

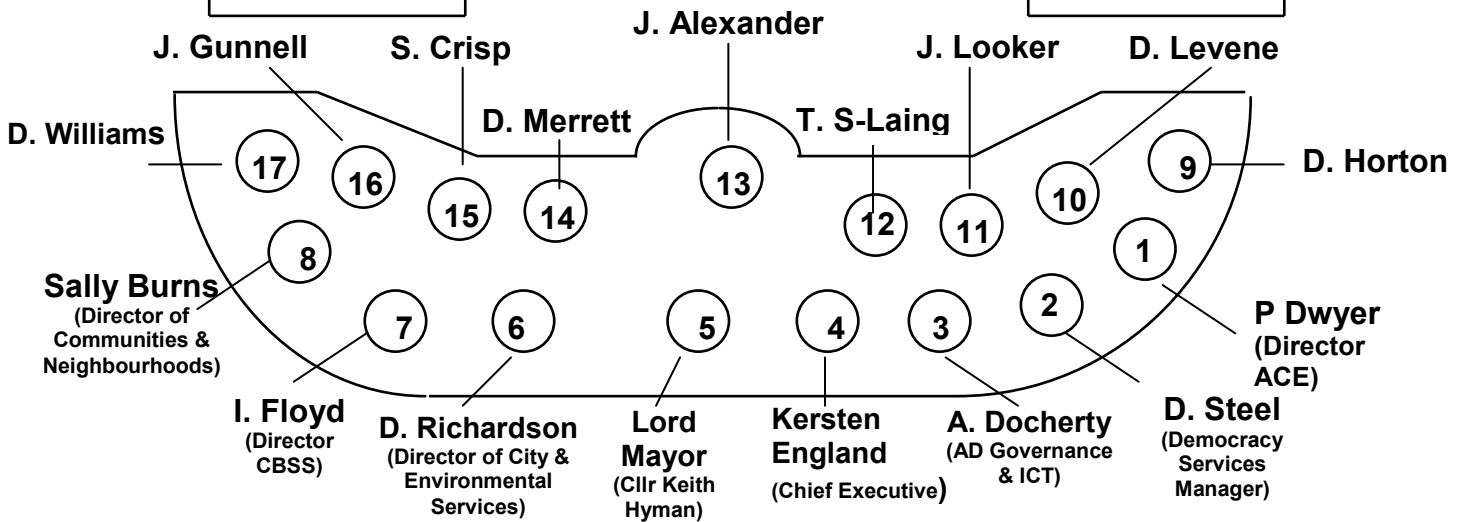
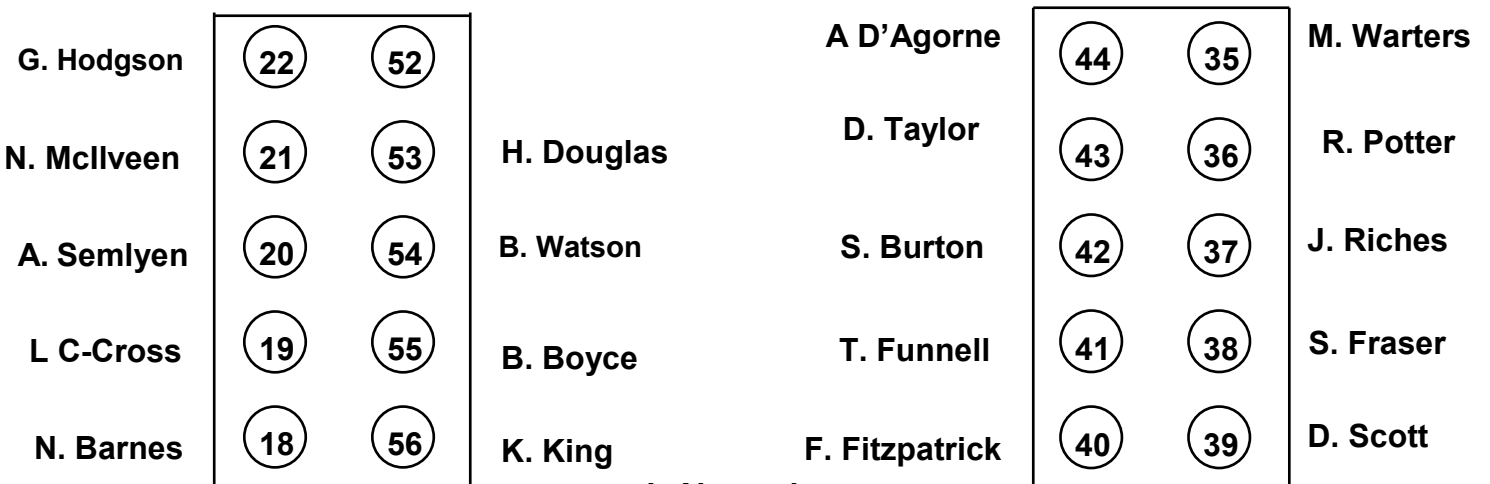
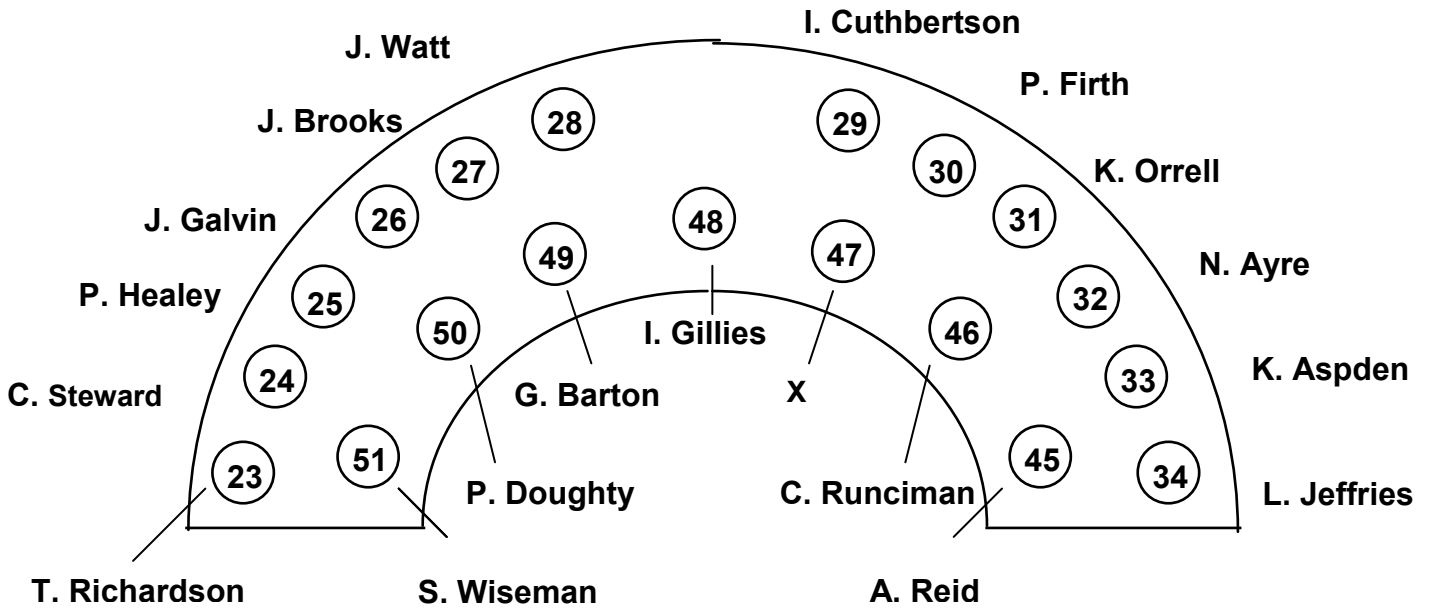
**CITY OF YORK COUNCIL  
SUMMONS**

All Councillors, relevant Council Officers and other interested parties and residents are formally invited to attend a meeting of the **City of York Council** at the **Guildhall, York**, to consider the business contained in this agenda on the following date and time

**Thursday, 28 March 2013 at 6.30 pm**



# COUNCIL CHAMBER



# AGENDA

## 1. **Declarations of Interest**

At this point, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

## 2. **Minutes** (Pages 1 - 92)

To approve and sign the minutes of the following meetings of Council:

- Special Meeting, held on 13 December 2012
- Ordinary Meeting, held on 13 December 2012 and
- Budget Meeting, held on 28 February 2013

## 3. **Civic Announcements**

To consider any announcements made by the Lord Mayor in respect of Civic business.

## 4. **Public Participation**

At this point in the meeting, any member of the public who has registered to address the Council, or to ask a Member of the Council a question, on a matter directly relevant to the business of the Council or the City, may do so. The deadline for registering is **5:00pm on Wednesday 27 March 2013**.

## 5. **Petitions**

To consider any petitions received from Members in accordance with Standing Order No.7. To date, notice has been received of five petitions to be presented by:

- Cllr Alexander on behalf of residents in Low Green and Croft Farm Close in relation to parking disruption from parents dropping off children at school.
- Cllr Reid requesting that the Chancery Court salt bin is put back on the list of salt bins to be filled at the start and throughout the winter period as it is much needed given the age of residents and the incline of the roads and footpath.

- Cllr Reid requesting that the Parker Avenue and Hotham Avenue ward salt bins are put back on the list of salt bins to be filled at the start and throughout the winter period as they are much needed given the steep incline of the roads and footpaths.
- Cllr Reid requesting that the Ridgeway salt bin (next to number 10) is put back on the list of salt bins to be filled at the start and throughout the winter period as it is much needed in this road given the nature of the incline of the road and footpath.
- Cllr Reid requesting that the Vesper Drive salt bin is put back on the list of salt bins to be filled at the start and throughout the winter period as it is much needed in this road.

**6. Report of Cabinet Leader (Pages 93 - 98)**

To receive and consider a written report from the Leader on the work of the Cabinet.

**7. Recommendations of the Audit and Governance Committee (Pages 99 - 104)**

To consider the following recommendation for approval from the Audit and Governance Committee:

Meeting	Date	Recommendations
Audit and Governance Committee	19 March 2013	Minute 60: Constitutional Changes relating to the Health and Wellbeing Board

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=437&MId=7803&Ver=4>

**8. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee (Pages 105 - 108)**

To receive a report from Councillor Wiseman, the Chair of the Corporate and Scrutiny Management Committee (CSMC) on the work of the CSMC.

**9. Report of Cabinet Member** (Pages 109 - 118)

To receive a written report from the Cabinet Member for Health, Housing and Adult Social Services, and to question the Cabinet Member thereon, provided any such questions are registered in accordance with the timescales and procedures set out in Standing Order 8.2.1.

**10. Pay Policy 2013/14** (Pages 119 - 140)

To consider a report seeking approval to the Pay Policy Statement for 2013/14 relating to the pay of the Council's senior staff, to fulfil the requirements of Sections 38 – 43 of the Localism Act 2011.

**11. Travel Allowances** (Pages 141 - 146)

To consider a report asking Council to extend the list of approved duties and to request Officers to publish details of all travel and subsistence costs incurred on behalf of Members.

**12. Activities of Outside Bodies**

Minutes of the following meetings of outside bodies, received since the last meeting of Council, have been made available for Members to view via the Council's website at

<http://sql003.york.gov.uk/mgListOutsideBodies.asp?bcr=1>

Copies may also be obtained by contacting Democracy Support Group at West Offices, York (tel. 01904 551088)

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

Members are invited to put any questions to the Council's representatives on the above bodies, in accordance with Standing Order 10(b).

**13. Appointments and Changes to Membership** (Pages 147 - 148)

To consider the appointments and changes to membership of committees set out on the list attached to this summons, including appointments to the statutory Health and Wellbeing Board.

#### **14. Notices of Motion**

To consider the following Notices of Motion under Standing Order 12:

##### **A – Motions referred from the Cabinet in accordance with Standing Order 12.1(a)**

None

##### **B – Motions submitted for consideration directly by Council, in accordance with Standing Order 12.1(b)**

###### **(i) From Cllr Gunnell**

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

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

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

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

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

Council resolves:

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

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

(ii) From Cllr Doughty

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

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

(iii) From Cllr Reid

“Council Notes:

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

Council believes that introducing charges for green bin collections would further undermine the successful recycling schemes introduced by the Liberal Democrats, lead to a fall in



recycling rates, and a further increase in landfill taxes. This would cancel out any short-term income received from charging.

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

(iv) From Cllr Simpson-Laing

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

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

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

Local Government is being asked to make cuts that far outweigh Government expenditure reductions in Whitehall Departments. In 2014/15 there will be a 0.6% reduction in public expenditure, yet local government will experience a cut of around 8.7%.

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

Council resolves:

Through its membership of the LGA, to campaign on a cross-party basis against these damaging cuts which will push even more York residents into poverty;

Through that same membership to call for a reversal of the decision to impose an extra 2% cut to local government budgets in 2014/15 on top of the disproportionate cuts already dealt to councils since the Conservative-led Government came to power in 2010.”

**15. Questions to the Cabinet Leader and Cabinet Members received under Standing Order 10(c)**

To deal with the following questions to the Cabinet Leader and / or other Cabinet Members, in accordance with Standing Order 11.3(a):

(i) To the Cabinet Leader from Cllr Aspden:

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

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

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

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

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

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

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

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

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

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

“Labour’s Budget included a further £150,000 cut to Youth Services in 2014/15. Could the Cabinet Member guarantee that the Council will continue to fund and supervise Youth Centres and none will close as a result of this funding reduction?”

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

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

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

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

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

“The Green Deal has the potential to deliver significant

environmental, social and economic benefits for York. Could the Cabinet Member outline what plans are in place to ensure that York residents benefit from this opportunity?”

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

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

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

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

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

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

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

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

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

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

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

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

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

“Could the Cabinet Member outline the new schedule for grass verge cutting after the cuts to ‘Smarter York’ in this year’s Budget?”

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

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

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

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

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

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

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

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

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

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

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

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

## 16. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

### Democracy Officer for this meeting:

Name: Jill Pickering

Contact details:

- Telephone – (01904) 552061
- E-mail – [jill.pickering@york.gov.uk](mailto:jill.pickering@york.gov.uk)

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

**CITY OF YORK COUNCIL**

Resolutions and proceedings of the Special meeting of the City of York Council held in Guildhall, York on Thursday, 13th December, 2012, starting at 6.30 pm

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

**ACOMB WARD**

Horton  
Simpson-Laing

**BISHOPTHORPE WARD**

Galvin

**CLIFTON WARD**

Douglas  
King  
Scott

**DERWENT WARD****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  
Fitzpatrick

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  
Watt

STRENSALL WARD

Doughty

WESTFIELD WARD

Jeffries  
Burton  
Williams

WHELDRAKE WARD

Barton

Apologies for absence were received from Councillors Brooks and Wiseman



## OBJECT OF THE MEETING

44. The Lord Mayor declared the object of the meeting, under Section 249 of the Local Government Act 1972, which was to confer the Freedom of Entry to the City upon the 34<sup>th</sup> Field Hospital.

