

## CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 8th December, 2011, starting at 6.30 pm

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

### ACOMB WARD

Simpson-Laing

### BISHOPTHORPE WARD

Galvin

### 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

Ayre

**HOLGATE WARD**

Alexander  
Crisp  
Riches

**HULL ROAD WARD**

Barnes

**HUNTINGTON & NEW  
EARSWICK WARD**

Hyman  
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

**STRENSALL WARD**

Doughty  
Wiseman

**WESTFIELD WARD**

Jeffries  
Burton  
Williams

**WHELDRAKE WARD**

Barton

Apologies for absence were received from Councillors Fitzpatrick and Watt

#### 43. 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.

The following **prejudicial** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Burton	7. Recommendations of the Staffing Matters & Urgency Committee, in respect of the Community Covenant	Employed by the Ministry of Defence.
Cuthbertson	7. Recommendations of the Staffing Matters & Urgency Committee, in respect of the Community Covenant	Member of Board of Directors of North Yorkshire Credit Union, a possible beneficiary.
Healey	12(i) – Notice of Motion re Feed in Tariff for solar panel electricity generation.	Business interest.
Hodgson	7. Recommendations of the Staffing Matters & Urgency Committee (Community Covenant)	Employed by the Ministry of Defence
Looker	7. Recommendations of the Staffing Matters & Urgency Committee (Community Covenant)	Chair of Board of Directors of North Yorkshire Credit Union
Merrett	6. Cabinet Recommendations, relating Cabinet, 6 December 2011 (Community Stadium Project)	As his daughter was a member of the junior gym.
Semlyen	12(i) – Notice of Motion re Feed in Tariff for solar panel electricity generation.	In receipt of feed-in tariff payments from solar panels and occasional income from recommending

		solar panels
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*Note: The above members left the room during the debate / vote on the relevant items and took no part in the decisions thereon.*

The following **personal** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Alexander	9. Report of Cabinet Member and 13 – Questions to the Cabinet Leader and Cabinet Members relating to terms and conditions and Union members	Member of GMB Union
Boyce	12B (i) – Notices of Motion	As trustee of a charity hoping to benefit from the Feed in Tariff
Crisp	9. Report of Cabinet Member and 13 – Questions to the Cabinet Leader and Cabinet Members relating to terms and conditions and Union members	Retired Member of Union
D'Agorne	12B (i) – Notices of Motion  6. Cabinet Recommendations of 6 December 2011, relating to the Community Stadium Project	As he was in receipt of the solar panel tariff. Taken an interest in proposals and attended the public exhibition and campaign.
Doughty	6. Cabinet Recommendations, relating Cabinet, 6 December 2011 (Community Stadium Project)	Season ticket holder York City Football Club

Fraser	9. Report of Cabinet Member and 13. Questions to the Cabinet Leader and Cabinet Members relating to terms and conditions and Union members	Member of retired section of Unison and Unite (ACTS/TGWU Sections)
Funnell	7. Recommendations of the Staffing Matters & Urgency Committee, in respect of the Community Covenant	Member of York Credit Union
Hodgson	6. Report of Cabinet Leader and Cabinet Recommendations	Member of Unison.
<i>Levene</i>	<i>9. Report of Cabinet Member and 13 – Questions to the Cabinet Leader and Cabinet Members</i>	<i>Member of Unite</i>
Merrett	12B (i) – Notices of Motion	As he was investigating the installation of solar panels in his own property.
Potter	9. Report of Cabinet Member and 13 – Questions to the Cabinet Leader and Cabinet Members relating to terms and conditions and Union members	Member of Unison
Reid	12B (i) – Notices of Motion	In receipt of Feed in Tariff.
Simpson-Laing	6. Cabinet Recommendations, relating Cabinet, 6 December 2011 (Community Stadium Project) 7. Recommendations	Daughter a member of York Athletics Club. Member of Planning Committee  Member of Unison

	of the Staffing Matters & Urgency Committee 12. Notices of Motion (iv)	In receipt of Child Tax Credit
Taylor	6. Report of Cabinet Leader, relating to free city centre wi-fi	As his employee City Screen provided free wi-fi
Warters	6. Cabinet Recommendations, relating Cabinet, 6 December 2011 (Community Stadium Project)	As he undertook work for Mr J Guildford but had no other connection with York City Knights or the stadium.
Watson	6. Cabinet Recommendations, relating Cabinet, 6 December 2011 (Community Stadium Project)	As a sponsor of players York City Knights
Williams	9. Report of Cabinet Member and 13 – Questions to the Cabinet Leader and Cabinet Members relating to terms and conditions and Union members	Member of Unison and Unite

*[As amended at the Council Meeting on 29 March 2012]*

**44. MINUTES**

- RESOLVED:
- i) That the minutes of the two Special meetings of Council held on 6 October 2011 be approved and signed by the Chair as correct records.
  - ii) That the minutes of the Ordinary Council meeting held on 6 October 2011 be approved and signed by the Chair as a correct record subject to:
    - The addition in Minute 30 (Declarations of Interest) of the declaration of a personal and prejudicial interest by Cllr Barnes in

Agenda item 6 – Notices of Motion (i) Health and Social Care Bill as an employee of a healthcare organisation. *Cllr Barnes left the room during the debate/vote on this item and took no part in the decisions thereon.*

- The amendment of Cllr Barnes personal interest also in Minute 30 to state 'Member of Unite' rather than 'Unison'.

#### **45. CIVIC ANNOUNCEMENTS AND LORD MAYOR ELECT**

The Lord Mayor asked members to join him in wishing Councillor Taylor their deepest condolences at this sad time following the recent death of his partner.

Councillor Taylor expressed his sincere thanks to the many members and officers who had contacted him and for the many kind messages of condolence which had been much appreciated.

The Lord Mayor reported receipt of the civic gift of a picture of the 214<sup>th</sup> Squadron of 2 Signal Regiment.

The Lord Mayor then invited Cllr Runciman to nominate the Lord Mayor Elect for the Municipal Year 2012/13. Cllr Runciman nominated, and Cllr Alexander seconded Cllr Keith Hyman as the Lord Mayor Elect and this nomination was unanimously agreed. Cllr Hyman replied that he would be honoured to accept this office and nominated Cllr Paul Firth as Sheriff for the 2012/13 Municipal Year.

#### **46. PUBLIC PARTICIPATION**

The Lord Mayor announced that one member of the public had registered to speak at the meeting.

Reverend Tony Hand, Lord Mayor's chaplain, Vicar of the Church of the Holy Redeemer, Boroughbridge Road and a resident of Boroughbridge Road, spoke about progress being made with regard to the planning arrangements, in particular public consultation for the proposed development of the British Sugar and old Manor School sites. He informed members that he had followed, with interest, the potential for development of these sites. He stressed the importance of public consultation, in order that residents could view plans and have the opportunity to comment

on proposals. He asked that he be kept informed with regard to when public consultation would take place so he could make sure residents were aware through ward Committee meetings and a leafleting campaign.

#### 47. **PETITIONS**

The Lord Mayor reported that there were no petitions to be presented by Members at the meeting.

#### 48. **REPORT OF CABINET LEADER AND CABINET RECOMMENDATIONS**

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

##### **A Questions**

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

- (i) From Cllr Aspden  
“Does the Cabinet Leader’s vision of a “leaner Council” include a reduction in the number of Cabinet Members?”

***The Leader replied:***

*“It doesn’t at the moment as the manifesto we were elected on six months ago committed us to create a high level post to take responsibility for crime and community safety. This is following a model put forward by many other councils, including Hammersmith and Fulham. The cost of an assistant director to deliver this manifesto pledge would be circa £55k. The cost of a cabinet member is under £15k. Therefore we have delivered on our manifesto pledge at the cheapest cost possible.*

*I have the power to appoint up to 9 Cabinet Members, and we are below that number. We are also below the ten Tory Oxfordshire has and equal to the eight Lib Dem Three Rivers council has.*

*Members may also be interested to know that I have asked for information on the feasibility of reducing the number of*



*councillors just as the Government is reducing the number of MPs.*

(ii) From Cllr Reid

“Can the Cabinet Leader explain how he thinks the homelessness figures for 2010/11 were affected by changes to Housing Benefits which did not come into force until the 2011/12 financial year?”

***The Leader replied:***

*“I apologise if this was not explained clearly enough but the homeless figure has been affected by the compound nature of a number of changes in housing legislation since the general election in conjunction with the downturn in the economy.”*

(iii) From Cllr Steward

“The Council Leader criticises changes to housing benefit. Does he believe there should be no changes to housing benefit and/or does he believe all current charges for York council houses are fair?”

