development of the site.”¹

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

RESOLVED: That the above notice of motion be approved.¹

(ii) 10:10 Campaign to Reduce Carbon Emissions (Cllr Potter)

A notice of motion had been submitted by Cllr Potter in the following terms:

“The UK has ambitious targets to reduce damaging greenhouse gases over the coming decades, most notably to reduce its own share by 80% by 2050 below 1990 levels.

Council believes every individual and every organisation, both large and small, has a responsibility to contribute to this reduction, as this is the only way both short and long-term targets will be achieved.

The current 10:10 campaign is targeting individuals, schools, hospitals businesses and every other type of organisation to get them to commit to reducing their carbon emissions by 10% by the end of 2010.

Council recognises the importance of collective action, and importantly of its own ability to show leadership by signing up to the campaign. In doing so, Council is signalling its serious intent to reduce its impact on the environment, whilst also benefiting the tax payer by saving money.”

Council therefore resolves to sign up to the 10:10 campaign immediately, and to task officers with setting out within three months the action required to ensure Council achieves this target.”

Cllr Potter now sought leave to alter the above motion, to read as follows:

“The UK has ambitious targets to reduce damaging greenhouse gases over the coming decades, most notably to reduce its own share by 80% by 2050 below 1990 levels.

Council believes every individual and every organisation, both large and small, has a responsibility to contribute to this reduction, as this is the only way both short and long-term targets will be achieved.

The current 10:10 campaign is targeting individuals, schools, hospitals businesses and every other type of organisation to get them to commit to reducing their carbon emissions by 10% by the end of 2010.

Council recognises the importance of collective action, and importantly of its own ability to show leadership by signing up to the campaign. In doing so, Council is signalling its serious intent to reduce its impact on the environment, whilst also benefiting the tax payer by saving money.”

Council therefore resolves to sign up to the 10:10 campaign immediately, and to **invite the Executive to** task officers with setting out within three months the action required to ensure Council achieves this target.”

Council having agreed to that alteration, Cllr Potter moved, and Cllr Vassie seconded, the motion as altered.

Cllr Healey then moved, and Cllr Horton seconded, an amendment to the above motion, as follows:

“In the third line of the last paragraph:

- insert the word ‘*costed*’ after the word ‘*the*’
- delete the word ‘*action*’ and substitute ‘*actions*’.”

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

The motion, as amended, now read as follows:

“The UK has ambitious targets to reduce damaging greenhouse gases over the coming decades, most notably to reduce its own share by 80% by 2050 below 1990 levels.

Council believes every individual and every organisation, both large and small, has a responsibility to contribute to this reduction, as this is the only way both short and long-term targets will be achieved.

The current 10:10 campaign is targeting individuals, schools, hospitals businesses and every other type of organisation to get them to commit to reducing their carbon emissions by 10% by the end of 2010.

Council recognises the importance of collective action, and importantly of its own ability to show leadership by signing up to the campaign. In doing so, Council is signalling its serious intent to reduce its impact on the environment, whilst also benefiting the tax payer by saving money.”

Council therefore resolves to sign up to the 10:10 campaign immediately, and to invite the Executive to task officers with setting out within three months the costed actions required to ensure Council achieves this target.”

Cllr Reid then moved, and Cllr Holvey seconded, a further amendment, as follows:

“After the first paragraph insert:

‘Council looks forward to the government implementing a series of annual targets and projects to meet the long term targets, in the way that the council has done for the 25% reduction in CO2 by 2013.’

At the beginning of the second paragraph insert the words:

‘In the mean time’

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

The motion, as amended, now read as follows:

“The UK has ambitious targets to reduce damaging greenhouse gases over the coming decades, most notably to reduce its own share by 80% by 2050 below 1990 levels.

Council looks forward to the government implementing a series of annual targets and projects to meet the long term targets, in the way that the council has done for the 25% reduction in CO2 by 2013.

In the mean time Council believes every individual and every organisation, both large and small, has a responsibility to contribute to this reduction, as this is the only way both short and long-term targets will be achieved.

The current 10:10 campaign is targeting individuals, schools, hospitals businesses and every other type of organisation to get them to commit to reducing their carbon emissions by 10% by the end of 2010.

Council recognises the importance of collective action, and importantly of its own ability to show leadership by signing up to the campaign. In doing so, Council is signalling its serious intent to reduce its impact on the environment, whilst also benefiting the tax payer by saving money.