## FREEDOM OF ENTRY TO THE CITY

45. It was moved by Cllr Alexander and seconded by Cllr Gillies:

“That, pursuant to its powers under Section 249 of the Local Government Act 1972, the Council do confer the Freedom of Entry to the City of York upon the 34<sup>th</sup> Field Hospital.”

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

RESOLVED: That the above motion be approved.

Keith Hyman

LORD MAYOR OF YORK

*[The meeting started at 6.30 pm and concluded at 6.35 pm]*

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**CITY OF YORK COUNCIL**

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**BISHOPTHORPE WARD**

Galvin

**CLIFTON WARD**

Douglas  
King  
Scott

**DERWENT WARD**

**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  
Fitzpatrick

HUNTINGTON & NEW  
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Hyman  
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MICKLEGATE WARD

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RURAL WEST YORK WARD

Gillies  
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SKELTON, RAWCLIFFE &  
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Cunningham-Cross  
McIlveen  
Watt

STRENSALL WARD

Doughty

WESTFIELD WARD

Jeffries  
Burton  
Williams

WHELDRAKE WARD

Barton

Apologies for absence were received from Councillors Brooks and Wiseman

#### 46. DECLARATIONS OF INTEREST

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

The following **personal** interest was declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Cllr Gillies	12 (Notices of Motion) B (iv) from Cllr Burton (Acomb Team).	Former chair of Acomb Conservative Club who have been involved in discussions on this proposal.

#### 47. MINUTES

RESOLVED: That the minutes of the last Ordinary meeting of the Council held on 11 October 2012 be approved and signed by the Chair as a correct record.

#### 48. CIVIC ANNOUNCEMENTS AND LORD MAYOR ELECT

The Lord Mayor invited all present to stand and observe a minute's silence in memory of Honorary Alderman Bob Eccles following his recent death. Honorary Alderman Eccles had been a long standing colleague and member and Chair of Rawcliffe Parish Council and Ryedale and City of York Councils.

The Lord Mayor also welcomed Cllr Jeffries back to meetings and Council business, following her recent illness.

The Lord Mayor then invited Cllr Alexander to nominate the Lord Mayor Elect for the Municipal Year 2013/14. Cllr Alexander nominated Cllr Julie Gunnell as the Lord Mayor Elect and this nomination was unanimously agreed. Cllr Gunnell replied that she would be honoured to accept this office for the 2013/14 Municipal Year.

**49. PUBLIC PARTICIPATION**

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

Gwen Swinburn spoke in relation to governance issues. She explained that she had attended Council meetings over the past year and had spoken widely to colleagues and citizens who shared her concerns regarding the governance of the city. She stated that problems existed at a number of levels, including Cabinet, scrutiny, and Ward Committees where improvements needed to be made. She suggested that a form of governance commission/panel should be established in order to examine these issues and expressed her desire for all council meetings to be web cast.

John Cossham FRSA spoke as a representative of 'Frack Free York Our Clean Energy Future'. He explained the process of fracking which involved pumping high-pressure water and chemicals into underground shale to release trapped gas. He pointed out that this process was well publicised in the States and although there were currently no fracking sites around York, there were concerns that current planning legislation could allow energy companies to use this process in the area. He reported that permission was already in place locally to drill for gas using coal bed methane extraction with rigs up and running in Shipton and Wigginton, and pointing out that fracking was an alternative method for dealing with coal beds. He asked members for their support in adopting a policy to prevent hydro carbon extraction in the York area.

**50. PETITIONS**

Under Standing Order 7, petitions were presented by:

- i) Cllr Reid on behalf of residents of Spurr Court requesting the reinstatement of the street light removed in 2011 to improve security and safety for residents. <sup>1</sup>
- ii) Cllr Orrell on behalf of residents of Lea Way, Huntington requesting the City of York Council to carry out the resurfacing of Lea Way postponed while Lea Field Court was constructed. <sup>2</sup>

Action Required

1&2. Schedule items on Forward Plan, if required, and keep relevant member updated on progress. SS

**51. 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 fifteen questions on the written report, submitted by Members in accordance with Standing Orders. The first six questions were put and answered as follows and Cllr Alexander undertook to provide Members with written answers to the remaining questions:

- (i) From Cllr Warters: “Whilst supportive of the Council’s aim to increase the pay of the lowest paid workers, will the Council Leader confirm that the implementation of the living wage on 1 April 2013 will not lead to similar percentage wage increases further up the salary grades to maintain differentials?”

***The Leader replied:***

*Can I start by thanking Councillor Warters for his support for this policy. This is a refreshing change from York Conservatives who have said the policy is “the wrong thing for council to be doing” and York Liberal Democrats who have called the policy “financially reckless”.*

*Job redesigns will be completed by 1 April 2014 and this will determine if further changes to pay structures are required. I am not anticipating many increases but we need to address issues where staff may have little difference in pay to those who they manage, who will now benefit from the Living Wage.*

- (ii) From Cllr Cuthbertson: “How will the ‘living wage’ be funded in 2014/15?”

***The Leader replied:***

*From core budget. This will be put before full council in February 2013 as part of our two year budget for 2013/14 – 2014/15.*

- (iii) From Cllr D'Agorne: "If the 'Living wage' is to be funded from borrowing in the first year, how is this sustainable from 2014? Will this still be implemented if compulsory redundancies are required to balance the books in 2013/14?"

***The Leader replied:***

*The Living Wage is not going to be funded from borrowing. In local Government you cannot pay revenue wages using capital borrowing.*

- (iv) From Cllr Healey: "Name one action taken by your administration since taking office which will have affected the latest published unemployment and growth figures cited in your report?"

***The Leader replied:***

*Increasing the number of apprentices at City of York Council by 60 since being elected in May 2011.*

- (v) From Cllr Warters: "Noting references to the Hiscox development in the report, will the Cabinet Leader be attempting to influence the Hiscox management to relocate back to the UK from the companies' tax haven base in Bermuda in line with national concerns over corporate taxation levels?"

***The Leader replied:***

*I am not au fait with tax avoidance and so I am not sure what arrangements Councillor Mark Warters is referring to. However I share concern over UK corporation tax evasion. I trust the Chancellor will be closing these loop holes with the recent media attention on Starbucks and Amazon.*

- (vi) From Cllr Healey: "Please name the financial contribution being made by the private sector that backs the council taking part in MIPIM Conference?"

Please detail the "important work" progressed with the cities of Shanghai and Chicago and the expected tangible benefits to our local economy and when you expect these benefits to come to fruition?"



***The Leader replied:***

*The council is currently working with the private sector to secure this private sector contribution, which according to the examples of other cities taking part in MIPIM, is attracted only after the local council has made clear its commitment to the project. These negotiations are ongoing through the early part of next year. I have been impressed with Conservative-run Hammersmith and Fulham who have managed to kick start developments using MIPIM. I am please Julian Sturdy is backing us in taking part.*

*The trip to Shanghai established critical links with Shanghai officials and British Council, as well as private sector contacts, which will now be used to build York's presence in the Shanghai region. The trip enabled raising the profile of the city's heritage and conservation sector, as well as a destination to live, work and study, and we will be continuing to build this profile on the expectation of interest in investing in York as well as visiting/studying in the city. The Shanghai Culture, Communication and Tourism Co Ltd have confirmed that they will be bringing 4 tour parties to York in the Spring of 2013 and 41 of the 120 Chinese visitors contacted them after visiting York's exhibition in Shanghai. York has also been invited to present an exhibition at the prestigious Shanghai Expo in 2013, showcasing the city's tourism and business offer. No other UK city has received such an invite.*

*The links built in Chicago have enabled the city to raise the profile of York as a destination for inward investment and talent via the joint presence of the University of York and CYC at a British Council event held in the city. It has allowed us to establish critical contacts in the British Consulate for the Midwest region of the US, which will be used to benefit business in the city of York seeking to break into the US market. It has allowed us to establish a connection to the Chicago and Chamber of Commerce as well as establishing an invitation for the city of York to be present at biotechnology events in Chicago, which will be followed up with the aim of ensuring that York firms and universities have the opportunity to benefit from this opportunity. These benefits again will start accruing immediately, as we are now in contact with the city of Chicago with regard to potential opportunities for private sector opportunities.*

*The funding for this work is coming from the reinstatement of the Conservative established fund of promoting York.*

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

- (vii) From Cllr Ayre: “Could the Cabinet Leader state what proportion of his time in London was spent visiting the Philippine Ambassador and what proportion at a Labour organised rally. Can he confirm that the proportion of transport costs were split along these lines so they were shared between his pocket and the taxpayers’?”

**Reply:**

*I spent approximately 1hour 30mins with the Philippine Ambassador at his invitation. This occurred out of a stay in London that lasted approximately 15 hours. Therefore the proportion of time spent with the Ambassador was approximately 10%.*

*0 mins were spent at a Labour organised rally during this time in London. I instead attended a further four meetings in London during this period. I managed to ensure no cost was attributed to the council for my over night stay by virtue of staying with family.*

*The cost of the train ticket was met fully by the council.*

- (viii) From Cllr Runciman: “The report to Cabinet which recommended spending £25,000 to send a delegation to the MIPIM Property Fair stated that the economic benefits were “difficult to determine”. Could the Cabinet Leader report back after the visit and outline precisely and quantifiably what the economic benefits actually were?”

**Reply:**

Yes

- (ix) From Cllr D’Agorne: “Will all potential inward investors for development sites be encouraged to sign up to a commitment to pay a Living Wage?”

**Reply:**

Yes

- (x) From Cllr Runciman: “In reference to the Autumn Statement, at the Conservative Conference in November George Osborne outlined plans for £10bn worth of welfare cuts. These included plans to end housing benefit for 1,060 under-25s in York, freeze all working-age benefits for 3,057 JSA claimants in York, and to limit child benefit to two children for 2,780 families in York. Does the Cabinet Leader believe the Liberal Democrats were right or wrong to oppose and block these proposals?”

**Reply:**  
*Right.*

*But it is a shame such tenacity was not also used to oppose reductions in Council Tax Benefit and reductions in benefits announced by the Chancellor in the Autumn Statement. As much as it may be uncomfortable for some Liberal Democrat members, this government only exists because of Liberal Democrat support. This is the only mandate the Conservatives have for their legislative programme. If Liberal Democrats really want to oppose the Conservatives, they should leave the Government.*

- (xi) From Cllr Runciman: “Can the Cabinet Leader confirm what proportion of the £9m savings the Chief Executive said were needed after the Autumn statement in 2013/14 is due to each of the following:

- Reduction in government grant
- Increased demand for services
- Increased cost of services?

**Reply:**  
*Reduction in Government funding = £4.5m*  
*Increased demand for services = £2.5m (adult care)*  
*Increased cost of services = £3.4m*

- (xii) From Cllr Warters: “Given the Council Leaders concern that “Scrutiny is not working as it should be in this Council”, does the Council Leader consider that shouting at the CSMC Chair and Head of Democratic Services before storming out of the meeting room and slamming the door is the way to get scrutiny working as he demonstrated on the 19 November at CSMC (Call In) and if this is not the way to get scrutiny

working will the Leader, through Full Council, offer an unreserved apology to Members and Council staff for his behaviour?"

**Reply:**

*I am happy to defend my actions should there be a standards investigation initiated by yourself and Councillor Wiseman. I do however find it difficult to understand why me defending your view in the meeting was wrong and me leaving the meeting just before you did was also wrong.*

*Whether we like it or not SMC call-in meetings are a political environment which in turn leads to robust political debate. The conduct of the meeting is the responsibility of the Chair and I was not Chair of the meeting. The Chair of SMC is almost as important as a cabinet member and that chair needs to be experienced, and level headed but above all be able to control a meeting despite any political differences.*

- (xiii) From Cllr Healey: "Given the fact that most scrutiny chairs and scrutiny members are Labour councillors, shouldn't any failures of the scrutiny system first be addressed within the Labour Group?"

**Reply:**

*I agree with Councillor Gillies' view that all in this council can be apportioned blame. In Feb 2011 you voted to reduce the budget for scrutiny and in June 2011 you voted against Labour reinstating it. My opinion is that the failure of scrutiny comes from a lack of leadership of scrutiny and this is something the opposition must grasp. There appears to be a lot of meetings with lots of talk but very few outcomes. I think this is unacceptable.*

- (xiv) From Cllr Ayre: "While we welcome the Leader's concern about the scrutiny of his policies, one of the key parts of scrutiny is surely a free press. Will the Leader give his assurances that his recent twitter campaign will not be the start of him trying to use his position to unduly influence the media in York?"

**Reply:**

Yes

- (xv) From Cllr Runciman: “The Liberal Democrat Group believe that scrutiny and overview is a vital function of Council and therefore should not be party political or whipped. Does the Cabinet Leader agree with this?”