***The Leader replied:***

*“Changes to housing benefit are necessary but York should be a special case because York has the highest private rent levels in Yorkshire. York has rents at similar to levels in the South East and so capping housing benefit along regional lines will penalise residents in York over residents in other cities across Yorkshire. Labour is sticking up for residents in York whereas the Conservatives locally prioritise their party and Government over local people. We are currently discussing council housing rent levels but I am concerned about Conservatives and Liberal Democrats in Government who want York to increase rents to 80% of the market value. This will see many poorer families no longer able to afford to live in York. This will affect the private sector who sometimes rely on a low wage work force. This will affect economic growth.”*

(iv) From Cllr Steward

“The Council Leader declares that free Wi-Fi supports his pledge to ‘support business’, can he advise how many of the users are local businesses?”

**The Leader replied:**

*“The login system for the city centre wi-fi does not distinguish between individual users and businesses. However individual users also spend in city centre businesses. One retail manager along Coney Street said:*

*“Expanding the wi-fi coverage within York like the free wi-fi initiative, is really good news for our customers who are increasingly buying wi-fi enabled products from us.”*

*It may also be interesting to note that today Selby Chamber of Commerce and local businesses have followed our lead and set up a free wi-fi scheme in Conservative Selby. I think this is evidence of the importance businesses give to such schemes.”*

In response to a supplementary question, the Cabinet Leader advised Members that the free wi-fi scheme in Selby was a private initiative and without private funding it would not have been possible as the Council did not wish to provide funding for the scheme.

(v) From Cllr Runciman

“Does the Cabinet Leader support the Fairness Commission’s proposal of a ‘Tourist Tax’?”

**The Leader replied:**

*“I think this should be looked at as a possibility and I have discussed it with Visit York in the past. Its view would be instrumental before any such decision is made. Initial discussions appeared on the surface to be positive. However, it is a good thing that Conservatives and Liberal Democrats in Government are willing to give Labour councils such as York the option.”*

(vi) From Cllr Hyman

“Given the financial strain on York residents, does the Cabinet Leader believe it would be reasonable to impose a Council Tax rise of between 3.5% and 6% as proposed by the Fairness Commission?”

**The Leader replied:**

*“A balance needs to be achieved between ensuring the viability of essential services for vulnerable people and the cost residents can afford. I personally believe that a 6% rise*

would be too high. However it may be interesting to note that in 2006/07 you voted along with the rest of Liberal Democrats for a rise of almost 6% and this was when the organisation was in a much better financial situation than what the council has been left in when your administration left office in May.

In any event, the Government has imposed a cap of 3.5% on council tax increases, so any proposed increase could not exceed this amount without a referendum, which would add extra cost to the authority.

(vii) From Cllr Orrell

“As the Fairness Commission have proposed completely cutting Ward Committee budgets, can the Cabinet Leader say whether he is committed to the future of Ward Committees?”

**The Leader replied:**

*“I can say I am committed to resident engagement but I am open to what form this will take.”*

The time limit having expired for this item, written answers were circulated after the meeting to the remaining questions as follows:

(viii) From Cllr Steward

“The Council Leader proposes a VAT cut although there is concern about the implications this will have for our country’s interest rates. Can the Leader reassure councillors that he understands this area by detailing his experience in international bond markets and dealing with credit rating agencies?”

**Reply:**

*“I have no experience in international bond markets. I believe you are the only York councillor who has. Does this mean you are the only person qualified amongst York councillors to discuss matters on the economy? If so why has David Cameron not given you a peerage and elevated you to Chancellor? Is it because you have gone unnoticed? Or is it because David Cameron believes this is not relevant to managing the local economy. I was at University with Chloe Smith MP and she is now at the age of 29 Economic Secretary to the Treasury. She is the same age as me and she studied English where as I studied Economic History.*

*She went on to become a management consultant before becoming an MP and now a minister. She has no experience of international bond markets. Would you like me to write to David Cameron outlining your concern for people like Chloe Smith speaking on the economy without international bond market experience?"*

(ix) From Cllr Runciman

"Can the leader confirm he believes residents who have a political affiliation do not have a right to request impartial information from the council regarding the business it conducts on their behalf?"

**Reply:**

*"If the information is purely for political point scoring and costs the council taxpayer significantly, yes. To save money to the council taxpayer I am going to look at using the freedom of information legislation and consider levying a reasonable charge for freedom of information claims."*

(x) From Cllr Ayre

"Given the Cabinet Leader seems to feel candidates who are not successful in elections have no right to hold authorities to account, can he reassure Council that he has not had any interaction with the national Government that could be described as 'party political point scoring' since his failed attempt to be elected in York Outer in 2010?"

**Reply:**

*"No, because unlike other councillors from this chamber who stood in the general election I am still here and I am the Leader of this Council. It is a part of my job to interact with the Government. Furthermore Government Ministers have asked to speak with me, including Liberal Democrat Transport Minister, Norman Baker."*

(xi) From Cllr Cuthbertson

"Given that answers to questions put at Full Council are dealt with by officers and published online in a similar manner to FOI requests and so should cost the same, is it not the case that he only encourages questions to be asked at Full Council so he can censor the answers?"

**Reply**

*“Officers may have dealt with the Leader’s answers under the previous Liberal Democrat administration but officers do not answer my questions for me. This is now a member led authority and not an officer one.*

*The answer to your question is no. I ask so that the computer servers do not have to be rebooted, thousands of e-mails checked by hand and then legal officers come into to redact content. This is more expensive to the council taxpayer than asking this public question for which it only takes my time to answer.”*

(xii) From Cllr Orrell

*“Does the Cabinet Leader believe the Freedom of Information request he put in to North Yorkshire Police earlier this year about the cost of helping with policing the riots was a waste of Police money for information he could have received through other channels?”*

**Reply:**

*“No. The reason why is because I was asking for one specific piece of information and the police kindly e-mailed me the report with the one piece of information I asked for included. The cost of this will no doubt be the labour of one person forwarding me the correct document. This is very different from freedom of information requests asking for all correspondence and e-mails on Union Terrace, on all cabinet travel costs, which may be paid from different directorates or all correspondence regarding Reinvigorate York. Such requests by the Liberal Democrats in York since the election are far more extensive, labour intensive and costly. The real cost of these claims has been approaching £1k and this is more than the amounts of expenditure the Liberal Democrats then complain about. I would suggest that the information they seek can be asked for through different channels including questions such as this at Full Council. Asking for all e-mails for political point scoring is unjustified to the council taxpayer at a time of financial restraint.”*

(xiii) From Cllr Ayre

*“Given the leaders commitment to transparency and an open council does he feel it is acceptable that his cabinet colleague has so far failed to respond to a request from 15<sup>th</sup> November to substantiate or retract allegations she made*

publicly about a fellow councillor and given his letter to the Press of 15<sup>th</sup> October will he be reporting the matter to the standards board?"

**Reply:**

*"I know Councillor Ayre is still smarting since the election but he really should get over it. I advised the Councillor in question to not respond to your questioning as it was as erroneous as this question."*

(xiv) From Cllr Steward

"The Council Leader welcomes the electrification of the transpennine line. Will he be writing to the Secretary of State in praise of this decision?"

**Reply:**

*"I have already expressed publicly my support for this decision that has followed lobbying from a number of councils across the transpennine route. I see no reason for such a sycophantic letter. I suggest he writes on behalf of the other members of the George Osborne fan club, including Councillor Joe Watt if he is still a member of the group today."*

(xv) From Cllr Reid

"Does the £10k cost of free parking on Boxing Day take into account staff savings, or is it just an indication of lost income?"

**Reply:**

*"This cost is loss of income only. The savings therefore on staff will be minimal as few staff are employed on Boxing Day primarily collecting cash from the machines so they do not get full."*

(xvi) From Cllr Steward

"The council leader incorrectly states that the Conservative proposal for free January parking is uncoded. Given his correct view that all savings should be coded what does he think of his party's national refusal to detail the over £100 billion of savings they say they would have made?"

**Reply:**

*"The Conservative proposals for free parking in January were uncoded by the local Conservatives. A release of the*

*policy idea was made without any costs attached or any means of paying for it. This is a sloppy way of making policy. I have costed the scheme and it would cost £40k. If the Conservatives are serious about their proposal they need to explain what they would cut to fund it. This is how you gain credibility in the decision making process. The second part of this question is not relevant to my report.”*

## **B Cabinet Recommendations**

### Capital Programme – Monitor 2

Cllr Alexander moved, and Cllr Simpson-Laing seconded the following recommendation contained in Minute 64 of the Cabinet meeting held on 1 November 2011.