Council therefore resolves to sign up to the 10:10 campaign immediately, and to invite the Executive to task officers with setting out within three months the costed actions required to ensure Council achieves this target.”²

The motion, as amended, was then put to the vote and declared CARRIED and it was

RESOLVED: That the above notice of motion be approved.²

(iii) Yorkshire Water Discount

It was moved by Cllr Scott and seconded by Cllr Crisp that:

“Council calls upon the Chief Executive of the City of York Council to write in support of the campaign to ensure that York residents retain their 15% discount from Yorkshire Water as agreed at the time of the merger.”³

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

RESOLVED: That the above notice of motion be approved.³

(iv) 10:10 Campaign to Reduce Carbon Emissions (Cllr Reid)

The Lord Mayor ruled out of order the Notice of Motion submitted by Cllr Reid in respect of the 10:10 Campaign to reduce carbon emissions, on the grounds that, if put to Council, it would be substantially repetitious of the motion moved by Cllr Potter, which had already been approved.

Action Required

- | | |
|---|----|
| 1. Chief Executive to write to Network Rail and the NRM in these terms | DB |
| 2. Ensure that the Council is signed up to the 10:10 campaign and schedule a report on the Executive Forward Plan | SS |
| 3. Chief Executive to write to Yorkshire Water in these terms | DB |

51. QUESTIONS TO THE EXECUTIVE LEADER AND EXECUTIVE MEMBERS RECEIVED UNDER STANDING ORDER 11.3(A)

Five questions had been submitted to Executive Members under Standing Order 11.3(a). The questions were put and answered as follows:

- (i) To the Executive Member for Resources, from Cllr Scott:
“Does the Executive Member for Resources believe in openness and transparency in local democracy and in the operation of the Council?”

Reply

“Yes.”

- (ii) To the Executive Member for Children & Young People’s Services, from Cllr Douglas

“Can the Executive Member provide details of how many Physical Education (PE) sessions have been cancelled at each primary and at each secondary school operating under the Local Education Authority (LEA), due to the timetabling of extra activities such as concerts, plays and visits, during the last academic year, both as a total and as a percentage of all timetabled PE sessions?”

Reply

“The information that the Shadow Member requests is not currently collected and reported. To do so would be a highly time consuming and intensive task - I would be extremely reluctant to ask for this to be done, given the additional demands it would make on the time of school leaders, along with the distraction that it would cause from core activities.

The evidence suggests that physical activity within our schools is well promoted - our Children and Young Peoples Plan describes progress on the Healthy Schools agenda, which has been nationally recognised. We have made steady improvements to indoor and outdoor sports facilities in schools and the proportion of students who get an average of 2 hours per week quality PE and schools sports is now over 90%.

This Liberal Democrat administration has a firmly stated ambition to continue to work with schools and governing bodies to ensure that arts and sports play a key role in the opportunities provided for enjoying and achieving in our schools. We intend to keep this a priority.

- (iii) To the Executive Member for Children & Young People’s Services, from Cllr Waudby

“Can the Executive Member tell Council more about The Fostering Network annual conference which she attended in York earlier this month?”

Reply

“I was delighted to be asked to speak at the National Fostering Network Conference in York recently and to give a councillor’s perspective. It has been clear to me for many years that all children need a family in which to grow up and – if their own family is not available, a foster family gives the best alternative.

As in every other authority, the numbers of children coming into our care have increased significantly in the last few years, especially following the publicity after the baby P case. This brings increased pressure on the children's social care budget.

To cope with this demand we have steadily increased the number of foster carers that we have – there are now 95 - and a greater proportion than ever of the children we look after are able to access foster care. In 2006/7 it was 70.92% - it is now 85.78%.

This Liberal Democrat Administration is firmly committed to keeping children who come into our care in the city wherever possible so that they can keep in touch with their friends and family and have some continuity in their lives. We will continue to recruit foster carers.

I am indebted to all foster carers who dedicate their lives and – very often – those of their own children, for their commitment to the young people of the city, demonstrated all year round.”

- (iv) To the Executive Member for Children & Young People's Services, from Cllr Jamieson-Ball

“Can the Executive Member tell Council what steps are being taken to tackle youth unemployment in the city?”

Reply

“A recent meeting held in LCCS brought together representatives of the local authority, the Economic Development Unit, Learning City York, the National Apprenticeships Service and those involved in the 14 to 19 strategy, recognising that problems at 14 to 19 can lead to later unemployment.

The meeting focused particularly on apprenticeships and promoting take up in York and the local area by raising the awareness of employers in York of the advantages this brings. The role of the Diplomas in linking to apprenticeships was also discussed and the importance of giving early information, advice and guidance to young people.

The 18 to 24 age group is more vulnerable to the recession as they may have few qualifications and little experience. Although the situation in York is no worse than other parts of the country, plans are being made to increase opportunities to build skills for jobs and prepare for employment.