**Reply:**

*I agree with Councillor Gillies’ view that all tend to vote on party lines.*

**B Cabinet Recommendations**

2012/13 Capital Programme Monitor 2

Cllr Alexander moved, and Cllr Simpson-Laing seconded the following recommendations contained in Minute 55 of the Cabinet meeting held on 6 November 2012:

*[That Council] agree:*

- *the adjustments in the Capital programme of an overall increase of £3.930m in 2012/13 and re-profiling from 2012/13 to 2013/14 and 2014/15 of £553k as detailed in the report and contained in Annex A including the following new schemes:*
  - *£248k for the provision of a Looked after Children’s Contact Centre funded by £190k departmental borrowing with the associated costs being funded by the savings realised from this service area as a result of delivering this scheme and £58k funded from DfE Children’s Social Care Capital Grant.*
  - *£2.213m for the outright purchase of Fleet Vehicles previously leased to be funded by prudential borrowing with the associated revenue costs being met from existing departmental revenue budgets.*
  - *£34k Parks and Open Spaces schemes all funded from S106.*
  - *£10k S106 CCTV Digital Infrastructure*
- *To note the 2012/13 revised budget of £69.033 as set out in paragraph 6 and Table 2 of the report.*
- *To note the restated capital programme for 2012/13 – 2016/17 as set out in paragraph 30, Table 3 and detailed in Annex A of the report.*

- *To note the re-profiling and adjustments of the Economic Infrastructure fund to align to spend and approval as set out in the Economic Infrastructure reports to Cabinet noting the overall fund remaining at £28.5m.*
- *To note the inclusion of the £618k for works at Hazel Court for the Office of the Future funded by prudential borrowing with the associated costs being met from annual revenue savings of £235k from moving out of the Guildhall, St Anthony's and 50 York Road as approved by Council on the 11 October 2012.*
- *To approve the use of capital contingency:*
  - *£31k for Flood Pump Resilience (paragraph 12)*
  - *£85k for CCTV Digital Infrastructure (paragraph 15)*

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

RESOLVED: That the above recommendations in respect of the capital programme monitor be approved.<sup>1</sup>

#### Council Tax Support Decision Paper

Councillor Alexander moved and Cllr Simpson-Laing seconded the following recommendation contained in Minute 70 of the Cabinet meeting held on 4 December 2012, set out in the papers circulated around the chamber:

*[That Council] be recommended to approve Option 1, capping council tax benefits at a figure of 70% (as set out in detail in the report), as the Council Tax Support Scheme.*

Cllr D'Agorne then moved, and Cllr Taylor seconded, an amendment to the above motion, as follows:

*After 'approve' in line 2 **delete** 'option 1 etc ..... ' to the end and replace with*

*"Option 2, thereby reducing the percentage cut in Council Tax benefit for working age claimants in 2013/14 from 30% to a maximum of 8.5%, subject to the additional funding required of £772,000 in 2013/14 being met through further savings in*

*Council services to be identified in setting the budget for 2013/14 onwards and on the basis that (as with Option 1) a hardship fund is included for those worst affected by the cut in benefit.”*

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

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

RESOLVED: That the original recommendation in respect of the Council Tax Support Scheme be approved.<sup>2</sup>

Action Required

1. Adjust Capital Programme accordingly and proceed with use of capital contingency and new schemes. RB, LB
2. Undertake work to implement approved scheme. IF

**52. SCRUTINY - REPORT OF THE CHAIR OF THE CORPORATE AND SCRUTINY MANAGEMENT COMMITTEE**

Council received the report of the Chair of the Corporate and Scrutiny Management Committee at pages 93 to 96, on the work of the Committee.

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

RESOLVED: That the scrutiny report be received and noted.

**53. REPORT OF CABINET MEMBER**

Council received a written report from Cllr Williams, Cabinet Member for Crime and Stronger Communities.

Notice had been received of eighteen questions on the report, submitted by Members in accordance with Standing Orders. The first eight questions were put and answered as follows and Members agreed to receive written answers to their remaining questions, as set out below:

(i) From Cllr Healey:

“Are you actually implying that the creation of a single cabinet post has led to a reduction in crime of 19.4% in the last two years and isn't this disrespectful to the police, probation service and other criminal justice professionals who are really responsible?”

**Cabinet Member replied:**

*“Its taken a deliberately provocative comment from me to get opposition councillors to ask me questions about crime figures, which show a spectacular success story since Labour took control of the authority.*

*I am delighted to take up the opportunity to talk about the staggering reduction in crime in York since May 2011, which followed from a year of rising crime in 2010/11.*

*Of course the major credit for this should go to professionals on the ground in the police and Safer York Partnership.*

*But just as we praise officers we should acknowledge that these successes came under a policy framework set by this administration and taking their lead from this administration . I am sure he would be the first to blame me if the figures showed a rise in crime.”*

(ii) From Cllr Orrell:

“What were the figures for overall crime in 2003 and in 2011? What percentage increase/decrease does this represent over the 8 year period?”

**Cabinet Member replied:**

*“Crime fell in York over those eight years. But the fall was not at all consistent. On average it fell by 6.7% per year in those years.*

*Crime fell by 10% last year. So far this year its fallen by 9.4%. He can try to play around with the Lib Dem figures all he wants – it will still show a remarkable performance in the last two years under Labour and far better than anything achieved under the Lib Dems.”*



(iii) From Cllr Orrell:

“Would he agree with me that at least some of the credit for the continuing drop in crime in York over the last ten years should go to the Police and other partners?”

**Cabinet Member replied:**

“Yes.”

(iv) From Cllr Orrell:

“In the areas of theft or unauthorised taking of a vehicle, shoplifting, and fraud our performance position compared to our family group of authorities has worsened. How does the Cabinet Member explain this and what steps has he put in place to improve this position?”

**Cabinet Member replied:**

*“In the case of fraud, the sample base is very small and so small changes can distort the figures. I should say that we are considerably ahead of target for this crime type.*

*There doesn't appear to be a specific reason for the change with regards to the other two types of crime.*

*in terms of the unauthorised taking of a vehicle, whilst we have very marginally slipped in the rankings of our family group, the trend is actually very good. We are bang on our pre-set target for the year and the number of such thefts are significantly down on last year, which was in fact significantly down on the year before.*

*In terms of shoplifting, I agree with Cllr Orrell that this is a concern as it is the only one of the 12 crime types where we are not meeting our targets.*

*This will be one of focusses moving forward and I can confirm one of the measures we are looking at relates to Business Watch schemes – which was a specific outcome of the Crime Summit.”*

(v) From Cllr Orrell:

“Would the Cabinet member agree to publish comparative numbers of overall crime for both York and North Yorkshire

separately, for each of the last 10 years, to give members the full facts on which to base their judgement of his effectiveness?"

**Cabinet Member replied:**

*"No. I'm not responsible for crime in North Yorkshire and he can just as easily access the crime figures for there as I can. In any case, North Yorkshire would not be a good point of comparison since it differs very significantly in character to York. The levels of crime and the types of crime are very different and so the comparison would be largely meaningless."*

(vi) From Cllr Healey:

"How many York residents attended April's Crime Summit who were not associated with either CYC or one of the council's partner organisations?"

**Cabinet Member replied:**

*"No specific attendance register was kept so I cannot provide a precise number. However, I can report that officers running stalls at the summit were kept busy all day with queries from members of the public."*

(vii) From Cllr Healey:

"Regarding your point about 'Troubled Families' on page 102, how many is a "small" number of families?"

**Cabinet Member replied:**

*"330"*

(viii) From Cllr Orrell:

"Would the Cabinet Member outline the number of Anti-Social Behaviour incidents recorded by the Council ('CYC Recorded ASB Calls for Service') in 2010/11, 2011/12 and the forecast (plus monthly breakdown so far) for 2012/13? What percentage yearly increase/decrease does this represent and what factors are behind any rise/fall?"

**Cabinet Member replied:**

*"The monthly figures are as follows:*

Year	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2012-13	293	270	255	345	327	224	288					
2011-12	314	213	242	389	345	301	250	272	188	418	323	319
2010-11	312	246	252	372	224	252	269	265	213	328	315	410
2009-10	348	236	368	293	248	308	264	220	177	216	265	348

*There was a 5% increase in ASB Calls for service in 2010/11 a 3% rise in 2011/12 and based on the figures in so far this year were are predicting a 4% fall this year, taking the total number of incidents to 3,432 – below the level we inherited.”*

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

(ix) From Cllr Orrell:

“Would the Cabinet Member provide a monthly breakdown of the ASB incidents recorded by the Council (CYC Recorded ASB Calls for Service) since 2010/11 (or from when possible) by the following categories: Abandoned Car, Drug related Litter, Fly-tipping, Graffiti, Litter and Dog Fouling plus any other recorded areas?”

**Reply:**

*The monthly figures are:*

CYC Recorded ASB Calls for Service by Month 2009-10 to 2012-13												
Year	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2012-13	293	270	255	345	327	224	288					
2011-12	314	213	242	389	345	301	250	272	188	418	323	319
2010-11	312	246	252	372	224	252	269	265	213	328	315	410
2009-10	348	236	368	293	248	308	264	220	177	216	265	348

Year	Total	% Change on Previous Year	% Change since 07-08
2012-13 Est	3432	-4%	-29%
2011-12	3574	3%	-26%
2010-11	3458	5%	-28%
2009-10	3291	-20%	-32%
2008-09	4112	-14%	-14%
2007-08	4806		

Year	Total						% Change on Previous Year					
	Abandoned Cars	Drug Related Litter	Flytipping - Rubbish	Graffiti	Litter	Dog Fouling	Abandoned Cars	Drug Related Litter	Flytipping - Rubbish	Graffiti	Litter	Dog Fouling
2012-13 Est	91	137	1500	561	768	375	-7%	-1%	3%	-7%	-1%	-25%
2011-12	98	138	1452	604	779	503	-3%	-5%	-10%	-4%	25%	43%
2010-11	101	146	1613	626	621	351	-19%	21%	21%	-22%	13%	-4%
2009-10	124	121	1328	801	550	367	-38%	-34%	-24%	-14%	-15%	-11%
2008-09	199	184	1737	934	647	411	-39%	-26%	10%	28%	-37%	-17%
2007-08	328	257	1573	727	1027	494						

(x) From Cllr Ayre:

“In regards to supporting students, is the Cabinet Member aware of any concerns raised by international students about the behaviour of some of the city's bus company staff?”

**Reply:**

*I am aware that Muslim students from York University have experienced 'being left standing at the bus stop' earlier in the Year.*

*As part of the hate crime work with York University, officers are working with the Islamic Society on a programme of work that may address some of these problems. This work is only in the initial stages however I understand they are keen to work with us to address the problem.*

*Neither I, nor my supporting officers are aware of any other concerns raised.*

(xi) From Cllr Orrell:

“The report mentions the problem of alcohol misuse, could the Cabinet Member outline whether he is in favour of introducing a minimum alcohol price limit in order to tackle this problem?”

**Reply:**

*Safer York Partnership, York Drug And Alcohol Team and the Health and Wellbeing Board are all focused on the alcohol agenda.*

*A minimum alcohol price may be one consideration but amongst a range of other options to tackle the long term effects of alcohol misuse. We have an alcohol strategy and this will determine a holistic approach to tackling the problem and we will be theming the coming crime summit around alcohol.*

*At present I am neutral with regard to minimum pricing. I have nothing against the principle, but I am a strong believer in evidence based policy and so I am watching how this turns out in the areas that have recently implemented the measure. It may be a useful tool to tackling our alcohol problems, but we will be led by the evidence.*

(xii) From Cllr Ayre:

“Could the Cabinet Member provide an update on the 14 projects funded by Your Consortium and confirm that all the funding will be used by the organisations and no funding has been returned? If any funding has been returned, what were the reasons for this?”

**Reply:**

*Yes. I have tabled a report separately from Your Consortium which shows the huge benefits which are being derived from these 14 projects. It is tremendous how many new and diverse projects we have been able to fund with real and measurable benefits. I am pleased that the report shows that no funding has been returned and it looks like all projects are on track to draw down their full award.*

(xiii) From Cllr Ayre:

“Does the Cabinet Member believe that the Your Consortium process is proving onerous and obstructive to organisations?”

**Reply:**

*No. I think the report tabled amply demonstrates that this is not at all the case.*

(xiv) From Cllr Ayre:

“Can the Cabinet Member state how much was spent on the launch of the Equality Strategy and on what?”

**Reply:**

*This is the responsibility of my Cabinet colleague Cllr Crisp. However I can confirm that £383 was spent on the venue and refreshments for the launch – which I would suggest is excellent value for money in terms of raising awareness of this important initiative for York and its diverse communities.*

(xv) From Cllr Reid:

“How many residents have attended Ward Committee meetings so far during this municipal year and how does this compare to the same period in 2010?”

**Reply:**

*Ward Committee attendance is significantly down on previous years. This is likely to be due to the fact that ward committee funding is much reduced, owing to cuts from the Conservative and Liberal Democrat Government.*

(xvi) From Cllr Reid:

“How many residents have responded, in each ward, to consultation surveys (paper and internet) organised by the neighbourhood unit, in each of the last 3 years?”

**Reply:**

*The numbers of responses are as follows:*

WARD	Votes 11/12	Votes 10/11	Votes 09/10
Acomb	57	98	56
Bishopthorpe & Wheldrake	136	242	332
Clifton	142	264	161
Derwent, Heworth Without & Osbaldwick	168	236	202
Dringhouses & Woodthorpe	126	200	171
Fishergate	116	136	94
Guildhall	71	127	66
Haxby & Wigginton	164	357	216
Heslington & Fulford	68	90	79
Heworth	91	120	101
Holgate	98	80	146
Hull Road	68	68	58
Huntington & New Earswick	97	170	131
Micklegate	156	276	290
Rural West	136	282	22
Skelton, Rawcliffe & Clifton Without	179	225	239
Strensall	145	227	198
Westfield	108	150	159

(xvii) From Cllr Reid:

“How many of the residents attending his Westfield ward committee meeting in November were there specifically to object to the 20mph speed limit proposals?”

**Reply:**

*None.*

*But given that 20mph limits were not an item on the agenda that is hardly surprising. The recent Westfield Ward Committee was not a formal meeting but an informal drop-in session held in Acomb Explore Library.*

*We had support from a number of partners and an excellent attendance from Westfield residents with people dropping in constantly over a three hour period. Many commented on how much better the new format was, allowing them the confidence to speak to people rather than feeling uncomfortable speaking up in a formal meeting.*

(xviii) From Cllr Ayre:

“Can the Cabinet Member state whether he believes it is correct that organisations with no employees are barred from applying for funding due to the lack of an employer liability certificate?”

**Reply:**

*I think Cllr Ayre has somehow become confused on this issue. Of course any organisation that provides services or invites the public or volunteers onto its premises will need appropriate public liability insurance as would be expected. Equally, we would expect any organisation to have employer’s liability insurance to ensure that any volunteers carrying out voluntary work in their organisation are properly protected. This does not bar organisations that do not employ people from applying, it merely ensures that organisations with volunteers provide the requisite legal protection to its voluntary workforce.*

**54. RECOMMENDATIONS OF THE JOINT STANDARDS COMMITTEE**

As Chair of the Joint Standards Committee, Cllr Runciman moved and Cllr Cuthbertson seconded, the following recommendations contained in Minutes 20 and 21 of the meeting of that Committee held on 28 November 2012:

**APPOINTMENT OF INDEPENDENT PERSONS**

- (i) *[That Council] approve the appointment of Mr David Laverick as an independent person.*
- (ii) *That, until a full complement of independent persons has been appointed, the existing former independent persons be requested to continue to act in this role.*<sup>1</sup>

## **DISPENSATIONS**

*[That Council] agree that agenda papers for meetings record dispensations that had been granted.<sup>2</sup>*

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

RESOLVED: That the recommendations in Minutes 20 and 21 of the Joint Standards Committee meeting held on 28 November 2012 be approved.