*“[That Council] approve the following net adjustments to the capital programme, as detailed in the report and Annex A:*

- An increase of £0.587K in 2011/12*
- An increase, as a result of re-profiling, of £1.121m in 2012/13”*

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

RESOLVED: That the above recommendation in respect of the Capital Programme – Monitor 2 be approved. <sup>1</sup>

### Treasury Management Monitor 2 Mid Year Review and Prudential Indicators 2011/12

Cllr Alexander then moved, and Cllr Simpson-Laing seconded the following recommendation contained in Minute 65 of the Cabinet meeting held on 1 November 2011.

*“[That Council]*

- approve the changes to the Prudential Indicators in the light of the HRA reform; specifically, the Authorised Borrowing Limit at £347m.*
- note that the HRA reform is to be approved by the Government White Paper in November 2011, and that the*

*payment of £112m is to be made to the CLG on 28 March 2012.*

- *note the expected impact on the capital and treasury activities of the HRA reform.”*

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

RESOLVED: That the above recommendation in respect of the Treasury Management Monitor 2 Mid Year Review and Prudential Indicators 2011/12 be approved. <sup>2</sup>

### Affordable Housing Targets

Cllr Alexander then moved, and Cllr Simpson-Laing seconded the following recommendation contained in Minute 81 of the Cabinet meeting held on 6 December 2011, and set out in the additional papers circulated around the chamber.

*“[That Council] approve Option 1 as recommended by the Local Development Framework Working Group to reduce the affordable housing target on rural sites to the targets identified in Table 2, page 51, of the officers’ report.”*

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

RESOLVED: That the above recommendation in respect of affordable housing targets be approved. <sup>3</sup>

### Community Stadium Update

Cllr Alexander then moved, and Cllr Simpson-Laing seconded, the following recommendation contained in Minute 82 of the Cabinet meeting held on 6 December 2011 and set out in the additional papers circulated around the chamber. At the request of the Council Leader, Members had also been provided with a breakdown of the expenditure for the community stadium project.

*“[That Council] approve the allocation of £200k of the £4M allocated in the Council’s capital programme for the Community Stadium being released for the purpose of developing the business case to the next key stage.”*



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

RESOLVED: That the above recommendation in respect of the Community Stadium be approved. <sup>4</sup>

#### Gym Expansion at Energise

Cllr Alexander then moved, and Cllr Simpson-Laing seconded, the following recommendation contained in Minute 83 of the Cabinet meeting held on 6 December 2011, and set out in the additional papers circulated around the chamber.

*“[That Council] approve the addition to the Capital Programme in 2011/12 of £540k in order to expand the gym at Energise.”*

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

RESOLVED: That the above recommendation in respect of the gym expansion at Energise be approved. <sup>5</sup>

#### Action Required

- |                                                             |        |
|-------------------------------------------------------------|--------|
| 1. Make the necessary adjustments to the capital programme. | RB     |
| 2. Take any action necessary in respect of the HRA reform.  | RB     |
| 3. Implement new targets.                                   | MG     |
| 4. Release funds and proceed with the business case.        | AL, PL |
| 5. Amend capital programme accordingly.                     | TA, CC |

#### **49. RECOMMENDATIONS OF THE STAFFING MATTERS & URGENCY COMMITTEE**

Cllr Alexander moved, and Cllr Gillies seconded the following recommendations contained in Minute 68 of the Staffing Matters and Urgency Committee meeting held on 7 November 2011.

*“[That Council] be asked to endorse the views of the Staffing Matters and Urgency Committee, in supporting a community covenant, and pledge its support to establish a Community Covenant.”*

*Authorise the Chief Executive to hold discussions with representatives of our local armed forces to progress establishing a covenant.”*

Cllrs Alexander, Runciman, D’Agorne and Warters all spoke in support of the covenant to support relationships between the people of York and local armed forces.

On behalf of the Armed Forces Community, Brigadier Bibby, Commander of 15 (North East) Brigade and York Garrison confirmed their proud involvement with this initiative. He confirmed that York had always been a service-friendly city, with the local community supporting their local personnel, both past and present, and their families.

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

RESOLVED: That the above recommendation in respect of the Community Covenant be approved. <sup>1</sup>

*[At this point in the meeting, all Group Leaders and the Chief Executive together with representatives of the Armed Forces and the CVS signed the Covenant, for future display at the Mansion House.]*

Action Required

1. Undertake discussions to progress establishment.

CC, LH

**50. SCRUTINY - REPORT OF THE CHAIR OF THE SCRUTINY MANAGEMENT COMMITTEE**

Council received a report from Councillor Galvin, Chair of the Scrutiny Management Committee, on the work of the committee.

**51. REPORT OF CABINET MEMBER**

Council received a written report from Cllr Gunnell, Cabinet Member for Corporate Services.

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

- (i) From Cllr Healey  
“Could the Cabinet Member expand on the four major cost pressures facing the Council as outlined in the 2012-14 Budget Update presented at Tuesday’s Cabinet Meeting?”

***The Cabinet Member replied:***

*The report that I presented clearly set out what the pressures for this Local Authority are. However, I will provide more detail on the four areas mentioned:*

- *The coalition Government has cut the Formula Grant settlement by £5m*
- *Pay and Pension costs: It covers the potential impact of a pay award and the impact of the pension revaluation.*
- *PFI – This has been reported to Members previously, so should be fully aware of the need for the council to increase its budget by £750k per annum*
- *There is a rise in numbers of clients in Adult Social Care and a rise in numbers of Looked after children*

In response to a supplementary question regarding feedback from the recent North Yorkshire meeting on pay and pensions, the Cabinet Member confirmed that all local authority employees would be updated as negotiations proceeded.

- (ii) From Cllr Steward  
“The Cabinet Member refers to the need to save £21 million this year. Is this a saving she views as consultants helping or hindering with and can she say what has been spent on consultants in the current and preceding two years?”

***The Cabinet Member replied:***

*We are committed and quite clear on the fact that we will reduce the number of consultants and the amount spent on consultants. However, there will always be occasions where the assistance of a consultant is needed to provide specialist expertise when it is cost effective.*

*Spend:*

- *2009/10      £1,304,703*
- *2010/11      £1,152,256*
- *2011/12      £ 348,688*

In response to a supplementary question the Cabinet Member confirmed that there would always be a need to employ consultants in relation to specialist work, for example in respect of West Offices.

(iii) From Cllr Barton

“Can the Cabinet Member outline for Council what she learned from the Keynote Speakers at the Chartered Institute of Public Finance and Accountancy Conference that will influence in the “robust mitigation strategies” she refers to?

***The Cabinet Member replied:***

*The annual CIPFA conference which I attended on the recommendation of Senior Officers and endorsed by the cross-party Member Development Steering Group, under the Lib Dem administration, was very worthwhile. The conference took place against a backdrop of profound financial uncertainty and change for the public sector. Following the Spending Review the conference acknowledged and encompassed the challenges to the public sector to reshape organisations and services to cope with the new financial circumstances.*

*As you will be fully aware CIPFA is one of the leading professional accountancy bodies in the UK and the only one which specialises in Public Services.*

*Having listened to several keynote speakers what I brought away was an insight and confirmation of the severity that the future brings with huge funding cuts from the Conservative-Lib Dem Government. Meeting these cuts by simply cutting services is not acceptable. The local authority needs to lower its overall costs and increase productivity. It needs to be prepared to reshape its services and most definitely challenge out-of-date and old fashioned behaviours but always addressing the needs of local people. And that is exactly what I mean by robust mitigation strategies. This administration is working quite clearly to this agenda and the Officers and all staff are working extremely hard to deliver.*

(iv) From Cllr Ayre

“Does the Cabinet Member agree that the new media protocol allowing Cabinet Members to feature in press

releases has been a distraction from ensuring key information is given to residents?”

***The Cabinet Member replied:***

*No*

In response to a supplementary question regarding a press release in relation to bin collections, the Cabinet Member confirmed that residents had been given notice of changes to bin collections for the coming year.

The time limit having expired for this item, written answers were circulated after the meeting to the remaining questions as follows:

(v) From Cllr Firth

“As the new media protocol is supposed to ensure Cabinet Members are more accountable to residents, can the Cabinet Member provide Council with some examples of when Cabinet Members have been quoted commenting on bad news, rather than just commenting on positive announcements?”

***Reply***

*Yes – we have commented publically and on several occasions on the reality of the severe and devastating £20+ million pounds worth of cuts to this Local Authority. Plus we have commented on the changes to welfare changes which you as a Lib Dem Councillor endorse by the way of supporting the Coalition Government.*

*Unlike his party’s administration we will defend our decisions.*

(vi) From Cllr Ayre

“The Cabinet Member’s report states that the Communications Team has “standardised the font size on external communication.” Can she confirm if all external correspondence from all departments now follows the council’s policy of 14 point font and if not what percentage is not in compliance?”