At a recent post 16 event, held at York Racecourse, 1500 young people and their parents came to seek advice about opportunities for training and education as well as apprenticeships and jobs. It is hoped that this will become an annual event.

The group will meet regularly to review progress in this area.”

- (v) To the Executive Member for Children & Young People's Services, from Cllr Aspden

“Can the Executive Member give Council details of the recent GCSE results achieved by pupils in the city?”

Reply

“This year’s GCSE results were the best ever and I must pay tribute to the hard work of everyone in the schools, staff and students alike, and the work of the central team who support them. These results are also significantly above the England average and reflect well on the education provided in York’s schools, which is recognised by Ofsted as amongst the country’s best.

%5+A-C grades*

The percentage of pupils achieving 5 or more A to C grades has increased significantly compared to 2008. The 2009 City of York figure is 73.4% compared to 68.5% in 2008. The England average last year was 65.3% (the last year for which figures were available).*

%5+A- C grades including English and Maths*

The percentage of pupils achieving 5 or more A to C grades including English and Maths has also increased significantly to 59.5% from 53.8% in 2008. The England average last year was 47.6% (this is the last year for which figures are available).”*

52. URGENT BUSINESS - APPOINTMENTS COMMITTEE FOR THE POST OF ASSISTANT DIRECTOR OF CITY DEVELOPMENT AND TRANSPORT

The Lord Mayor had agreed to receive under urgent business a report of the Director of City Strategy, seeking approval to establish an Appointments Committee for the post of Assistant Director of City Development and Transport, on the basis that the appointment should be made as quickly as possible given that the post holder would play an essential role in developing York’s first Spatial Plan.

Cllr Steve Galloway then moved, and Cllr Runciman seconded, the recommendations contained in the report at paragraph 11. On being put to the vote the recommendations were declared CARRIED and it was

RESOLVED: That the recommendations contained in the report of the Director of City Strategy be approved and an Appointments Committee be established for the post of Assistant Director of City Development and Transport. ¹

Action Required

1. Establish and convene the Appointments Committee SA

J Galvin

LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 9.57 pm]

Membership of Committees, Working Groups and Outside Bodies

Committees/Working Groups

Effective Organisation Overview and Scrutiny Committee

To appoint Councillor Boyce in place of Councillor Merrett

Gambling and Licensing Acts Committee

To appoint Councillor Boyce in place of Councillor Douglas

Health Overview and Scrutiny Committee

To appoint Councillor Boyce as 2nd substitute in place of Councillor King

Community Safety Overview and Scrutiny Committee

To appoint Cllr Sue Galloway in place of Cllr Sunderland

To appoint Councillor Boyce as 2nd Labour substitute in place of Councillor Looker

Appointments Committee for the post of Head of Legal Services

To make the following appointments to the above committee, subject to Council approving its establishment under agenda item 13(a):

Lib Dem	(2)	Cllr Waller Cllr Runciman
Labour	(2)	Cllr Gunnell Cllr Pierce
Conservative	(1)	Cllr Gillies

Appointments Committee for the post of Assistant Director of City Development & Transport

To make the following appointments to the above committee, subject to Council approving its establishment under agenda item 16:

Lib Dem	(2)	Cllr Steve Galloway Cllr Reid
Labour	(2)	Cllr Potter Cllr Merrett
Conservative	(1)	Cllr Gillies

Outside Bodies / Partnerships

Bell Farm Social Hall Management Committee

To appoint Councillor Boyce as a Council representative on the Committee in place of Councillor Potter

Foss Internal Drainage Board

To accept the resignations of Mr J Jones and Mr Atlay from the Board.
To appoint Mr Chris Chambers, of Strensall Parish Council, to the Board.

Kyle and Upper Ouse Internal Drainage Board

To re-appoint Mr Keith Hayton, of Skelton Parish Council, to the Board.

Local Government Yorkshire and Humber Regeneration & Housing Board

To appoint Cllr Sue Galloway as the Council's substitute representative

Local Government Yorkshire and Humber Spatial Planning Board

To appoint Cllr Richard Watson as the Council's substitute representative

Local Government Yorkshire and Humber - Executive Board

To note that, due to a change in structure, this Board no longer exists.

York NHS Foundation Trust - Members Council

To re-appoint Cllr Wiseman, pending the approval of a reduction in the number of CYC representatives on the Members' Council from 3 to 2.

York Wheels

To appoint Councillor Boyce as the Council's representative in place of Councillor Potter.

York & North Yorkshire Waste Management Partnership

To appoint Cllr Reid, in place of Cllr Steve Galloway.