### Action Required

1. Note appointment of Independent Person. JC
2. Note recording of future dispensations. JC

## **55. RECOMMENDATIONS OF THE GAMBLING, LICENSING AND REGULATORY COMMITTEE**

As Chair of the Gambling, Licensing and Regulatory Committee, Cllr Boyce moved, and Cllr Gillies seconded, the following recommendation of that Committee held on 19 November 2012:

### **STATEMENT OF LICENSING POLICY – GAMBLING ACT 2005**

*That Full Council be asked to approve the new statement of licensing policy.*

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

RESOLVED: That the recommendation in Minute 8 of the Gambling, Licensing and Regulatory Committee meeting held on 19 November 2012 be approved.<sup>1</sup>

### Action Required

1. Implement new licensing policy. SW, LC

## **56. ACTIVITIES OF OUTSIDE BODIES**

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

- NHS Foundation Trust - 23 May 2012



- Yorkshire Purchasing Organisation – 22 June 2012
- North Yorkshire Police Authority – 25 June 2012
- Quality Bus Partnerships – 17 September 2012
- North Yorkshire Fire & Rescue Authority – 26 September 2012
- Safer York Partnerships – 11 October 2012

No questions had been submitted to representatives on outside bodies.

## 57. NOTICES OF MOTION

- (i) Police and Crime Commissioner for York and North Yorkshire.

It was moved by Cllr Williams and seconded by Cllr Fitzpatrick that:

“This Council congratulates Julia Mulligan on being elected as the new Police and Crime Commissioner for York and North Yorkshire.

In noting that around 40% of all crimes in North Yorkshire take place in York, it is very important that the new Commissioner wins the confidence of the people of York by making the tackling of crime and anti-social behaviour in our City her top priority.

With this in mind, we resolve to ask for her support in the following policy commitments for her first year in office:

1. Maintaining a separate Community Safety Partnership for York, with resources to remain at least as they are at present.
2. Maintaining Police Community Support Officers in York to at least their current levels.
3. No cuts to Neighbourhood Police Teams in York.
4. Support for City of York Council’s coming Crime Summit to be themed around addressing alcohol misuse.”

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

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

At this point in the meeting, the guillotine fell and the following motions and amendments were put to the vote without debate having been deemed, moved and seconded.

(ii) Workings of Council (proposed by Cllr Steward)

“Council notes with increasing concern the anti-democratic behaviour of the Cabinet and Council and its failure to respect residents or opposition councillors. In particular council notes:

- That the ruling group should not have scrutiny chairs and also the insistence of this cabinet on whipping scrutiny committees, as was recently highlighted by Cllr Jeffries.
- The late publication of papers, with inadequate time for consideration by councillors or information for residents and also the abolition of public decision sessions and an increased amount of decisions in total secret. In addition the lack of access to papers including the late publication of budget papers to opposition councillors.
- The lack of discussion on key issues such as ‘20’s plenty’ and when consultation is held it does not truly engage or may even be flawed – for example in the case of the changes to Adult Social Care.
- The frequent rearrangement of meetings, with a lack of notice or the cancellation of meetings for example this month of EcDos and the several times cancelled Local Plan Group; the committees for which have much needed work to do.
- The poor format of Full Council meetings, with discussion stifled, too little opportunity to question Cabinet members and motions not given adequate priority.
- The over-use of ‘pink papers’ as one of the ways to keep information secret, which leads to a situation where members of the public are forced to use Freedom of Information requests.

Therefore council calls for an all party group, including independent members to be established in order to make

recommendations to ensure council works in a more effective, transparent and democratically engaging way and to restore the respect for the council which cabinet has done so much to erode.”

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

*“Insert new bullet point after the word ‘requests’:*

- *That all Councillors do not routinely receive confidential papers with agendas, which means decisions can not be called-in or if they are we see the chaotic scenes witnessed at the November 19<sup>th</sup> meeting of the Corporate and Scrutiny Management Committee.*

*After “established” insert the words ‘and given suitable officer support’*

*After “erode” insert the words ‘These recommendations will be presented to a Cabinet Meeting in this Municipal Year. If the Cabinet does not implement these recommendations in full then it must respond outlining its reasons for any rejection.*

***Add the following after rejection:***

*“To ensure no information is withheld from councillors, Council instructs the Chief Executive to ensure that all Cabinet and Committee reports are issued or available on request to all councillors with the same documentation, including all papers that are withheld from the public and press under the Local Government Act Section 12A. In any instance where a decision is taken not to do this, then a written explanation must be circulated to councillors outlining how the decision does not contravene either statute law or the ‘Need to Know’ case law.*

*Council further instructs the Chief Executive to fully implement the ‘Local Authorities Executive Arrangements (Meetings and Access to Information) Regulations 2012’ as soon as appropriate guidance is received from DCLG.”*

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

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

RESOLVED: That the original motion be not approved.

(iii) Using the Sustainable Communities Act (proposed by Cllr Runciman)

“City of York Council

(a) supports the bottom up process in the Sustainable Communities Act that enables councils and their communities to drive the action and assistance that central government gives in promoting thriving local economies and sustainable communities;

(b) notes that the Act gives councils the power to make proposals to government for action and assistance from government to promote sustainable communities, and that those proposals can be for, but are not restricted to, new powers or a transfer of powers or public money and function from central control to local control;

(c) notes that the Act defines sustainable communities broadly, that definition having the 4 aspects of

- the improvement of the local economy,
- protection of the environment,
- promotion of social inclusion, and
- participation in civic, political and democratic activity;

(d) notes that new regulations for the Act made in June 2012 improve the process and make it more favourable for councils in the following ways

- councils’ proposals are submitted directly to the government, there will no longer be short listing
- councils can submit proposals whenever they are ready as the process is now ongoing
- there will be a time limit of six months on the government to consult and try to reach agreement with the Selector (currently the Local Government Association) regarding councils’ proposals and to then respond to those proposals
- councils that choose to submit proposals may now decide how to consult and try to reach agreement with representatives of communities in their areas on what proposals to submit;

(e) notes that the Government has formally invited all Local Authorities to use the Act by submitting proposals;

(f) resolves to use the Act by responding to this invite and submitting proposals for action and assistance from central government each year for the next three years and to then review the outcome of this activity and consider whether to continue to use the Act; and

(g) further resolves to

- to inform the local media of this decision;
- to write to local MPs, informing them of this decision; and
- to write to Local Works (at Local Works, c/o Unlock Democracy, 37 Gray's Inn Rd, London WC1X 8PQ or [info@localworks.org](mailto:info@localworks.org)) informing them of this resolution to use the Act."

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

RESOLVED: That the above motion be approved. <sup>2</sup>.

(iv) Acomb Team (proposed by Cllr Burton)

"Council notes the success of the 'City Team York' Partnership and recognises the work being undertaken to revitalise York's city centre.

Council believes that a similar partnership board should be set up for Acomb due to the shopping areas significant importance to the economic viability of the City and employment of residents. This board should have representation from across the various sectors in the same way City Team York does.

Council requests that the Chief Executive set up an 'Acomb Team' so that the future economic wellbeing of this important retail area is supported to flourish."

Cllr Reid moved, an amendment to the original motion as follows:

*"Delete: Council believes that a similar partnership board should be set up for Acomb due to the shopping areas significant importance to the economic viability of the City*

*and employment of residents. This board should have representation from across the various sectors in the same way City Team York does.*

*Insert: Council welcomes the decision by Acomb traders, professionals and residents earlier in the autumn to set up a Traders Association in Acomb (Acomb Alive!) to help revitalise the area for business and employment.*

*Delete: Council requests that the Chief Executive set up an 'Acomb Team' so that the future economic wellbeing of this important retail area is supported to flourish."*

*Insert: Council requests the Chief Executive to support the Acomb traders in their efforts and to provide such resources as may be required to ensure the success of their project."*

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

A second amendment to the original motion had been submitted by Cllr D'Agorne, as follows:

***"Add at end of the motion: "This initiative should be used as a pilot to identify appropriate partnership models for supporting small businesses in District Centres and local neighbourhood parades in the face of economic pressure from out of town retail centres and the rise of internet sales."***

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 original motion be approved.<sup>3</sup>.

Action Required

1. Contact Police and Crime Commissioner to request support in policy commitments. WB
2. Inform media, local MP's and Local Works of motion. WB
3. Chief Executive to arrange set up of a partnership board, the 'Acomb Team', to ensure future wellbeing of area. WB

**58. QUESTIONS TO THE CABINET LEADER AND CABINET MEMBERS RECEIVED UNDER STANDING ORDER 10(C)**

Fifty five 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 Doughty:

“It is my understanding that the Economic Infrastructure Fund of £28.5Million for so-called 'investment projects' by this Labour Council administration was intended to be used over a 5 year period from April this year. I note from the Cabinet papers of December 4th 2012, a sum in excess of £12Million has already been spent or under consideration. I am no mathematician but this equates to around 40% nominated in the first year alone. Will Councillor Alexander give assurances to Council that his party will not plunge the City into yet further debt when these 'borrowed' coffers have run out and seek a further fund by method of borrowing with interest?”

**Reply:**

*We have no current plans to extend the Economic Infrastructure Fund. If debt is such a concern for the local Conservatives, they should explain why they did not support Labour's alternative budget when it was proposed in February 2010 or when it was approved in June 2011. The budget reduced the debt liability of the council.*

(ii) To the Cabinet Leader from Cllr Doughty:

“ Whilst admiring the council’s aspiration to pay its lowest-paid employees a living wage, can the Council Leader explain how it can be sustainable to fund staffing costs by borrowing from the already heavily-subscribed Economic Infrastructure Fund and whether this fund will also be used to fund employees’ increased wages in 2014 and after?”

**Reply:**

*“I thank you for your stating your belief that this council's aspiration is the right one, especially so considering Councillor Steward said at the recent Cabinet meeting, and I quote, the Living Wage is the "wrong thing for the council to be doing". He went on to add that cleaners do not deserve the Living Wage as they get perks like*

*pensions. The Living Wage was also opposed at the York Economic Partnership by Councillor Barton.*

*I will repeat the comment I made at the Cabinet that local Conservatives are misunderstanding how the Economic Infrastructure Fund has been set up. Yes £20m is coming from prudential borrowing but £8.5m is revenue from New Homes Bonus. So the payment of the Living Wage in the next financial year is not coming from borrowing. From then on it will come from core budgets. All council expenditure is either from local council tax, government grant or commercial income.”*

(iii) To the Cabinet Leader from Cllr Doughty:

“Regarding the Cabinet’s proposed ‘Arts Barge’ project, what steps will the Council take to protect residents’ money as a public investment in this project beyond part ownership of an unrefurbished boat and can the Council Leader make any representations at all as to the financial sustainability of this project over a long term basis?”

**Reply:**

*“The Council will link investment in the Arts Barge Project with the completion of milestones within the Project and Business Plans. This will ensure that funding is released when progress is made and other funding secured. We can be confident that the capital value of the boat when refurbished will be significantly larger than our investment. I have every confidence that the Arts Barge Team can achieve the objectives set out in their business plan.”*

iv) To the Cabinet Leader from Cllr Ayre:

“Could the Cabinet Leader detail all trips made by him since taking office, what the expense was to the taxpayer, and what budget this came from?”

**Reply:**

*“See separate attachment.”*

(v) To the Cabinet Leader from Cllr Reid:

“What proportion of retail and office space is currently empty in each of the City’s sub-urban wards and how does this compare to the City Centre? How much of the “Innovation & Delivery Fund” and the “Economic Infrastructure Fund” does the Cabinet Leader



intend to allocate to regeneration initiatives in sub-urban employment centres such as Acomb Front Street?”

**Reply:**

*“Whilst this data is not held at ward level, we know that 5.56% of retail units, and 25.26% of office units, by number, are vacant in areas outside the city centre, in comparison to 5.20% and 28.00% respectively for the city centre. I would welcome any financially justifiable ideas which contribute to economic growth from all areas of the city.”*

(vi) To the Cabinet Leader from Cllr Reid:

“What came first the invitation to visit the Philippines embassy or the publicity for the National Union of Students protest?”

**Reply:**

*“The Chicken came before the egg. In all seriousness, the Philippine Embassy invitation.”*

(vii) To the Cabinet Member for Corporate Services from Cllr D’Agorne:

“Can you give an assurance that any additional council tax funds raised from the increased revenues on empty homes, as approved by cabinet in November, will be used exclusively to directly alleviate poverty in York amongst our most financially vulnerable residents, specifically those who will suffer when the large cuts in council tax benefit are introduced in April?”

**Reply:**

*“Any additional income from the Technical Changes is part of the total council tax base and essentially is general council tax income. All council tax income is applied to the funding of all services of the council. However, as Coun. D’Agorne will know, protecting the interests of the most vulnerable is a priority for this administration.*

*As the technical paper states figures are estimates of the liability which does not guarantee the exact income.*

*The Technical Changes paper indicated that the number of long term empty properties (over two years) in York was 154 with an additional liability of approximately £64K. In some cases these are properties where we cannot trace the owners. In addition to this should furniture be moved in they would have to be classed as second homes and we could not charge at the 150% rate. The*

*number of long term empties is also continuing to fall. In terms of how much of this additional liability we will be able to collect is expected to be very little.*

*The question asks about the funding being used for the most financially vulnerable - you have to take into account that this Government has done the biggest shakeup of the welfare system since it's inception.*

*Just taking the HB and Local Housing allowance alone will mean people in York will be £2.9 million worse off and you can add on to that figure changes to Incapacity Benefit and the cap on the new Universal Benefit – this will push the £2.9 million figure up even higher.*

*In terms of even further financial vulnerability – look at the sanctions the Government has created if people make a mistake within a claim or miss an appointment – the sanctions can be up to three full years where they could be disqualified.*

- 1. Social fund currently – crisis fund and usage. CAB did an analysis for me on their customers who had applied for a crisis loan – over 50% were from disabled people.*
- 2. 60% were down to admin errors by the DWP and over 10% were due to wrong decisions made by the DWP.*

*The social fund has now been given to the LA to administer and which I took a report to cabinet on the 6<sup>th</sup> November. It will move to what is called the York Financial Assistance Scheme. The funding for this will be £300k.*

*Social fund – Community care grant (if people are or will receive benefits) and crisis loan(emergency disasters) 920 applicant and 2,520 respectively.*

*Received funding was Community care fund (emergency disaster) 460 and Crisis loan 1,940*

*The average amount paid out was CCG - £443 and C Loan £52.68*

*The York Financial Assistance Scheme as been agreed as the report said for one year and we will be working to approve a revised local based scheme in 2014 and fundamentally we will be looking to see if we have any opportunities increasing the funds to*

*the base budget of the YFAS to assist individual residents, families who are in financially vulnerable.*

*However, as part of the development of the Financial Inclusion Strategy it takes into account several changes to Local Government funding plus added responsibilities such as the Social Fund, Council Tax Support with the aim to target York's most financially vulnerable residents. The work also includes working closely with partners across all sectors.*

*Further details of the Financial Strategy which includes funding, work plan and partners from across the city can be seen on the council web site or you can request a hard copy."*

(viii) To the Cabinet Member for Corporate Services from Cllr Ayre:

"Could the Cabinet Member detail all her trips made since taking office, what the expense was to the taxpayer, and what budget this came from?"