***Reply***

*All new external communications are in size 14 font. As supplies of existing forms and publications are exhausted, new versions will be provided in size 14 font.*

(vii) From Cllr Steward

“Many will question the lack of substance of many of the cabinet member’s ‘Key Achievements’, for example, ‘More Social Media’. Can she advise how many residents she thinks would have this in their top ten priorities?”

**Reply**

*The continuous growth of numbers of people using social media as a means of communication would substantiate that social media is a priority. As I have already said, the council has over 2000 followers on Facebook and Twitter.*

*It’s possible that the councillor’s list of priorities differs to those of many young people in the city, but both are equally worth hearing.*

(viii) From Cllr Cuthbertson

“How many customers are now using the CYC Facebook site?”

**Reply**

*I am extremely pleased to say the overwhelming majority of young people in this city will consider access to Facebook and Twitter to communicate as being an absolute necessity along with people of all generations. Since May we have extended the use of Facebook and Twitter and have over 2000 followers – most of which are younger people. This is the way that younger people want to communicate with Councils and is an achievement. Also our new ‘do it online service’ is another example of how we are making it much easier for those who want to communicate and interact with the Council electronically, able to do that.*

(ix) From Cllr Barton

“Will the Cabinet Member please define her understanding of the phrase “to trade?”

**Reply**

*Councillor Barton had an opportunity to question – intelligently - the City of York Trading Company as I have mentioned within my report.*

*Instead the question very simply and quite definitely relates to ‘her understanding of the phrase to trade’. In direct*

*response to Cllr Barton's question and within my capacity of the Cabinet Member for Corporate Services and as the proposed Non-Exec Director plus Chairperson of the City of York Trading Company.*

*My understanding of the word 'Trade' reflects the dictionary definition:*

*As a noun trade means:*

- 1. The business of buying and selling commodities; commerce.*
- 2. The people working in or associated with a business or industry: a textile-exporting publication for the trade.*
- 3. The customers of a specified business or industry*
- 4. The act or an instance of buying or selling*
- 5. An exchange of one thing for another*
- 6. An occupation, especially one requiring skilled labour*

*As a verb trade means:*

- 1. To engage in buying and selling for profit*
- 2. To make an exchange of one thing for another*
- 3. To be offered for sale*
- 4. To shop or buy regularly*
- 5. To give in exchange for something else*
- 6. To buy and sell*
- 7. To pass back and forth*

*And finally, as an adjective trade means:*

- 1. Of or relating to trade or commerce*
- 2. Relating to, used by, or serving a particular trade*
- 3. Of or relating to books that are primarily published to be sold commercially.*

(x) From Cllr Barton

*"Does the item "A further increase in Council Tax " refer in any way to past bad debts that have never to date been collected?"*

### ***Reply***

*Unfortunately the 'quote' Councillor Barton makes is not written in totality. I will correct this error and then respond.*

*In my report and under paragraph 28 under the heading 'Portfolio Part Six – Transactional Services'*

*As part of the '2011/12 objectives' the quote which Councillor Barton's refers to actually states 'A further increase in Council Tax income collection of 200k'.*

*To answer the question it refers quite clearly to the objective of 'in year collection' – as in 2011/12.*

*Under the Labour administration the objective has been clearly achieved and superseded 2010/11 and we have collected £300k higher than the same point in time as last year.*

(xi) From Cllr Cuthbertson

*"What percentage reduction in the amount of paper used has been achieved through the introduction of multi functional devices and how much has this saved?"*

***Reply***

*The introduction of multi functional devices was only carried out in the past six weeks. However, what it does allow now in comparison to before is that monitoring is being undertaken and this will be included within my quarterly monitoring updates.*

(xii) From Cllr Aspden

*"The Cabinet Member's report states a new contract has been signed for staff mobile phones. Can the Cabinet Member confirm what the annual spend on mobile phones currently is?"*

***Reply***

*Last year 10/11 the Council spent approx £186k on mobile/smart phones, these costs include calls, data down loads/uploads, any from of connectivity and handset rentals, so its important for people to realise that this isn't just call costs.*

*It's also worth noting that as we expect staff to work differently and with the drive to mobilise more of the work force to help improve the customer experience/service delivery model, we will see a growth in mobile devices/usage. Some of this growth is being managed within the new mobile/smart phone contract that ICT have secured. For example, based upon the number of devices and usage*



*pattern of 10/11, the costs would reduce to £136k over two years. This has secured a far better service that offers savings and a more agile/flexible bundle to Council.*

(xiii) From Cllr Steward

*“Can the Cabinet Member expand on the achievement ‘Procurement Strategy’, is she suggesting there was not one until her party came to power or if there was what tangible benefits have occurred due to her party’s actions?”*

**Reply**

*No, I am not saying there wasn’t a strategy but that the procurement strategy was old, out of date and not fit for the challenges we are facing.*

*Since the new administration came to power we are developing a strategy based upon creating a group of skilled staff in-house to manage procurement work. This will ensure that there is less reliance on external support and that we ensure that there is appropriate focus and opportunity for city suppliers.*

*The revision of the strategy responds to the growing financial challenges faced by the Council. It balances ethical, sustainable and transparent procurement with the need to collaborate and support the local economy. But crucially it will also deliver value for money.*

(xiv) From Cllr Steward

*“As part of her procurement strategy can the Cabinet Member confirm what proportion of legal advice that the council requires is obtained from the local York legal firms?”*

**Reply**

*“The Council’s in-house legal team provides an overwhelming majority of the legal advice which the Council needs. The Council’s reliance on external lawyers has significantly reduced over recent years. Indeed last year payments to external solicitors firms reduced by over £300,000 compared to the year before. There will always be a need for some work to be outsourced. That may be because it requires specialist skills which the Council will need infrequently. It may be because it requires a large team to deliver a specific project. It may be that there is a need for urgent advice and insufficient capacity within the legal team*

*to respond in the timescale required. The Council needs to ensure that it awards contracts to undertake such work in a manner which ensures it receives the right advice and in accordance with its contract procedure rules.*

*There have only been a handful of new matters that have required external legal advice since I became Cabinet Member and the majority of those matters have actually been handled by a firm with a York Office. Inevitably there are other matters which have been ongoing for some time with advisers from York and elsewhere.*

(xv) From Cllr Ayre

“Cabinet Member’s report states that detailed space planning on the new HQ is now taking place. Can she confirm what consultation has been done with EAG prior to this work?”

***Reply***

*It is a core part of the transitional work being undertaken that the Equality Advisory Group has been and will continue to be involved within this process. In addition the Cabinet Member for Leisure, Culture and Social Inclusion is meeting regularly to ensure equalities are embedded at every stage and that includes working with SERG along with myself.*

(xvi) From Cllr Steward

“On ‘Customer Service Highlights’, which are regarded as ‘achievements’, is for example, ‘5,000 visits to reception areas’ regarded as good and would the member like this to be higher?”

***Reply***

*The number relates to visitors to Guildhall, Library Square and St Leonard’s. The figure doesn’t include an additional circa 2,385 visiting benefits, as compared to 1,965 for the old City Finance Centre in October 2010. If these 2010 visitors were all benefits claimants, this equates to an increase of 18% in footfall. There are not comparable figures for all the pre-combined Face to Face reception areas for 2010. The number of visitors is higher for St. Leonards as they deal with low value/quick transactions, and Library Square with more complex queries relating to Housing and other family related services. As more services become available on line before*

*the move to West Offices we anticipate a significant reduction in low value transactions.*

## **52. ACTIVITIES OF OUTSIDE BODIES**

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

- Quality Bus Partnership – Minutes - 8 Sept 2011
- Safer York Partnership/Drug Action Team Partnership Board Meeting – Minutes - 26 Sept 2011

No questions had been submitted to representatives on outside bodies.

## **53. APPOINTMENTS AND CHANGES TO MEMBERSHIP**

RESOLVED: That the appointments to, and changes to membership of, committees, outside bodies and working groups set out in the revised list circulated around the Council Chamber (and attached as an annex to these minutes) be approved.<sup>1</sup>

### Action Required

1. Ensure that the agreed changes to membership are implemented.

JP

## **54. NOTICES OF MOTION**

### (i) Solar Energy – Feed in Tariff

It was moved by Cllr Funnell and seconded by Cllr Levene that:

“Council notes the benefits of solar power in reducing energy bills and our dependence on oil. It is the environmentally responsible option for business, the public sector and for private households.

Council expresses alarm at the Conservative-Liberal Democrat Government's announcement to bring forward, from 1st April 2012 to 12th December 2011, a reduction in the Feed in Tariff for solar panel electricity generation of around 61% for schemes tackling fuel poverty, such as City of York Council's, which was to provide solar panels to around 2,000 homes.

Council expresses its disappointment at the decision to reduce the Feed in Tariff, threatening the overall viability of the York solar scheme. Council also expresses concern at the loss of jobs, in York, that the solar installation industry has reported will result from the announcement.