**Reply:**

*"See separate attachment."*

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

"What controls on expenditure on fixtures, fittings and other supply services for the new HQ are in place and can the Cabinet Member confirm what the estimated outturn, against the £2.4 million budget, is now expected to be?"

**Reply:**

*"This expenditure is part of the overall HQ budget that it is monitored on a monthly basis by the admin accom project board chaired by the Director of CBSS and reported to Cabinet as part of the Capital programme quarterly.*

*The £2.4m budget identified is £1.5m allocated for fit out (furniture £1.4m, audio visual equipment £100k, etc) and £918k for ICT Infrastructure costs. The outturn on these items and for the whole project is estimated to be on budget."*

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

“Why is the Council purchasing 2405 new seats for the new Council offices when fewer than 1000 staff and visitors are likely to be in the building at any one time?”

**Reply:**

*“The total number of seats is 2507:*

*1,160 task chairs (for sitting at desks)*

*793 for Customer Centre and Meeting Rooms*

*153 Cafe*

*401 soft seating including sofas (sofas counted as one seat regardless of size)*

*The building will be home to approx 1,440 staff who will use the space flexibly. They will spend time in meetings, sitting at desks and working in breakout spaces and obviously this will not be a one seat per person arrangement. The building will also service the needs of our partners and all our customers in the customer centre and who will have access to a range of public meeting rooms. These rooms will also be offered for hire to external groups. It is expected that we will maximise the use of the building in order to reduce costs elsewhere and to generate income so providing adequate seating will enable us to do that.”*

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

“What proportion of the furniture at the new HQ will be reused units from the existing offices?”

**Reply:**

*“The decision to fit out the new building with new furniture was taken right at the beginning of the project and the budget was signed off by the previous administration.*

*The vast majority of furniture currently in use in our offices is not fit for purpose and will not be used in West Offices as it will not fit in and will not enable us to use the space flexibly. Desks are too big and are a mixture of shapes sizes and heights, storage is very variable and would not provide the necessary capacity in a small footprint. Chairs are either of very poor quality or not sufficiently adjustable to enable any person to sit in them and adjust to their height and specific needs. Some chairs which have been bought specifically for an individual’s H&S adjustments will be moved to West Offices. Meeting room furniture is also not designed for the spaces we will occupy which need to be flexible and able to be set*

*out in different styles – stacking chairs and flip top tables will be provided in West offices so that we can make maximum possible use of the facility.*

*If we did move our existing furniture into West offices we would not be able to fit the same number of people into the building and would have had to retain at least one of our existing larger buildings bringing with it an ongoing revenue cost which would quickly exceed the cost of new furniture.*

*The old furniture will however be reused. Staff who will be working from home for some portion of time need to have adequate facilities within their home. Where they do not have a desk/table/chair that is suitable they will be able to take CYC furniture home for that purpose. We have also let a contract to clear all existing furniture fixtures and fittings from our old buildings. Furniture will be reconditioned where necessary and then sold on or donated to charities. A survey is currently underway to assess the volumes and condition of surplus furniture.”*

(xii) To the Cabinet Member for Corporate Services from Cllr Firth:

“Following the latest Cabinet decisions, the level of concessionary charges for pensioners playing bowls on public greens will have doubled since Labour took over the leadership of the Council 18 months ago. How many concessionary tickets for this activity have been sold in each of the last 2 years, how much income has this produced for the Council and what are the forecast sales for 2013?

**Reply:**

**Pricing history**

<b>Activity</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>Bowls - full</b>	2.50	3.00	4.00
<b>Bowls - con</b>	1.50	2.00	3.00
<b>Season Ticket - full</b>	70.00	73.50	76.00
<b>Season Ticket - concession</b>	37.00	39.00	41.00
<b>Tennis - full</b>	6.00	6.50	7.00
<b>Tennis – concess</b>	3.00	3.50	4.00

*“Most sales are of season tickets and most of these will be concessions. Here the increase has been modest. A season ticket*

*offers unlimited access to the greens from 2.00 pm to dusk, 7 days a week, late April to mid Sept. If someone was to play each available day it would work out at about 28p per day (£41 / 146 days).*

*But in fact, 4 out of 5 CYC owned sites are self managed and it is for the host club to set their own fees and collect the income (the clubs reinvest it in the sites). This means we are not in a position to say how many tickets are sold on CYC greens.*

*Total income from the CYC managed sites is usually around £500. It is expected that take up will be the same or similar as this is based on season ticket sales which are the main way bowlers pay for their sport.”*

(xiii) To the Cabinet Member for Corporate Services from Cllr Firth:

“In September the Cabinet promised to build on the legacy of the Olympics and improve sports participation in York. How does this fit with the plans to increase tennis court charges by 16.7% and 33% for concessions?”

**Reply:**

*“The rise this year is above inflation but it has always been the practice to round up to the nearest 50p rather than leave the need for a lot of small change. The fee is per court not per person so if four concessions are on the court at once it would be £1 per person to play. Where a parent and child turn up to play i.e. one full price and one concession then the concession rate is charged. Total income varies and is more dependent on a dry summer and Andy Murray doing well rather than price.”*

(xiv) To the Cabinet Member for Corporate Services from Cllr Orrell:

“City of York Council’s website promises that all residents making complaints will get responses within 5 days. Could the Cabinet detail (by department) how many complaints were answered within this time limit and how many complaints have progressed to stages 2 and 3?”

**Reply:**

## Complaints Report Sept – Nov 2012

### Stage One Response Times

	ACE	CAN	CBSS	CES	CEX
<b>Within 5 working days</b>	<b>5</b>	<b>48</b>	<b>18</b>	<b>64</b>	0
<b>Over 5 working days</b>	<b>2</b>	<b>19</b>	<b>3</b>	<b>30</b>	0
<b>Not Pursued</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	0
Total	<b>7</b>	<b>68</b>	<b>22</b>	<b>95</b>	0
% In Time	<b>71.4</b>	<b>70.5</b>	<b>81.8</b>	<b>67.3</b>	-

*The target for numbers of complaints to be dealt with within timescale in the first year of the new procedure is 85%. Although it is acknowledged that these figures are lower than the target rate, it needs to be recognised that these figures are for the first three months of the procedure being managed by the Customer Complaints and Feedback team and it is expected that these figures will improve as the team becomes established.*

*There were 43 stage two complaints, of these 13 moved from a stage one to a stage two during the period Sept – Nov 2012. Of the rest some may have been at stage one prior to the Customer Complaints and feedback team dealing with them, or may have moved straight to a stage 2 because of their complexity, or because they had previously contact with the council which could have resolved their concerns, but they remained dissatisfied.*

*There were 3 complaints at stage three. Of these 1 moved from a stage 2 in the time period Sept – Nov. The other two had been at stage one or two prior to the Customer Complaints and feedback team dealing with them.*

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

“I refer to recent reports of the abandonment of plans for a new care home at the Fordlands site in Fulford and delays to the proposed site at the former Lowfield School in Acomb. It is well documented that parts of Fulford are susceptible to flood risk and it is perhaps somewhat surprising that this was not considered

before £38,000 was spent on architect fees and a further £13,000 on a site survey. Can the Cabinet Member please advise how recently it was considered too great a risk of flooding?"

**Reply:**

*"I would refer Cllr Doughty to the press release issued and note that he could have asked these questions of myself, or officers, without waiting two weeks for answers at Council.*

*The decision not to proceed with plans to build a new care home on the Fordlands site was made because of a number of site challenges that emerged during more detailed site survey work. None of these challenges were insurmountable on their own, but collectively they make the site unviable for the size and quality of care home that the Council needs. I stated very early on that the new home would be high quality and exceed today's minimum room sizes so that in future years the Council can provide for residents needs. The flood risk issue was only one of these challenges. On receipt of the Flood Risk Assessment report, in September, from the appointed civil engineer the Design Team was able to fully understand the types of measures (and associated costs) that would be required to ensure the building was brought 60cm above the 1:100 year flood levels now required by the Environment Agency.*

*These flood risk issues, combined with the tree root protection zones and an inability to remove certain trees because they are a key foraging area for the bats that have been discovered in the lift shaft of the old care home, mean that the developable area of the site is significantly reduced. This work is covered in the 13k and had to be undertaken.*

*At the same time as the detailed site survey work was exposing these challenges, managers were working with the Design Team to specify the exact requirements of the 55 bed care home that we wished to build on the site. As these detailed conversations developed, in October, it became increasingly apparent that in order to be able to fit a care home on the land now available to us now that the constraints were known we were going to have to compromise on a number of key aspects of our desired specification. For example, we would have had to reduce the number of bedrooms (which would in turn increase the unit cost per bed of running the home), the size of the bedrooms, the amount of natural daylight getting too many of the bedrooms, and*



*the amount of useable outdoor space/garden available to residents.*

*Officers and I decided we were not prepared to compromise on these key elements of its specification all things strongly supported within the public consultation in summer 2011 just in order to get a building on the site.*

*For clarification, the 38k spend was on all Design Team fees including the Architect s fees this work is transferrable to a new site. The 13k Fordlands site-specific costs includes topographical, tree, bat & ecological survey work that would have been necessary anyway prior to any alternative use of the Fordlands site.*

*In undertaking this vital surveying work the Council has saved money and not ploughed ahead on the assumption that as there is currently a home on the site, that a new one could be developed.”*

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

“The Cabinet Member suggests that the Burnholme Community College site may offer an option for a bigger care home (72 bed home rather than a proposed 55 bed home at Fordlands). At what additional cost will this be?”

**Reply:**

*“There would be an additional capital cost to building a 72 bed care home than building a 55 bed care home, although an increase in bed numbers would make the care home more cost effective to run and reduce the weekly unit cost per bed. Further work is needed to fully understand the likely capital and ongoing running costs of a 72 bed home. This work is being done and will feed into a revised and updated financial model that will reflect the changes to the implementation plan and check the affordability of the proposed programme. This revised financial modelling work is scheduled to be reported to Cabinet on 2 April.”*

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

“What future does the Cabinet Member now envisage for the Fordlands site now the care home plans have been abandoned here?”

**Reply:**

*The Fordlands site becomes part of the Council's Asset Plan which is managed by a Capital Asset Board. The Board will consider possible uses for the site and the views of local councillors and residents will be sought to inform any decisions as to future use."*

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

"Can the Cabinet Member please detail the reasons for delay in the tendering process on the former Lowfield School site?"

**Reply:**

*"Developing a Community Village for older people is an exciting and significant, but complex, project for the Council. The Council has therefore appointed expert external legal advisers, Addleshaws Goddard who are supporting CYC - the amount allocated for overall project costs were included in the May 2012 report to Cabinet on the projected financial costs of the EPH modernisation programme - to help its internal project team develop the procurement approach and tender/contract documentation that will underpin the Council's search for a Partner to help fund, build and operate the village.*

*Given the complexity of the type of tendering process that the Council needs to go through in order to achieve the type and quality of village that we aspire to, it is most likely going to take longer than we had anticipated to select the Partner we wish to work with on developing the Community Village.*

*The Council plans to appoint an Architect to work with the internal project team to develop a concept design and technical brief for the six-acre site. This will then be shared with the market with a view to getting to a point, as quickly and fairly as possible, where the Council can enter into a Competitive Dialogue process with two or three preferred bidders to discuss design solutions. This process is more complex and takes longer than other possible approaches but, crucially, it also allows bidders (well established developer/operators with a proven track record in building and running such villages) to share their experience and expertise with the Council through dialogue. By allowing dialogue around a few key aspects of the how the village will be designed and operated, the process allows for innovations that can improve the quality and reduce the cost of the final solution.*

*To aid this design work we have set up an EPH Reference Group who are advising and contributing to the process. The membership of this group is:*

<i>Graham Terry</i>	<i>City of York Council</i>
<i>Chris Weeks</i>	<i>City of York Council</i>
<i>George Wood</i> <i>(YOPA)</i>	<i>York Older People s Assembly</i>
<i>Sally Hutchinson</i>	
<i>James Player</i>	
<i>Helen Snowden</i>	<i>all Age UK York</i>
<i>Ann Hardy</i>	
<i>Gill Myers</i>	<i>Alzheimer's Society</i>
<i>Janet Dean</i>	
<i>Janet Crampton</i>	<i>Dementia Without Walls project</i>
<i>Katie Smith</i>	<i>York Carers Forum</i>
<i>Diane Roworth</i> <i>(YBPSS)</i>	<i>York Blind &amp; Partially Sighted Society</i>
<i>Linda Tester</i> <i>(OCAY)</i>	<i>Older Citizens Advocacy York</i>
<i>Sian Balsom</i>	<i>York CVS</i>
<i>Daryoush Mazloum</i>	<i>BME Elders Group, York Racial</i>
<i>Equality Network</i>	
<i>Paul Wordsworth</i>	<i>Churches Together</i>
<i>Sue Lister</i>	<i>LGBT Forum</i>

*"It is still too early in the planning of the procurement exercise to say exactly when the care home and other housing accommodation on the Lowfield site will be complete and available for occupation although this will be clearer by the time of the EPH Review Update report scheduled to be received by Cabinet on 2 April 2013. In the meantime, the Council is obviously working hard to minimise the delay in opening the new facilities at Lowfield."*

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

"Could the Cabinet Member detail all the trips made by her since taking office, what the expense was to the taxpayer, and what budget this came from?"

**Reply:**

*"I would refer Cllr Ayre to my four reports to Scrutiny, since May 2011, if he and the Liberal Democrat Group wish to have an understanding of the work I undertake. As he is no doubt aware,*

*Cabinet Members are appointed to regional bodies to both represent the city in wider discussions and are expected in work in partnership, although my observations since May last year are that the previous administration took living in a walled city rather too literally.*

*My travel details as Cabinet Member are included within a table included as a separate attachment.”*

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

“Could the Cabinet Member provide an update on the flooding at Windsor House and the residents affected?”

**Reply:**

*“The information to this answer is dated as of the 6th December. I would point out to Cllr Aspden that on matters such as this I am happy to keep him informed without the use of a Council question, which would mean that he would be actually have up to date information*

*The latest information I have is that heating has been restored at Windsor House and hot water will be shortly (dated 6th Dec 2012).*

*The lift requires repairing and Officers are currently waiting for a report from OTIS who have visited site, for more details. Meanwhile, it is expected that residents will start to return to Windsor on Monday 17th Dec and during this week (w/c 10th Dec. 2012) Officers are ensuring the building is warmed and fully ready. Meanwhile there will continue to be a security presence at the building overnight.*

*The CANS drainage department are in the process of permanently sealing of the drain that caused all the flooding during the unprecedented weather.”*

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

“The Cabinet agreed an April 2014 completion date for the new ‘Care Village’ which is to be built on the former Lowfields School site. When does the Cabinet Member now expect the new Lowfields Care Village will be completed and available for occupation? What are the reasons for any delay?”