Council requests that the Chief Executive writes to Gregory Barker MP, Minister of State for Climate Change, and requests that all those signed up to schemes and that have undertaken preparatory work prior to the Minister's statement on 31st October, receive the Feed in Tariff rate previously agreed and promoted by his Government.

Council requests that officers and both York MPs lobby the Government following news reports that the Minister may be considering phasing in the Government's proposed cuts in response to strong opposition.”

In accordance with his powers under Standing Orders, the Lord Mayor ruled the following amendment which had been submitted by Cllr Healey out of order:

*First Paragraph, third line, delete “oil” and replace with “fossil fuels”.*

*Second paragraph, first line, delete “expresses alarm at” and replace with “notes”.*

*Fourth line, delete “of around 61% for schemes tackling fuel poverty of” and replace with “from 43.3p kWh to 16p per kWh”.*

*Second paragraph, fifth line, after “Council’s,” add “which this financial year was”.*

*Third paragraph, delete entire paragraph after the first word, “Council” and replace with “asks officers to work with Community energy Solutions to review the scheme so it can continue to provide affordable energy to council residents, noting in particular the reduction of 40%+ in the wholesale price of solar panels, the Council’s 20% ‘roof rent’ and the continued low interest rates which currently only benefits the financiers. Council schemes should aim to break even.”*

*Fourth paragraph, second line, delete “and requests that all those signed up to schemes and that have undertaken preparatory work prior to the Minister’s statement on 31<sup>st</sup> October, receive the Feed*

*in Tariff rate previously agreed and promoted by his Government.”  
And replace with “to ask that he put in place a stable subsidy  
framework to enable medium-term planning.”*

*Fifth paragraph, delete the entire paragraph.*

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

RESOLVED: That the above notice of motion be  
approved.<sup>1</sup>

(ii) Proposals for a Council Tax Freeze

The following motion had been submitted by Cllr Steward

“Council welcomes the coalition Government’s efforts to reduce the deficit and to provide a period of financial stability following 12 years of economic mismanagement by Labour. Council therefore supports the Government’s offer of financial incentives to councils which commit to no rise in council tax.

In support of the coalition Government’s policy of freezing council tax CYC pledges to undertake such a council tax freeze for the next two financial years.”

On the advice of the Chief Executive and in accordance with the provisions of Standing Orders, the Lord Mayor ruled that the above motion be referred to the Cabinet for a full report to consider the budgetary implications of making such a decision at this stage on the Council Tax. He advised that there would therefore be no further debate on the motion in accordance with Standing Order 12.1<sup>2</sup>

(iii) Financial Management Skills for Young People

It was moved by Cllr Cuthbertson and seconded by Cllr Potter that:

“Council believes that personal financial education for young people is vital to ensure that they have the skills needed to prosper in a complex economy.

Council notes that, while a petition calling on the Government to make personal financial education part of the national curriculum has attracted more than 100,000 signatures, there are as yet no

plans to make such education compulsory or to specify what should be covered.

Council therefore resolves to take action to ensure that children and young people in York are taught these important financial management skills. Council requests that officers bring a report to Cabinet outlining the options available to encourage and support schools in providing personal financial education for every young person in our city.”

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

RESOLVED: That the above notice of motion be approved.<sup>3</sup>

(iv) Effect of Changes to education and welfare on children and young people

It was moved by Cllr Cunningham-Cross and seconded by Cllr Boyce that:

“Council places on record its grave concern over the number of young people aged 16-24 years old who are unemployed, which reached an all time record high of 1.02m last month.

Council wishes to express its concern over the continued attacks on the future of children and young people in York, including the cutting of:

- Educational Maintenance Grant
- Future Jobs Fund
- Care to Learn Grant
- Child Tax Credit
- Child Trust Funds

And partial cuts through:

- Childcare element of Working Tax Credit reduced from 80% to 70% of costs
- Three year freeze on Child Benefit.

Council also notes the increase in university fees which will stop many York young people entering higher education.

Council instructs the Chief Executive to write to the Secretaries of State for Education and Work and Pensions to express Council’s grave concern over changes to education and welfare that will

affect the daily lives and future prospects of York's children and young people.”

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

*“In the fourth line of the first paragraph, after “Council” delete “wishes to express its concern over the continued attacks on the future of children and young people in York, including the cutting of:” and replace with “notes the changes to the following benefits:” In the twelfth line of the first paragraph, delete “partial cuts through:” and replace with “changes to”.*

*In the first line of the second paragraph, after “fees” delete “which will stop many York young people entering higher education” and replace with “that resulted from the Labour initiated Lord Browne “Independent Review into Higher Education Funding and Student Finance”.*

*In the second sentence of the third paragraph, delete “grave”. In the third sentence of the third paragraph, delete remainder of sentence after “welfare”.*

*Add final fourth paragraph: “Council also instructs the Chief Executive to write to the Shadow Secretaries of State for Education and Work and Pensions asking whether they would reverse these changes and if so how they would finance any changes.”*

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

Cllr Runciman then moved, and Cllr Aspden seconded, an amendment to the original motion as follows:

*“At the end of the first paragraph add “after rising by almost 40% under the previous Government.”*

*In the second paragraph after “concern over the” insert “perception of”.*

*After “Council notes the” insert “misinformation about the”.*

*After “which will” insert “put many York young people off”.*

*After “higher education” insert “despite the new system not requiring upfront fees and ensuring that graduates do not pay back loans until they earn more than £21,000 a year.”*

*In the final paragraph, after “grave concern over” insert “the need to do more to explain the”*

*After “welfare” insert “to ensure that the”*

*After “young people” insert “are not harmed by misleading claims which suggest they may not get the support they need.”*

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

The original motion was then put to the vote and declared CARRIED and it was

RESOLVED: That the above notice of motion be approved <sup>4</sup>

#### Action Required

- |                                                                                               |    |
|-----------------------------------------------------------------------------------------------|----|
| 1. Write to the Minister of State for Climate Change and lobby York MP's in the terms agreed. | LH |
| 2. Prepare report to Cabinet and add to the Forward Plan.                                     | KB |
| 3. Prepare report to Cabinet and add to the Forward Plan.                                     | PD |
| 4. Write to Secretaries of State for Education and Work and Pensions in the terms agreed.     | LH |

#### **55. QUESTIONS TO THE CABINET LEADER AND CABINET MEMBERS RECEIVED UNDER STANDING ORDER 11**

Twenty seven 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 Steward:  
“Can the Leader explain to my residents how it is fair for Labour members who are members of unions to merely ‘declare an interest’ and then be able to vote on increasing funding to the unions?”



### **Reply**

*“It is no less fair than your Conservative colleagues, Councillor Richardson and Councillor Doughty taking part in the same vote after declaring their Unite and RMT trades union memberships respectively.”*

(ii) To the Cabinet Leader, from Cllr Barton:

*“What does the Leader believe is the optimum number of people to attend a Britain in Bloom information event?”*

### **Reply**

*“I would say for a Britain in Bloom ‘information event’ probably two people – one officer and one cabinet member. For a ‘national awards ceremony’ where York came second for the first time I would say probably more.*

*I can understand your disappointment that the Liberal Democrat requested freedom of information claim for cabinet transport costs did not encourage any more criticism than one award ceremony for a scheme the previous Liberal Democrat administration signed the council up to.*

*I would like to place on record my disappointment of the criticism of the £1k expenditure that has arisen from almost £1k of freedom of information claims for political point scoring the opposition has made use of. This is hypocritical.*

*I am concerned at the unhappiness over some opposition members to the Cabinet travelling to do their duties. I have expressed this concern to both Conservative and Labour Council Leaders in the region who found the attack ridiculous.*

*This episode has also lost both opposition parties credibility with the private sector. One prominent local business person was not happy at the political tactic of using a freedom of information claim to attack cabinet travel. They e-mailed me to say:”*

*“Inevitably there will be some who lack ambition or who are complacent that will carp at these costs. These expenses will be as nothing compared to the prize of economic benefit to reward the citizens of York in years to come”.*

- (iii) To the Cabinet Leader, from Cllr Runciman:  
“What plans does the Cabinet Leader have to release budget information to the opposition groups?”

**Reply**

*“None at the moment.”*

- (iv) To the Cabinet Leader, from Cllr Boyce:  
“Government cuts to the BBC will mean BBC Radio York losing six hours of local programmes per day and ten hours each weekend, resulting in reduced coverage of local news and York City matches, both of which are valued by residents, as well as result in diminished coverage of council business. Will the Cabinet Leader please write to the Secretary of State for Culture, the Director General of the BBC and the Chair of BBC Governors requesting that the BBC’s funding for local radio services is reviewed?”