**Reply:**

*“See answer to same question above.”*

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

“How many people were registered on the housing waiting list in York when:

- a) The Cabinet Member took up post
- b) At the end of November 2012

How many additional social housing units have been occupied, and how many “new starts” on affordable housing units have been made, over the same period of time?”

**Reply:**

*“I would refer Cllr Cuthbertson to my report to ECDOS and the questions ask with regard to his question which he is aware of. For Council’s benefit:*

*Cllr Cuthbertson should be aware that in May 2011 the Council was using the old SX3 system and that the waiting list switched systems to the Choice Based Lettings System (Abtritas) as planned in July 2011. Waiting List figures were recorded less sophisticated on SX3 and the last recorded reporting period end date was June 2011(month end) when there were 2649 applicants on the register this included transfer applicants.*

*Cllr Cuthbertson should also be aware that reports are available on a quarterly monitoring bases and those for Q2 were not yet complete at the date of his question. I can however give him the information as set out below*

*End of September 2011 on CYC register there were 3156 (Sub Regional Partnership 12864)*

*End of December 2011 on CYC register there were 3466 (Sub Regional Partnership 13575)*

*End September 2012 York 4674 (Sub Regional Partnership 17416)*

*As have other members of the CBL scheme CYC is currently undertaking an annual application renewal which usually sees a reduction of the register.*

*In relation to the second part of the question on Affordable Housing the figures are as follows*

	Social rent completions	Low cost home ownership completions	Intermediate rent completions	Total affordable completions	Of total, Affordable completions through section 106 agreement ('planning gain')	Net total housing completions (including affordable)
2007/08	18	33	0	51	19	523
2008/09	116	35	0	151	52	451
2009/10	92	60	0	152	25	507
2010/11	153	55	74	282	87	514
2011/12	77	44	30	151	81	321
April-September 2012/13 (Qs 1 and 2)	22	7	0	29	6	295 (NB: includes 124 student properties)
2012/13 whole year forecast	61	24	17*	102	58	

*\* Please note – the number of Intermediate Market Rent completions that will be achieved in 2012/13 is dependent on the level of unsold market homes on relevant schemes.*

*Total new affordable homes completed from April 2011– September 2012: **180***

*“Regarding households moving into these homes: we receive data from partner Housing Associations detailing affordable housing completions rather than homes at occupation. Rented affordable homes will have been occupied from the Monday following completion, whilst there may be some delay in occupying homes for low cost home ownership due to the sale process. We don’t hold any data on occupation of the new open market homes.”*

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

“Could the Cabinet Member ensure that residents in the local area are properly consulted before any decision is taken on what to do with the Fordlands site previously allocated for a new care home?”

**Reply:**

*“The Fordlands site becomes part of the Council’s Asset Plan which is managed by a Capital Asset Board. The Board will consider possible uses for the site and the views of local councillors and residents will be sought to inform any decisions as to future use.”*

(xxiv) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Barton:

“Following 2012’s ‘Illuminating York’ debacle, will the Cabinet Member assure the council that the 2013 event will revert to its previous successful format?”

**Reply:**

*“I can assure Cllr Barton that Illuminating York was successful and has left us with a balance which will be invested in next year’s event.”*

*There has never been one successful formula for Illuminating York because art is subjective and in the case of Illuminating York, every single year there have been people expressing dissatisfaction, this year is no different, except that this year the Political opposition jumped on the bandwagon in a vain attempt to score cheap political points with no regard to the harm it could cause to the city’s cultural events programme.*

*Illuminating York is delivered by a city partnership whose remit is to promote creative digital art in York. Its success has grown year on year since its inception and this success comes from its pushing at the boundaries.*

*There may be some amongst us, including my predecessor, who believe that doing exactly what you have always done is the recipe for success but I, and happily most of the rest of our residents, are not amongst them. Creativity means taking risks. This year, for the first time, the Festival has funds to carry forward, invest in our*

*creative arts and ensure we build a more sustainable festival in the future.*

*Just as in previous years there is to be a debrief meeting which will take on board legitimate criticisms and suggestions from the public. So, to sum up, I feel Illuminating York was a success and you will have to wait to see what we have in store for next year, which will be quite different again.*

*If your Government has its way we will have no cultural services so the fact that I am the first person to look at making this event more sustainable shows that I, at least, am making the effort to protect what the Conservative Lib Dem Alliance would destroy with your ill-fated austerity measures and ill-considered very public criticism of this city's cultural offer."*

(xxv) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Barton:

"In view of the widespread public criticism of the inferior quality 'Gunpowder Plod', does the Cabinet Member regret her endorsement of the event and can she assure members that in 2013 that any event the Cabinet Member appears in The Press to promote will be a more professional offering to prevent further embarrassment to the council?"

**Reply:**

*"It is my job to make sure that events happen in this city and that we have an exciting cultural offer. To this end I will continue to encourage enterprising organisations to try new things and to take appropriate risks. I don't actually believe that the Gunpowder Plod was inferior – it was evidently widely enjoyed - but like any new event, encountered some teething problems. Some of which were out of their direct control.*

*I'm perfectly in agreement with the firework display being delayed for safety reasons, especially when people were spotted in the firework zone. Better a delay than a very serious injury to a member of the public.*

*Rat Race have said publicly they will learn from their mistakes and if they approach me again, as long as I am assured they have addressed all previous issues, I will consider allowing them to hold further events.*



*Some members may choose to hype up criticism for their own ends, however, I will continue to strive to make York a place where creative people are encouraged to try out new ideas and to succeed for everyone's benefit. I will also, unlike my predecessors continue striving to offer sustainable events at little or no cost to the taxpayer.*

*At least we had fireworks this year, it has been a far greater embarrassment to the city that the previous Lib Dem Tory coalition administration in York failed to provide any firework events in York for some years."*

(xxvi) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Barton:

"Could the Cabinet Member say what stage has been reached in the consideration of transferring York's Library Service to a Trust Foundation?"

**Reply:**

*"No decision has been made about the libraries as we have just finished the consultation process and are still evaluating those responses. I will be presenting the results to the Cabinet in January. We will consider it carefully at that time."*

(xxvii) To the Cabinet Member for Leisure, Culture and Tourism from Cllr D'Agorne:

"In view of the damage to the Sustrans track and the severe churning up of the ground adjacent to Bustardthorpe allotments caused by contractors while removing temporary fencing after the fireworks show on the Knavesmire; can you assure Council that all the costs of repair and restoration will be recovered from Rat Race event organisers?"

**Reply:**

*"I can confirm all costs will be met by the organisers Rat Race. Given the weather that we have experienced since that time we will undertake the reinstatement work at the best time to ensure that the land is returned to its previous high quality. I could have allayed your fears directly on this matter Coun. D'Agorne rather than doing so indirectly following a request from The Press."*

(xxviii) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Ayre:

“Could the Cabinet Member detail all the trips made by her since taking office, what the expense was to the taxpayer, and what budget this came from?”

**Reply:**

*“See separate attachment.”*

(xxxix) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Ayre:

“Does Cabinet Member agree with the officer’s report which claims there are no equalities implications to the ‘footstreets’ review?”

**Reply:**

*“I have been assured by Officers that there are no equalities implications, as the aim of the experimental traffic order is to cut out the through traffic movement whilst still maintaining the ability for those with the greatest mobility difficulties (the green permit holders) to drive in and park up in the central area for up to 3 hours (Hence no equalities implications). I have been presented with no evidence to the contrary.*

*If you feel that you have evidence to the contrary, then I suggest perhaps it is your duty as a councillor to produce and present the evidence to the relevant Officer and Cabinet Member as should any elected member. I have asked officers about that and have been advised that you nor any other member has done so and can only assume that is because you nor any other member have any evidence to the contrary.*

*The change for the green permit holders will be that they will only be able to access St. Sampson’s Sq in their cars from the Goodramgate direction.”*

(xxx) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Ayre:

“Can the Cabinet Member confirm when the public will be consulted on whether they want libraries to be transferred out of council control?”

**Reply:**

*“We have consulted residents on what they want from their libraries and we are still processing the results of that consultation. The results will be made available when officers bring a report to Cabinet in January. We will consider it then.*

*I should point out that the statutory duty for providing the library service will always remain with the Council as will the assets of the service and its collections so there is no question of the city losing control of these services, though no doubt this will not prevent your scaremongering tactics.*

*York's Library Service has thrived under Labour Control, despite swingeing local government budget cuts by central government and as much as this may disappoint you Cllr Ayre, I am attempting to preserve our Library service despite that."*

(xxx1) To the Cabinet Member for Education, Children and Young People's Services from Cllr Richardson:

"Does the Cabinet Member believe she is able to devote the required time and attention to her high profile portfolio when she is undoubtedly heavily involved in assisting the Financial Services Agency investigation into the collapse of the York & North Yorkshire Credit Union and the subsequent police investigation?"

**Reply:**

"Yes."

(xxxii) To the Cabinet Member for Environmental Services from Cllr D'Agorne:

"What improvements are planned to the council gully clearing regime in view of the experience of recent floods and periods of intense rainfall?"

**Reply:**

*"As part of the Surface Water Management Plan, Cabinet recently approved a review of the Council's highway drainage maintenance service based on the principles of flood risk management, and to ensure that it is suitably funded. This will be the subject of a further report in due course. This was in order to ensure that surface water drainage infrastructure operates effectively to reduce surface water flood risk in vulnerable areas."*

(xxxiii) To the Cabinet Member for Transport, Planning & Sustainability from Cllr D'Agorne:

"What progress is being made on 'anti idling' regulations/initiatives particularly for buses and taxis in the Air Quality Management Areas especially Rougier St?"

**Reply:**

*“The Environmental Protection Unit has secured funding through DEFRA’s 2012 Air Quality Grant scheme to progress a study looking at the reduction in vehicle emissions achievable through the introduction of anti-idling policies. The study will consider the level of emission reduction likely to be achieved through the installation of anti-idling signage in key areas and the likely impact of signage both with and without the adoption of formal anti-idling legislation. The scope of this study is currently being finalised, with a view to going out to tender in early 2013.”*

(xxxiv)To the Cabinet Member for Transport, Planning & Sustainability from Cllr D’Agorne:

“Does the cabinet member anticipate any improvement in air quality in 2013 report to the DfT compared with April this year?”

**Reply:**

*“Air Quality figures for 2012 are not yet due to be reported to DEFRA. The Local Air Quality Management regime requires air quality concentrations to be reported in calendar years and results for 2012 are reported to DEFRA in April 2013.*

*At a national level, despite the implementation of measures to reduce total particulate matter (PM) and Nitrogen Oxides (NOx) emissions from transport, primarily via motor vehicle emission standards, recent evidence suggests an unwanted side-effect of new diesel pollution abatement technologies to control particle emissions is an increase in emissions of Nitrogen Dioxide (NO2) directly from vehicles. The diesel vehicles that comply with the newer Euro Standards (IV and V) haven’t been as effective as expected at reducing NOx under urban driving conditions. With a growing proportion of new diesel vehicles within the general vehicle fleet, the predicted rate of improvement in NO2 concentrations is difficult to estimate.*

*Until further research has been undertaken nationally into the NO2 impact of modern diesel vehicles and revised vehicle emission factors produced, it is difficult to predict with any certainty if air quality improvements are to be expected. Uncertainties around local weather conditions in future years can also complicate this issue.*

*The most recent trend data available is for the period between 2010 and 2011. Nitrogen dioxide concentrations at most continuous monitoring sites within the existing AQMAs in 2011 showed no significant change when compared with 2010 levels. The exceptions to this were the monitoring sites at Gillygate and Holgate Road, where annual average concentrations increased by 8µg/m<sup>3</sup> and 6µg/m<sup>3</sup> respectively. Outside the AQMAs, annual average nitrogen dioxide concentrations appeared to have generally stabilised, with the exception of a few small areas. A new AQMA was declared in the Leeman Road area (covering Salisbury Terrace and the surrounding roads) in April 2012 and further areas of the city centre (Queen St and Rougier St/George Hudson) Street were brought within the AQMA boundary in September 2012. A further comprehensive update will be provided as part of City of York Council's next Air Quality Progress Report, due in April 2013."*

(xxxv)To the Cabinet Member for Transport, Planning & Sustainability from Cllr D'Agorne:

"How many 'All York' tickets have been sold each month since the launch?"

**Reply:**

*"This is a commercial product of the operators. It is commercial data that belongs to the operators and the operators view is that this is commercially sensitive information. It's disclosure could have a negative impact on both the future development of all York products and on general operations."*

(xxxvi)To the Cabinet Member for Transport, Planning & Sustainability from Cllr D'Agorne

"What action is proposed to maintain a bus service link between Fulford and the University/ Sports Village when the No 20 bus route is curtailed in January?"

**Reply:**

*"The current route 20 provides an hourly service linking many of the suburbs of York to the key destinations of Clifton Moor, Monks Cross and the University of York. Due to reliability issues, it has proven necessary to reduce the route mileage. One of the sections of route withdrawn is between Heslington Hall and Fulford (Broadway). The recorded patronage on this section of route was*

*very low. The number of people disadvantaged by this change, therefore, is minimal.*

*Route 20 has never provided a link to the York Sport Village; its nearest calling point being Heslington East (approximately 1km away from the Sport Village). It is possible to reach the Sport Village by taking one of the many buses in to York and changing on to route 14.”*

(xxxvii)To the Cabinet Member for Transport, Planning & Sustainability from Cllr Ayre

“Could the Cabinet Member detail all the trips made by him since taking office, what the expense was to the taxpayer, and what budget this came from?”

**Reply:**

*“See separate attachment.”*

(xxxviii)To the Cabinet Member for Transport, Planning & Sustainability from Cllr Cuthbertson

“What is the Cabinet Member doing to ensure that the Number 13 bus service meets Haxby and Wigginton residents’ needs for keeping to timetable and reliability, and when did he last meet the providers of the city’s bus services to monitor this?”