**Reply**

*“I will indeed. The scale and speed of reductions by Conservatives and Liberal Democrats in Government are bad for York. It will see more national and regional output in York at the expense of local news and programming. It will also see a reduction in journalists. Both are not healthy for local democracy and will lead to local politicians being held less to account.”*

- (v) To the Cabinet Leader, from Cllr Steward:  
“Can the Leader detail how many members of the public have attended Cabinet meetings as they move around the city and does the Leader consider the moving around worthwhile?”

**Reply**

*“It is odd that you ask a question that points towards saying moving meetings around the city is not worth doing and then in the same set of questions for council ask a question pointing towards it being unfair that meetings have not been held in certain areas. I would like to suggest some consistency in Conservative policy. This question exhibits the same consistency as Councillor Watt calling for no reductions in management staff in the interest of stability and Councillor Gillies two days later portraying Labour proposed management reductions not going far enough so advocating instability by sacking the Chief Executive.”*

*From memory at the first meeting of the Cabinet at York Explore Library there was approximately five members of the public present. At the second meeting of the cabinet at The Priory Street Centre there was approximately thirty people present. At the third meeting of the cabinet at the Guildhall there was approximately twenty residents present. At the fourth meeting of the cabinet at Acomb Explore Library there was approximately three residents present. At the fifth meeting of the cabinet at Auden House there was approximately ten residents present. At the sixth meeting of the cabinet there was approximately fifty residents present. More residents seem to be attending Cabinet meetings in different locations than when Executive meetings were held at the Guildhall.”*

- (vi) To the Cabinet Leader, from Cllr Steward:  
“Can the Leader explain what role the Council is paying Trade Unions for that could not be carried out by the Human Resources Department?”

***Reply***

*“City of York Council does not make any payments to trade unions.”*

- (vii) To the Cabinet Leader, from Cllr Cunningham-Cross:  
“Will the Cabinet Leader please inform Council where York’s Fairtrade City status certificate and plaque are and confirm whether they can be displayed in a prominent place in the Guildhall until the move to West Offices?”

***Reply***

*“I am not sure where the previous Liberal Democrat administration placed this certificate but clearly it was not been given the prominence it should have. I will instruct the Chief Executive to liberate the certificate from whatever drawer or cupboard it is currently sitting in and display it in the Guildhall reception. It will also be given prominence in West Offices under a Labour administration.”*

- (viii) To the Cabinet Leader, from Cllr Steward:  
“Does the Leader consider that the Fairness Commission having zero meetings outside the ring road, zero meetings in villages and zero meetings in Conservative wards to be fair?”

**Reply**

*“No less than I consider it fair for Conservatives having zero councillors outside of villages or in the wards inside the ring road. However I take your point. This is a reason why the Cabinet is holding meetings in different locations. The Fairness Commission is independent and it is best asking the Commission if they think where they held meetings was fair.”*

- (ix) To the Cabinet Member for City Strategy, from Cllr Steward:  
“Can the Cabinet Member for City Strategy confirm that with the Council’s focus on ‘fairness’ and the existing inequality between rural and urban buses he will work to address this and encourage the retention of these important rural buses?”

**Reply**

*“I will continue to support public transport to both rural and urban areas as far as is possible within the significantly declining resource base resulting from the massive Conservative / Lib Dem Government cuts to Local Councils and to the bus industry, and recognising that conventional public transport is uneconomic for very small rural settlements unless on more interurban routes.*

*The support I have given for the experimental provision of the 195 villages service to Pocklington and the revised service 21 to Rawcliffe and Skelton demonstrates our commitment. It will be crucial that residents in the communities these services reach make reasonable use of them if they to be made permanent. Coun. Steward’s and local Members’ support in achieving this will be extremely important.”*

- (x) To the Cabinet Member for City Strategy from Cllr Aspden  
“Given the delay in publishing the Air Quality Action Plan, what will the Cabinet Member be doing to ensure positive actions to improve air quality are undertaken quickly for the Fulford Road corridor?”

**Reply**

*“The delay in the AQAP recognises that solutions to the Fulford Problems are necessarily linked to a wider approach to tackling traffic and air quality issues across the whole city, and the inadequacy of the previous Lib Dem administration’s Low Emission Strategy to actually resolve the problem. I am*

*looking forward to proposals coming forward on both issues early in the new year.”*

- (xi) To the Cabinet Member for Education, Children & Young People’s Services, from Cllr Richardson:  
“Does the Cabinet Member condemn those who disrupted children’s education last week by participating in a union walk-out whilst negotiations with the Government were and are still ongoing?”

**Reply**

*“I can understand the frustration felt by individuals who see an important part of their contracts of employment being rewritten in a way which they see as prejudicial to their future. Negotiations have indeed been ongoing for a long time, and it was the lack of meaningful progress which made many thousands of very ordinary working people take a day’s strike action. We should always be mindful that at the end of the day, it is the legal right for people to express their views around their employment by striking, as the Member will know being a trade union member himself, and this is a dispute between the Unions representing many millions of workers, and the Government. We did our best to make sure there was as little disruption to vulnerable children and young people as possible.”*

- (xii) To the Cabinet Member for Education, Children & Young People’s Services, from Cllr Aspden  
“Given that Pupil Premium funding is tied to the number of pupils registered for free school meals, what steps are the Council taking to promote take up of free school meals ahead of the schools census on 19<sup>th</sup> January?”

**Reply**

*“Schools are very aware of the impact the Pupil Premium may have on their individual school budgets. The Council has reminded schools about this, and the issue was raised again at yesterday’s meeting of the York School’s Partnership.*

*The latest reminder went to all schools last month concerning eligibility for free school meals, following the one that was sent in January early this year. The support to schools on this included a parent letter/flyer to aid them in encouraging take up of free school meals.”*

- (xiii) To the Cabinet Member for Education, Children & Young People's Services, from Cllr Richardson:

"Will the Cabinet Member consider following Lincolnshire County Council's example and encourage all schools to become academies?"

**Reply**

*"A simple answer might be "No". It is of course ultimately a decision for individual Heads and Governing Bodies, but as you are aware only two schools in York have so far taken the decision to go down that route. York has a strong basis of quality education in its schools, an Education Department that has regularly been highly ranked by Ofsted; it has also developed a strong culture of partnership working so that the Heads, both Primary and Secondary, regularly meet to share ideas and good practice and have always been fully involved in the big decisions that need to be taken by the Authority. I have always believed that in Education "co-operation" is better than "competition" and I think the consistently high performance of the York Education Service has borne that out.*

*I was very pleased to attend the first meeting of the York Partnership Board which has been set up to formally enshrine these co-operative pathways and fully involve Heads and Governors with officers in future planning and arrangements for the York Education Service."*

- (xiv) To the Cabinet Member for Corporate Services, from Cllr Steward:

"Can the Cabinet Member for Corporate Services clarify whether in the budget consultation the Cabinet will be as, less or more willing to listen to people than it was at the Union Terrace 'consultation'?"

**Reply**

*"The Cabinet is committed to listening to the people impacted by the decisions it takes. The budget consultation includes various options to ensure a dialogue and conversation between the Cabinet and local residents, businesses and the voluntary sector. The Cabinet will be listening to people's growing concerns, worries and their needs given the savage £20m worth of further cuts that have been imposed on this local authority by the Conservative-Liberal Democrat Government."*

- (xv) To the Cabinet Member for Corporate Services, from Cllr Steward:

“Can the Cabinet Member for Corporate Services detail how many hours of council staff paid time have been spent on Fairness Commission related work and what is the cost of literature produced?”

**Reply**

*“A wide range of Council staff have supported the Fairness Commission. Information has been provided about our customers, services and finances. The Commission has also been supported at public meetings and was provided with a point of contact within the Policy Team to ensure that information requests could be coordinated across the Council. All support to the Commission was provided alongside work that officers were doing and didn’t impact adversely on Council services.*

*The cost relating to drafting and printing the Commission’s report is £5,325.”*

- (xvi) To the Cabinet Member for Health, Housing & Adult Social Services, from Cllr Cuthbertson:

“Would the Cabinet Member please give an assurance that the facilities at our elderly persons homes, which are enjoyed by the wider community, will still be available during the re-organisation?”

**Reply**

*“The provision of day care and respite care has been carefully considered in the proposed transformation of our Elderly Persons Homes.*

*Day Care: Some limited day care activity is provided in 6 of the EPHs. However, this is not undertaken within dedicated facilities; visitors join with residents in activities but numbers are restricted in line with regulations and the impact on permanent residents. Whilst this model of day care provides a welcome break for carers and the people who use the services it is a poorer model than found in day care facilities designed and operated specifically for that purpose. The responses during the three month consultation overwhelmingly supported the view that the current day activity provided in our EPH’s should be re-provided in the community. On 1<sup>st</sup> November Cabinet approved this direction*

*of travel and officers have been making arrangements to expand existing and establish new day activities in the community in partnership with voluntary and independent sector organisations.*

*Older people currently receiving day care have been supported to consider the choices available to them and to access the new capacity coming on stream in April 2012. There will be an increase of 15 places in the number of day care places available as a result of this change.*

*Respite Care : There was understandable support in the consultation for the proposed expansion in the number of respite beds from 14 currently to 20 in the new facilities. During the programme of change the current number of respite beds will be maintained and opportunities taken to expand these wherever possible especially during the next two years whilst awaiting new build facilities to open if the programme gets the go ahead at the 10<sup>th</sup> January meeting of the Cabinet.”*

(xvii) To the Cabinet Member for Health, Housing & Adult Social Services, from Cllr Steward:

*“Can the Cabinet Member for Health confirm, with a simple yes or no, whether her Labour government committed to a real terms increase in NHS funding for York’s residents at the last General Election?”*

### ***Reply***

*“Alistair Darling’s March 2010 budget said:*

*In the 2009 Pre-Budget Report the Government made a clear commitment to protect key frontline public service priorities in 2011-12 and 2012-13 and announced that:*

- NHS frontline spending – the 95 per cent of near-cash funding that supports patient care – will rise in line with inflation;*

*So under Labour, for the two financial years 2011/12 and 2012/13, NHS funding would’ve risen with inflation. In real terms this is flat funding.*

*From Andrew Lansley prior to the General Election we heard:*



*"Only the Conservatives will protect the whole of the NHS budget – both Labour and the Lib Dems have refused to do so. We will cut NHS bureaucracy by a third and we will make sure frontline patient care comes first."*

*From Andrew Lansley after the election we got:*

- *A cut in real terms to the NHS of £800m in 2010-11.*
- *The biggest reorganisation in the NHS's history, through the Health and Social Care Bill, at a cost of between £2bn and £20bn, which will mean more public bodies, and more money spent on bureaucracy. "*

(xviii) To the Cabinet Member for Health, Housing & Adult Social Services, from Cllr Riches:

*"Will the Cabinet Member for Housing please give her assessment of the potential impact of the Government's Housing Strategy paper, 'Laying the Foundations: A Housing Strategy for England?'"*

### ***Reply***

*"The Government's Housing Strategy Paper 'Laying the Foundations: A Housing Strategy for England' has the potential to be devastating. Here is a summary of the consequences:*

*Local Housing Allowance rates will leave York residents £2.9 million short of payments as payments are based on the lowest 30% of rents. This will mean:*

*Low paid workers may have to move as 91% (around 1,950 people) of existing LHA customers will lose on average £12.57 a week. Average loss per affected customer would be around £653 p.a. or £12.57 pw*

*Average market rents for 2 and 3 bed homes in York:*

*£648 per month for 2 bed – LHA up to £500 per month (lowest 30%)*

*£801 per month for 3 bed – LHA up to £580 per month (lowest 30%)*

*Increases in LHA rates from 2013 are to be linked to the Consumer Price Index rather than the higher Retail Price Index. Shelter suggest that York is likely to become unaffordable for people on housing benefit by 2026*

*Under 35 year old room rent: The average difference between the new LHA for a shared room rate for a resident between 25 and 35 years old and what they currently receive for a 1- bed self contained is £30, but some individuals will lose out by up to £51.61 per week. This could lead to many vulnerable people having to live in unsuitable accommodation.*

*The Getting Britain Building Scheme means a reduction to already agreed 106 agreements which provide schools, parks and transport infrastructure, all important for new housing schemes.*

*Right to Buy: 50% discount is not what it seems – the Government have said that for each home sold a new one will be built. Financing is viewed as questionable as out of the 50% received from the capital sale only half will go to a new build, say £30k in York. The rest required to build will come from loans taken out by Registered Social Landlords who will then need to charge the new 80% of market rent model. This means that these homes will be unaffordable for most.*

*Reduced Tenancies – Tenants of Social Housing will not have security of tenure and this can affect tenants' well-being.”*

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

“What steps are the Council taking to help organisations like York People First adjust to the personalisation agenda and cope with the reduced availability of grants?”

**Reply**

*“York People First does not receive grant support from the Council but as with other voluntary sector groups they can access support from York CVS for advice about funding options.*

*Support for the Voluntary Sector to adjust to the Personalisation Agenda has been provided through a voluntary sector forum and through CVS in York. York People First are linked in to these through the CVS-hosted Learning Disability Forum.”*

(xx) To the Cabinet Member for Health, Housing & Adult Social Services, from Cllr Cuthbertson:

“Given the increase in the number of people with dementia, both now and forecast, is the Cabinet Member confident that there will be sufficient capacity in the new proposals to accommodate this?”

*Reply*

*“Based on demographic predictions for York and known trends it is estimated that CYC will need 180 beds providing a mixture of high dependency, dementia, and nursing care. This is a considerable increase on the 57 dementia beds currently provided in our EPH’s and there is a shortage of dedicated dementia beds in the wider private sector in York. In line with the Long Term Commissioning Strategy there be a requirement to increase the number of respite care beds from 14 to 20 (including 8 dementia care respite beds) which will help support carers in the city. This will bring the total number of beds required to 200. We believe that this number of beds will meet the projected demand.*

*I would also point out that this information was provided in the reports to Cabinet in July and November, both of which Cllr Cuthbertson could have attended and questioned and that he could have made a submission to the consultation process which neither he nor the Lib Dem Group did.”*

(xxi) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Ayre

“What does the Cabinet Member believe would be the minimum requirement of facilities for a true community stadium?”

**Reply**

*“This administration has always been committed to delivering a stadium that will genuinely be for all the people of York, a source of real civic pride, and one which will provide exciting community facilities for everyone.*

*The question talks about “minimum requirements” because that reflects the previous administration’s thinking:*

*A football stadium with minimum community access.*

*We, on the other hand, have well advanced plans to deliver:*

- *A stadium which in addition to hosting the professional clubs will accommodate a wide range of junior finals and other community fixtures in addition to hosting concerts and other community events*
- *Conferencing facilities that will benefit a wide range of York's community organisations*
- *Meeting, learning, eating and socialising spaces including an Explore Gateway*
- *Community health facilities that will make a positive impact on health inequalities in the city, especially amongst those least likely to use traditional health services*
- *A dedicated learning hub where York St John University will run sports courses that will have a real impact on the development of community sport in the city and draw in schools who will be able to have lessons in inspiring state of the art facilities*
- *Investment to upgrade the current facilities at Waterworld including sport and fitness provision*
- *Children's play facilities*
- *And of course, a brand new athletics track and cycling facility to be sited at the new York Sports Village*

*The stadium will be fully inclusive and provide activities for everyone."*

(xxii) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Hodgson:

*"Will the Cabinet Member for Leisure, Culture and Social Inclusion voice her opposition to specific changes contained within The Legal Aid, Sentencing and Punishment of Offenders Bill, changes that will severely limit entitlement to legal aid and access to justice for some of the most vulnerable residents in our city?"*

***Reply***

*"I am more than willing to add my voice in opposition to changes to Legal Aid proposed within the Sentencing and Punishment of Offenders Bill.*

*The intention of this bill is to remove the right to Legal Aid for 'civil matters' including principally benefit appeals. Under the proposed new system, people who are unhappy with a decision made on their benefit entitlements for housing,*

*welfare, and so on will not be able to claim legal aid to appeal against the decision. They will be forced to find, and pay for, their own legal representation; clearly many will simply not be able to afford to do this.*

*This will clearly have an adverse affect on benefit claimants of all ages and across all backgrounds: It cannot be just.*

*Furthermore, victims of domestic violence will only qualify for legal aid if it is deemed that they are at 'high risk of violence' however this is to be defined.*

*It seems clear to me that these changes are designed specifically to hurt the most vulnerable in society and I call on the Government to abandon them."*

(xxiii) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Ayre

*"How many Ward Committees need to agree to fund the planned York 800 celebrations for the plan to be viable and what is the fall back plan if there is insufficient sign up?"*

*Reply*

*"I'm pleased to be able to inform members that since my appointment as the responsible Cabinet Member I have been working tirelessly with partners across the city to bring together an exciting programme of activities to celebrate 800 years of self-government in this city.*

*Highlights include the world famous York Cycle of Mystery Plays being revived in the Museum Gardens for the first time since the 1980s.*

*There will also be enhancements to existing festivals such as the Viking Festival, Illuminating York and the Residents First Festival together with a new Chocolate Festival, a specially-themed Big City Read and plans for a medieval summer.*

*The year will be a platform for York to build its reputation on the international stage as a vibrant city, capable of staging exciting and memorable events.*

*Funding to support many of these activities has already been secured from partners across the city or from allocated budgets within the council. In addition, funding bids to the Arts Council: England and other grant giving bodies are being made.*

*The proposed programme is still open to enhancement and I am delighted that many neighbourhoods are getting involved. Further ideas will no doubt emerge as the year progresses and many groups will just get on and organise their own local York 800 celebrations: Most won't require additional funding and they certainly don't need our permission!*

*In short, it's a case of the more the merrier but we already have an excellent programme in place and we won't let the scathing cuts by the Liberal Democrat- Conservative Government spoil our enjoyment of a very special year for this city."*

(xxiv) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Ayre

"What advice will the Cabinet Member be giving Ward Committees and Community groups on how to deal with public expectations for Ward Committee funded schemes, given the current uncertainty around the amount of money available to Ward Committees next year?"