**Reply:**

*“Route 13 is operated by First Group on a commercial basis (ie, it is not operated on a Council contract, nor is it in receipt of Council subsidy). The Council’s public transport team meets with First Group on a monthly basis to discuss operational issues and to identify areas in which reliability can be improved.”*

(xxxix)To the Cabinet Member for Transport, Planning & Sustainability from Cllr Reid

“At the October Council meeting the Cabinet Member agreed to “look into” publishing reliability information provided by those bus operators providing services under Council contracts, as well as asking the bus operators to authorise the Council to publish the number of “All York” tickets sold each month. What progress has been made and where can bus passengers in York now access reliability information for the services that they use?”

**Reply:**

*“This is a commercial product of the operators. It is commercial data that belongs to the operators and the operators view is that this is commercially sensitive information. It's disclosure could have a negative impact on both the future development of all York products and on general operations. With regard to reliability data, the Council receives real time reliability data which it uses to inform highway improvements and bus service planning. Provision of the data to the Council by operators is on the basis of a data sharing agreement which restricts the Council from publishing the data on a route by route basis. The Council does, however, annually publish reliability data for the whole York bus network and this is available from the Department for Transport.*

<https://www.gov.uk/government/publications/quarterly-bus-statistics-quarter-2-2012>”

(xl) To the Cabinet Member for Transport, Planning & Sustainability from Cllr Reid

“Why did the Cabinet Member decide to consider at a private meeting the Bus Improvement Study report which was only made available publicly **after** decisions had been made on its recommendations?”

**Reply:**

*“The Bus Improvement Study is an independent report assessing the current situation and setting out how we can take forward the Council Plan priority to improve local bus services, alongside delivering the Better Bus Area Fund programme. Further reports about strategy and the bus network will flow from this report and the Cabinet Member will be considering these at future public decision sessions.”*

(xli) To the Cabinet Member for Transport, Planning & Sustainability from Cllr Runciman

“In reference to the Liberal Democrat Group comments submitted to Cabinet this month, will the Cabinet Member support our request that a further report is prepared by officers within 6 months to include all instances of Surface Water Drainage problems in the City of York Council area since 2007?”

**Reply:**

*“The Council has a statutory requirement to prepare a Local Flood Risk Management Strategy which will cover this issue.”*

(xlii) To the Cabinet Member for Transport, Planning & Sustainability from Cllr Runciman

“Could the Cabinet Member ensure that a clear communications strategy is in place, allowing householders impacted by Surface Water drainage issues to know what is happening to tackle the issues, or a full explanation as to why work will not take place?”

**Reply:**

*“The Council has a statutory requirement to prepare a Local Flood Risk Management Strategy which will cover this issue.”*

(xliii) To the Cabinet Member for Environmental Services from Cllr D’Agorne:

“What is the current annual payment in respect of work on the Amey Cespa waste project?”

**Reply:**

*“The council has an annual budget of £200k to support the Waste PFI project. This budget funds the Project Team based at North Yorkshire County Council and the support of external Legal, Technical and Finance Advisors. It is anticipated that the costs in this financial year will be within budget. Delivering waste to Allerton Waste Recovery Park is estimated to save the council approximately £30m over the life of the contract compared to continuing to landfill.”*

(xliv) To the Cabinet Member for Environmental Services from Cllr D’Agorne:

“What action is he taking to promote composting, re-use and waste minimisation as a way of reducing current landfill tax payments?”

**Reply:**

*“We have developed a 2 year plan to promote waste minimisation activities that takes in 2012 to 2014. The campaigns are branded under the Zero Waste York banner and are promoted generally through the Zero Waste York website, local advertising, Facebook and Twitter accounts.*

*In terms of waste minimisation, our campaigns will focus on reducing both domestic and commercial food waste and junk mail. The food waste campaigns will include a commercial food redistribution project and workshops to show residents how they*



*can reduce the amount of food they throw away. We hope also to target a number of schools and work with them to reduce the amount of waste that they produce.*

*In terms of reuse, we are working on developing the furniture reuse collections that we trialled earlier this year, where we worked with the British Heart Foundation to collect unwanted furniture and bric-a-brac from York residents for resale in the charity's shops. We will be holding swap events for both residents and in-house for Council employees. We also hope to offer reuse themed workshops, that were so popular last year to teach people skills that will help them to extend the life of things that they may otherwise throw away. We are also supporting third-party initiatives such as University of York Students' Union's end-of-term "Big Green Clean.*

*To promote composting we will be working with the York and North Yorkshire Waste Partnership to continue to promote the benefits of home composting and we will continue to offer subsidised home compost bins. We will also be working with Yorwaste to give away compost made from the garden waste collected in York."*

(xlv) To the Cabinet Member for Environmental Services from Cllr D'Agorne:

"Would he consider encouraging and facilitating snow wardens and others to train as 'flood wardens' where appropriate in their local communities?"

**Reply:**

*"Flooding situations are significantly different from severe winter weather as these often involve the range of blue light services. Snow wardens are capable of carrying out important duties on their own. There would also be issues such as health and safety that would need to be considered. However, it is an interesting idea that would tie in with Smarter York initiative and I will look into it."*

(xlvi) To the Cabinet Member for Environmental Services from Cllr Ayre:

"Could the Cabinet Member detail all the trips made by him since taking office, what the expense was to the taxpayer, and what budget this came from?"

**Reply:**

*“See separate attachment.”*

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

“At the October Council meeting the Cabinet Member said *“Cabinet will consider a report on options for garden waste in December – there will be a consultation following consideration of this report”*. Subsequently the report was withdrawn from the Cabinet agenda for December. Would the Cabinet Member confirm it is still his intention to publish such a report, what options it will consider and when, and how, members of the public will be consulted on any proposed changes to existing collection arrangements?”

**Reply:**

*“Due to the need to fully consider the complex issues around garden waste, a report will be brought to Cabinet in February instead of December.*

*Cllr Reid can rest assured that any proposals coming forward will make the most of our diminishing resources, whilst maintaining this administration’s strong commitment to waste minimisation. It is critically important that we are able to fully analyse the detail behind the issue in order to give residents a broad range of options and have a meaningful consultation. This will allow the public to have a proper say on any proposals coming forward.*

*As I have said previously, as part of the consultation views will be sought using the usual methods, making full use of the website, engaging local media, and writing to Parish Councils and other interested organisations.”*

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

“Street lighting standards have fallen in several streets following the recent installation of new lampposts, including Lendal Bridge and Gale Lane. Has the Cabinet Member visited these locations, can he confirm when the outstanding work will be completed and illumination levels returned to, at least, those enjoyed before the “modernisation” programme was started?”

**Reply:**

*“Cllr Reid is incorrect to say that street lighting standards have fallen. As part of Reinvigorate York, the lantern at the Rowing Club end of Lendal Bridge was removed in order to manufacture replica lanterns to be positioned where they originally existed many years ago. I would have hoped the Liberal Democrat Group would support efforts to improve the setting of our historic city centre. Until these are ready early in the New Year, a temporary flood light has been provided that exceeds the previous lighting level, and can confirm I have been on Lendal Bridge since this was installed.*

*As part of the replacement programme carried out in response to years of chronic under-investment in street lighting under the previous Liberal Democrat administration, the new lanterns around the city produce lighting levels that conform to current standards: the original lights may have appeared brighter because the light distribution was not controlled (i.e. shining upwards, sideways, backwards), while the new lights are dark skies compliant and only shine the light where required. Again, I am surprised the Liberal Democrat Group is against reducing light pollution and decreasing our electricity usage.”*

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

“Residents whose waste is collected on a Tuesday are being told to leave their waste out for up to 4 days after New Year. As Council policy tells people not to leave waste out before 7am are the Council expecting residents to bring the rubbish in every night and put it out again the next day until it is eventually collected?”

**Reply:**

*“No – there was insufficient space on the calendars produced to indicate plans for Tuesday collections that are affected by the non-collection on New Years day. These plans will be widely publicised ahead of collections and will indicate exactly which day residents can expect to have their waste collected. We will be widely advertising the collection arrangements in the press and on our website. In addition, information will be shown in libraries, council offices, Parish Councils and notice boards.”*

(l) To the Cabinet Member for Environmental Services from Cllr Ayre:

“Could the Cabinet Member explain what action residents in Heworth Without and elsewhere should take when the footpaths

are too dangerous to walk on because of ice, there are no salt bins to grit the paths, and the Council refuses to act?"

**Reply:**

*"We advise all residents to take extra care in icy conditions and make use of the salt bins funded from the core winter maintenance budget, the locations of which are on the CYC website.*

*As the previous Liberal Democrat administration did, we treat footpaths where possible once all designated routes have been treated within the resources available. We have also committed to replenishing discretionary salt bins based on need from a contingency budget, as and when conditions dictate, and have agreed to review the provision of salt bins across the City for next year's winter maintenance programme to ensure a fair and logical distribution of salt bins based on need.*

*Additionally, as part of Smarter York we are encouraging residents to volunteer as snow wardens, providing training, equipment and weather alerts. As his party in Government is supporting the Big Society agenda, perhaps Cllr Ayre would like to sign up?"*

(li) To the Cabinet Member for Crime and Stronger Communities from Cllr Ayre:

"Could the Cabinet Member detail all the trips made by him since taking office, what the expense was to the taxpayer, and what budget this came from?"

**Reply:**

*"I have made no trips at the expense of the taxpayer. See separate attachment."*

(lii) To the Cabinet Member for Crime and Stronger Communities from Cllr Reid:

"Why has the Cabinet Member abandoned the annual ballot which the Council ran for over 10 years and which revealed residents spending priorities at a ward level?"

**Reply:**

*"The ward funding arrangements that I have put in place give ward members full freedom to administer their budgets in line with the wishes of their residents in a speedy, flexible and efficient manner. The only thing I have abandoned is an overburdening bureaucracy which meant we were spending nearly as much on administering the system as we were on ward schemes. Ward members can*

*now engage with residents and direct spending according to their priorities.”*

(liii) To the Cabinet Member for Crime and Stronger Communities from Cllr Reid:

“How much of the funding allocated to each ward committee for the current year remains unspent and will he agree to allocate any underspend to sustaining key public services such as filling salt bins and reducing litter?”

**Reply:**

*“The current financial year is not finished and so it is too early to start talking about unspent money. I see no reason to believe that any ward will be unable to allocate its budget this year based on a clear grasp of the priorities of their residents. I know that some members will be working hard to pull together new initiatives, perhaps developing a new project or establishing a new community group to tackle a particular issue. These things can take time but I am confident that members will all be able to deliver with three months of the year remaining.”*

(liv) To the Cabinet Member for Crime and Stronger Communities from Cllr Runciman:

“Could the Cabinet Member update Council on the renovation work on York Crematorium, on Bishopthorpe Road. When is the work due to be completed, were all parts ordered and received on time, if there are any delays what has caused them, is the work still within the planned budget, and have any additional expenses been incurred?”

**Reply:**

*“The work should have been completed by November 2012 but due to issues with procurement and legal services we were unable to provide an order to the French cremator manufacturers ATI.*

*Consequently, the manufacturer was unable to provide the cremators within the schedule.*

*The delay with the cremators has also impacted on the building works and the schedule has slipped with the proposed finish date for commissioning the cremators and signing off the civil works being February 2013, three months behind the original schedule.*

*There is a projected overspend on the contract of around £50,000, however we are still projecting the overall project to come in within the approved allocated budget.*

*Despite the fact that the builders have been on site since March the Crematorium has continued to function throughout and the project has not disrupted the smooth running of operations at the facility.”*

(lv) To the Cabinet Member for Crime and Stronger Communities from Cllr Cuthbertson:

“After the total lack of liaison with Parish Councils over Labour’s decisions not to refill half of the city’s salt bins and to slash Ward Committee budgets earlier this year, could the Cabinet Member detail what steps he has taken to ensure that wider community needs are met by Parish Councils where possible and what discussions have been held with Parish Councils to ask them to adjust their precept accordingly?”

**Reply:**

*“There are so many false assertions in this cynical and politically motivated question that I find it hard to give an answer that does not join Cllr Cuthbertson in petty point scoring. I will however, resist and unlike him I will stick to the facts.*

*The decision on ward committee budgets was taken publically through Budget Council and communicated to Parish Councils through various channels including the Parish Council Liaison group and through a letter sent to each parish council outlining the changes in ward funding.*

*Regarding the review of salt bin provision, members of the team responsible for this area have been consulting with ward committees on priority locations and arrangements for dealing with extreme weather over the past two years.*

*The volunteer snow warden initiative has been implemented alongside this offering training equipment and salt/grit to volunteers on an open access basis; parish councillors are amongst this group of volunteers.”*

**Travel Costs Information - Questions to the Cabinet Leader and Cabinet Members) (Questions iv) viii) xix) xxviii) xxxviii) xlvi) and li) refer)**

Cllr Keith Hyman

LORD MAYOR OF YORK

*[The meeting started at 6.35 pm and concluded at 10.00 pm]*

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**CITY OF YORK COUNCIL**

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

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

ACOMB WARD	BISHOPTHORPE WARD
Horton Simpson-Laing	Galvin
CLIFTON WARD	DERWENT WARD
Douglas King Scott	Brooks
DRINGHOUSES & WOODTHORPE WARD	FISHERGATE WARD
Hodgson Reid Semlyen	D'Agorne Taylor
FULFORD WARD	GUILDHALL WARD
Aspden	Looker Watson
HAXBY & WIGGINTON WARD	HESLINGTON WARD
Cuthbertson Firth Richardson	Levene
HEWORTH WARD	HEWORTH WITHOUT WARD
Boyce Funnell Potter	Ayre

HOLGATE WARD

Alexander  
Crisp  
Riches

HULL ROAD WARD

Barnes  
Fitzpatrick

HUNTINGTON & NEW  
EARSWICK WARD

Hyman  
Orrell  
Runciman

MICKLEGATE WARD

Fraser  
Gunnell

OSBALDWICK WARD

Warters

RURAL WEST YORK WARD

Gillies  
Healey  
Steward

SKELTON, RAWCLIFFE &  
CLIFTON WITHOUT WARD

Cunningham-Cross  
McIlveen  
Watt

STRENSALL WARD

Doughty  
Wiseman

WESTFIELD WARD

Jeffries  
Burton  
Williams

WHELDRAKE WARD

Barton

Apologies for absence were received from Councillors Merrett

## 59. DECLARATIONS OF INTEREST

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

It was noted that the Monitoring Officer had confirmed that all Members had been granted dispensation in respect of any disclosable pecuniary interests they may have because they are Council Tax payers in York.

The following **personal** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Cllr Runciman	6 – in respect of the EMA petition	Member of the Governing Body of York College.
Cllr D'Agorne	6 – in respect of the EMA petition	Employee of York College.