**Reply**

*"I would give the same advice that I would give to anyone who holds a Council budget or receives Council funding. The financial situation that has been forced upon the Council by the current Conservative-Lib Dem Government means that we have to look very carefully at all areas of the Council's expenditure.*

*It is inevitable that we will have to make difficult decisions to reduce spending in a range of areas. I think the public understand this and who is responsible for it.*

*Ward Committee funding is no exception. The responsible thing to do for all ward members therefore will be to be cautious in dealing with the public's expectations prior to the Council's budget being set in February."*

(xxv) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Ayre

"Does the Cabinet Member support the Fairness Commission proposal to scrap Ward Committee funding?"

**Reply**

*"I welcome the initial findings of the Fairness Commission. The Cabinet will be looking at it very carefully.*

*I note that the overarching direction of the Fairness Commission's recommendations is to direct funding to where it is most needed. This is a principle that we will be applying to our new model of Neighbourhood Working that I will be bringing to Cabinet in January.*

*It will ensure that there are effective mechanisms to understand what residents' priorities are for their communities, to streamline front line services to deliver on those priorities and to allocate resources sensibly to remove the previous administration's repeated wastefulness and duplication and finally to ensure that scarce resources reach the areas that need them most."*

(xxvi) To the Cabinet Member for Communities and Neighbourhoods, from Cllr Reid

"Given Labour's manifesto commitment to increase highways spending, will the Cabinet Member be rejecting the proposals by the Fairness Commission to make major savings in this area?"

**Reply**

*"Labour's manifesto commitment was to increase the road resurfacing budget for 2011-12. We did this at 30<sup>th</sup> June meeting of Full Council, which your Group voted against. The Fairness Commission recommendations are being evaluated as part of the budget setting strategy for 2012-14."*

(xxvii) To the Cabinet Member for Crime & Community Safety, from Cllr Steward:

"Can the Cabinet Member for Crime detail what the Council is doing to combat the problem of metal theft?"

*A rise in the worldwide price of copper, lead and other non-ferrous metals has led to a dramatic increase in the number of metal thefts across the UK.*

*Over the City of York area the Safer York Partnership (SYP) and North Yorkshire Police (NYP) are working hard to target offenders and reduce this kind of crime, with combating*

*metal theft having been made both a force and local priority in York.*

*In the last two years across the City there have been approximately just under 500 recorded incidents involving metal theft from buildings, including churches (29), commercial premises (111), dwellings (220), education premises (31), gardens/sheds (25), public open spaces (34) and vehicles (7). The number of incidents has almost doubled over the two years (2010 – 2011 to date). The Wards experiencing the greatest incidence have been Clifton, Guildhall, Heworth, Hull Road, Micklegate and Westfield.*

*Safer York Partnership have produced a poster for use at sites vulnerable to lead theft, such as building sites, and a general leaflet offering advice on how to make premises and sites more secure from this category of theft, and to make property less desirable to metal thieves.*

*On the specific category of theft of catalytic converters, of which there has been some 20 recorded incidents across York in the last 7 months, following discussion at the SYP Autocrime Task Group, around the increasing amount of such theft, City of York Council Trading Standards are to lead on an initiative initially developed by Suffolk constabulary which involves indelible marking of catalytic converters and placing stickers in car windows to indicate they are marked. Marking cannot be removed unless ground off, therefore scrap dealers should know to be suspicious of catalytic converters with evidence of this. The marking will also assist in NYP in identifying stolen converters when searching premises. The City of York's Motor Traders Fair Trading Scheme members are to be involved by using their premises for marking.*

*Nationally, Members may be aware that the LGA has been lobbying the Government to bring forward amending legislation to improve the regulation of the legitimate scrap metal dealer trade, including the introduction of annual licences for dealers, requiring the installation of CCTV with automatic number plate recognition in scrapyards and tightening up the regulations on keeping a log of those selling scrap to dealers. There have also been calls for the trade's traditional cash-based payments to be outlawed, so*



*that trade based cashless transactions becomes the requirement, making it easier to trace the sellers. Given his involvement with the Community Safety discussions at the LGA, as Cllr Gillies will know, York's representative on the Community Safety Advisors Group has been generally supportive of the LGA position. There is also currently a Private Member's Bill (Graham Jones MP) under consideration in the Commons.*

*In the meantime, discussions have commenced, involving CYC Trading Standards Department and SYP, with a view to developing a voluntary code with the legitimate scrap metal trade to tighten up the regulation of the industry locally.*

*NB – the reported crime statistics included in the above have an estimated accuracy of 10-15% and do not include metal thefts from the railway, which are the responsibility of the British Transport Police (BTP). (Steps are being taken to improve the exchange of information between BTP and SYP in this respect).*

Cllr D Horton

LORD MAYOR OF YORK

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

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## **Membership of Committees, Working Groups and Outside Bodies**

### **Committees/Working Groups**

#### **Planning Committee**

To appoint Cllr Cunningham-Cross to replace Cllr Williams as chair of the Committee. Cllr Williams to remain as a Committee member.

#### **Learning and Culture Overview and Scrutiny Committee**

To appoint Mrs Rachel Barber and Mrs Paula Widdowson to the Committee as Statutory Co-opted Members (Parent Governor Representatives) [Note: They will only be required to attend meetings where educational issues are being discussed]

#### **Scrutiny Management Committee**

To appoint Cllr Potter to replace Cllr Williams as a member of the Committee as he is now a Cabinet Member.

#### **Community Safety Overview and Scrutiny Committee**

To appoint Cllr Potter to replace Cllr Williams as a sub on the Committee as he is now a Cabinet Member.

#### **Economic and City Development Overview and Scrutiny Committee**

To appoint Cllr Potter to replace Cllr Williams as a member of the Committee as he is now a Cabinet Member.

#### **Health Overview and Scrutiny Committee**

To appoint Cllr Richardson in place of Cllr Wiseman on this Committee.

To appoint Cllr Doughty in place of Cllr Wiseman as Vice Chair of this Committee.

#### **City Centre Access Ad-Hoc Scrutiny Committee**

To appoint Cllr Boyce to replace Cllr Williams as a member of the Committee as he is now a Cabinet Member.

**Equality Advisory Group**

To appoint Dan Sidley (LGBT Forum) as a non-voting co-opted member, in place of Simon Rodgers.

**Member Development Steering Group**

To appoint Cllr Douglas to replace Cllr Williams as a member of the Committee.

**Young People's Working Group**

To appoint Cllr Looker to the Group in place of Cllr Potter.

**Independent Remuneration Panel**

To appoint the following to the Panel:

David Dickson

Elizabeth Heaps

Janet Hopton

Peter Kay

John Lister

Andrew Scott

Dr Richard Shephard

Patrick Shepherd

**Partnership Bodies**

**YorOK Board**

To appoint Cllr Looker as Vice-Chair of the YorOK Board, in place of Cllr Potter.

**York Education Partnership**

To appoint Cllr Looker to the Partnership in place of Cllr Potter.

**Outside Bodies**

**Charity of Jane Wright**

To re-appoint Miss Anne Sains for a further 4 year period from 4 December 2011.

**Health and Wellbeing Board**

To appoint Cllr Wiseman to the Board.

To appoint Cllr Williams to the following outside bodies to replace Cllr Looker:

**Association for Public Service Excellence (APSE)**

**PATROL Adjudication Joint Committee**

**York and North Yorkshire Waste Partnership (Members)**

**Yorventure Management Group**

**Yorwaste**

To appoint Cllr Looker to the following outside bodies to replace Cllr Potter:

**Consultation Meetings with Looked After Young People "Show Me That I Matter"**

**Early Years and Extended Schools and Community Partnership**

**LA Admissions Forum**

**Learning City York**

**Local Government Yorkshire and Humber Regional Improvement and Efficiency Partnership**

**OFSTED Sub-Group**

**Portage Service**

**Schools Forum**

**Wenlock Terrace (looked after children)**

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