## 60. CIVIC ANNOUNCEMENTS

The Lord Mayor invited all present to stand and observe a minute's silence in memory of former councillor Joan Dales and Honorary Alderman Cyril Waite. Joan Dales had been one of three Liberal York City Councillors for the Foxwood Ward from 1979 to 1982. Honorary Alderman Cyril Waite had joined the then York City Council in 1980 and had continued with York District Council in 1995/96 and the City of York Council right through to 2003 without a break, serving as Lord Mayor for the 1986/87 municipal year. He had been appointed as an Honorary Alderman to the city in 2003 until his death. He had also been a long standing member and Chair of Rawcliffe Parish Council.

The Lord Mayor then invited Councillor Gunnell, as Lord Mayor Elect for the 2013/14 municipal year to announce her Sheriff Elect for her forthcoming year of office. Councillor Gunnell stated that she was delighted that Councillor Watson and his wife had agreed to serve as Sheriff and Sheriff's Lady.

The Lord Mayor stated that this would be Pete Dwyer's last council meeting as Director of Adults, Children and Education. Members joined the Lord Mayor in expressing their appreciation of the tireless work that he had carried out for City of York Council.

## **61. PUBLIC PARTICIPATION**

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

Majella Gillam drew Members' attention to a petition containing 1167 signatories, requesting that the authority bring back Education Maintenance Allowances. The petition was due to be debated later in the meeting. He stated that the removal of the EMA had deterred a number of young people from attending college. Some London boroughs had reintroduced the allowance and its reintroduction in York would provide support for many students.

Megan Ollerhead also spoke in support of the petition as a York University student. She stated that she had benefited from the EMA and it had supported her in progressing to higher education. She stated that she believed that the funding was available to meet the costs of its reintroduction and stated that a failure to do so would be a betrayal.

Leigh Wilkes, a member of Aviva and the Trades Council, also spoke in support of the EMA petition. He drew attention to protests that were taking place across Europe against cuts to public spending. He stated that austerity measures were not working and drew attention to comments made by the Child Poverty Group. He stated that without the EMA young people would be denied access to education and he urged Members not to implement cuts to spending.

Nigel Smith, a former NUT representative and retired teacher, also spoke in support of the petition. He expressed concerns about a recent Talk Back Panel and the lack of clear information that was provided about social enterprise. He stated that ordinary people were suffering from the impact of the cuts and that he believed that the budget was immoral.

Simon Moss spoke against the budget cut to leave parks unlocked, particular Hull Road. He stated that if parks remained unlocked at night they would be subject to damage and would become

dangerous. He urged that further consideration be given to this budget proposal. He stated that York was one of the most beautiful cities in England and it was important that it remained so. The parks in York had improved and the funds needed to be found to enable them to be locked in the evening.

Mr Richardson, a resident of York Road, Haxby, spoke in relation to the proposal to charge for green waste. He also expressed concerns regarding increases in council tax and proposed expenditure on the barge project. He stated that the public should not have to pay for the disposal of green waste and should not have to pay more council tax. He stated that he believed that the meeting should be suspended to enable the budget proposals to be reconsidered, particularly in respect of the council tax increase.

Rebecca Seddon spoke in support of the petition against the proposed budget cut to cease the locking and unlocking of parks. She stated that the parks were well utilised by children, adults and local groups and organisations. She drew attention to the number of signatories to the petition and stated that parks were fundamental to a good quality of life and were important for health and wellbeing. If the parks were not locked at night, vandalism would occur and there would be damage to play equipment, litter and the loss of the green flag status. She urged that further consideration be given to this proposed cut to the budget.

Malcom Dewhirst, a local resident and secretary to a number of bowling clubs, spoke against the proposed charges for bowling greens. He stated that the proposed budget saving was insignificant in the context of the overall budget but would have a significant impact on bowlers. The membership of the clubs was decreasing which would make the impact even more severe. He drew attention to the custodian role that the clubs carried out.

Heather McKenzie of Unison spoke on the budget proposals. She stated that the decision not to accept the grant available to councils who froze council tax was supported. She expressed concerns regarding the proposals in respect of Lowfields and stated that the core provision should be provided by the council and not outsourced as this would drive down standards. She stated that TUPE arrangements did not protect employees' terms and conditions and that it was not morally acceptable to outsource services in order to reduce staff costs. She drew attention to the implications of arrangements such as social enterprises and Local Authority Trading Companies. She stated that the trade unions

had worked hard with the authority in order to mitigate the impact of the cuts and they would continue to do so.

Andrea Dudding of Unison spoke on the budget proposals. She stated that the cuts were as a result of the actions of central government. She queried why it was palatable to make cuts to libraries, leisure and culture and stated that Germany was increasing its cultural spend and saw this as essential investment. The cuts in the budget would mean that York was no longer a centre of culture. She drew attention to the number of visitors to the city and stated that cuts to staffing would mean that a cultural offering could not be provided. Expenditure on this type of provision was essential in growing the economy and building stronger communities. She also questioned the rationale of making cuts to the library and archive service at a time when funding had been received to expand the city's archive. She drew attention to the recommendations of the Fairness Commission and urged that services be run in an open and transparent manner.

## 62. PETITIONS

Under Standing Order 7, petitions were presented by:

- i) Cllr Alexander on behalf of residents who wished to keep parks locked at night.

The Lord Mayor confirmed receipt of the e-petition from Councillor Alexander. He stated that there was also a paper petition on this issue and that the two may amount to more than 1,000 signatories. Although there had not been an opportunity to verify the signatories on either petition, the amendments that were due to be considered during the meeting raised this specific issue of locked parks. There would therefore be an opportunity for Members to debate the issue as part of the consideration of those amendments.

- ii) Councillor Orrell on behalf of residents of Brockfield Road and Brockfield Park Drive requesting inclusion of the resurfacing of their roads within the 2013/14 road surfacing programme.<sup>1</sup>

The Lord Mayor confirmed receipt of the petition and stated that it would be considered by Members when they debated the budget proposals.

Action Required

1. Schedule item on Forward Plan, if required, and keep relevant member updated on progress. SS

**63. RECOMMENDATIONS OF THE CABINET IN RESPECT OF THE CAPITAL PROGRAMME 2012/13 MONITOR 3**

Councillor Alexander moved and Councillor Gunnell seconded the recommendations made by the Cabinet at their meeting on 12 February 2013, following consideration of the third monitor report on the Capital Programme (minute 97 refers) as follows:

“That Council agree the adjustments in the Capital programme of an overall decrease of £11.752m in 2012/13 with re-profiling of budget from 2012/13 to 2013/14 and 2014/15 of £10.626m as detailed in the report and contained in Annex A of the report”

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

RESOLVED: That the recommendation contained in minute 97 of the Cabinet meeting held on 12 February 2013 be approved.

**64. RECOMMENDATIONS OF THE CABINET ON THE COUNCIL'S CAPITAL PROGRAMME BUDGET FOR 2013/14 TO 2017/18, THE FINANCIAL STRATEGY 2013/18 (INCLUDING THE COUNCIL'S DETAILED REVENUE BUDGET PROPOSALS FOR 2013/14 AND 2014/15) AND THE COUNCIL'S TREASURY MANAGEMENT STRATEGY STATEMENT AND PRUDENTIAL INDICATORS FOR 2013/14 TO 2017/18**

**A Petition**

Members debated the following petition, which had been signed by 1,167 people:

*“We call on the City of York Council to:*

- *Introduce an EMA-style grant for college students in the area*
- *Make the grant available to all college students with no means-test*

*The Educational Maintenance Allowance has been scrapped by this Government. This will leave many college students in York without the funds to travel to college, buy books and resources, or food. Similar EMA style payments have been reintroduced in two London Boroughs. This shows that there is the money to pay for EMA if we stand up and fight for it. Youth Fight for Jobs and Education believes that EMA could be brought back in York as well – it is evident from council expenditure in certain areas. £2.5m is being spent on consultancy firms to “find out how to better manage funds in the future”, this alone would pay for all students to have EMA (£30 per week) at York College with £1,476,640 to spare (based on student numbers 2010/11).”*

The Lord Mayor stated that the petition would be taken into account when Members debated the budget proposals.

## **B Recommendations from Cabinet, 12 February 2013**

Councillor Alexander moved, and Councillor Simpson-Laing seconded, the recommendations of the Cabinet, as set out in paragraphs 35 to 37 of the report at page 10 of the Council papers as follows, in relation to:

- a) The Council’s Capital Programme Budget for 2013/14 – 2017/18
- b) The Council’s Revenue Budget proposals for 2013 to 2018 and
- c) The Council’s Treasury Management Strategy Statement and Prudential Indicators for 2013/14 – 2017/18

### **“Capital Budget**

35. Cabinet recommends that Council;

- i. Agree to the revised capital programme of £176.709m, that reflects a net overall increase of £48.381m as set out in paragraph 30 table 10 and in Annex A ‘budget amendments’ column of the Cabinet report). Key elements of this include:
  - a. Extension of prudential borrowing funded Rolling Programme schemes totalling £3.365m including



- the IT development fund as set out in paragraph 10 table 2 and summarised in paragraph 27 table 9;
- b. Creation of 2 new prudential borrowing funded Rolling Programme schemes totalling £1.500m as set out in paragraph 14 table 3 and summarised in paragraph 27 table 9
  - c. New schemes totalling £3.585m including an increase in prudential borrowing of £3.185m as set out in paragraph 16 table 4 and summarised in paragraph 27 table 9;
  - d. New externally funded schemes totalling £25.974m as set out in paragraph 18 table 5 and summarised in paragraph 26 table 9
  - e. An increase in HRA funded schemes totalling £13.957m funded from HRA balances of £13.957m as set out in paragraph 19 table 6 and summarised in paragraph 27 table 9.
- ii. Approve the full restated programme as summarised in Annex A totalling £176.709m over financial years 2013/14 to 2017/18 as set out in paragraph 30 table 10 of the Cabinet report.

## **Revenue Budget**

- 36. Cabinet recommends that Council
  - a. approve the budget proposals outlined in the Financial Strategy report, in particular
    - i. The net revenue expenditure requirement for 2013/14 of £127.778m
    - ii. The revenue growth proposals as outlined in the body of the Cabinet report
    - iii. The revenue savings proposals as outlined in Annex 2 of that report.
    - iv. The fees and charges proposals as outlined in Annex 3 of that report.
    - v. The housing revenue account proposals set out in Annex 4 of that report.
    - vi. The dedicated schools grant proposals set out in Annex 5 of that report.

- b. Note that the effect of approving the income and expenditure proposals included in the recommendations would result in a 1.9% increase in the City of York Council element of the council tax.

### **Treasury Management Strategy Statement and Prudential Indicators**

37. Cabinet recommends that Council approve;
- a. The proposed treasury management strategy for 2013/14, including the annual investment strategy and the minimum revenue provision policy statement
  - b. The prudential indicators for 2013/14 to 2017/18 in the main body of the Cabinet report
  - c. The specified and non specified investments schedule (Annex B to the Cabinet report)
  - d. The scheme of delegation and the role of the section 151 officer (Annex D to the Cabinet report)

### **Conservative Amendment**

Councillor Gillies then moved and Councillor Steward seconded, an amendment to the above recommendations on behalf of the Conservative Group, as follows:

#### **“Capital Budget**

In relation to the Cabinet’s recommendations on the capital budget (paragraph 35 of page 10 of Council papers refers), under paragraph 35 (i), **insert new sub paragraphs:**

**(f) ‘Make available the existing EIF funds provisionally earmarked for the Digital Media and Cultural Centre project (an indicative £1.4m) and allocate for the investment in the general development of the Guildhall to ensure effective continued use of the building subject to satisfactory business case being developed.’**

**(g) ‘Within the revised Capital programme of £176.709m create a fund of £1m per annum for a programme of works for Basic Road Maintenance totalling £4m over a 4 year period (13/14 – 16/17). This to be funded by re-profiling schemes contained within the EIF programme (specifically Newgate**

**Market and Reinvigorate York) to make available EIF funding of £850k per annum (covering the financial years 13/14 – 14/15) with £150k per annum (covering the financial years 13/14 – 14/15) being allocated from the existing LTP funds contained in the Capital Programme, and allocate £1m of EIF per annum (covering the financial years 15/16 - 16/17)**

### **Revenue Budget**

In paragraph 36 (i), sub paragraph (a), second line, **delete ‘£127.778m’ and replace with ‘£126.478m’**

In sub paragraph (b) **add at the end of the sentence ‘subject to the following amendments;**

- **an additional £50k to reinstate the budget related to green waste that was removed in 2012/13**
- **an additional £40k to reinstate rubbish bins removed from service during 2012/13**
- **an additional £17k to refill salt bins that are empty following the related 2012/13 budget saving’**

In sub paragraph (c) **add at the end of the sentence ‘subject to the following amendments;**

- **Add new proposal to reduce cabinet members by three to save £44k**
- **Add new proposal to reduce union facility time by £50k**
- **Add new proposal to remove uncommitted budget related to the Delivery and Innovation Fund to save £737k**
- **Add new proposal to remove the commitment to fund the Innovation & Catalyst programme to save £165k**
- **proposal CAN06 be reduced by £66k to remove the park attendant reorganisation in Parks & Open Spaces in order to ensure parks are locked at night**
- **proposal CANS33 be reduced by £29k to ensure that opening hours at Towthorpe HWRC are maintained at their current times**
- **Removal of proposals:**
  - **CANS103 – Waste services green waste policy £200k**

○ **CSTS03 – Parking income £175k'**

In paragraph 36 (ii), second line, **delete '1.9%' and replace with '0%'. Insert new text** after 'City of York Council element of the council tax' as follows **'resulting in the Council being able to accept the Council Tax Freeze Grant of £763k.'**

Then, **insert additional paragraph 36(iii) as follows:**

**(iii) approve the carry forward of £118k of unspent funding from the Delivery and Innovation Fund in 2012/13 into 2013/14."**

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

**Liberal Democrat Amendment**

Councillor Runciman then moved, and Councillor Reid seconded, an amendment on behalf of the Liberal/Democratic Group.

**"Capital Budget**

In relation to the Cabinet's recommendations on the capital budget (paragraph 35 of page 10 of Council papers refers), under paragraph 35 (i), **insert new sub paragraphs:**

**(f) 'The abolition of the Economic Infrastructure Fund to be replaced with the Future York Fund. The Future York Fund will in 2013/14 pay for previously committed schemes related to Park & Ride and the Better Bus Fund as well as £260k in road improvements. Other capital schemes previously in the EIF (specifically Newgate Market, Reinvigorate York, the Arts Barge and the Digital Media and Cultural Centre) will be removed.'**

**(g) '£150k in 2013/14 being allocated from existing LTP funds contained in the Capital Programme and allocated to a Safer York Accident Reduction programme.'**

**Revenue Budget**

In relation to the Cabinet's recommendations on the revenue budget (paragraph 36 of page 11 of Council papers refers):

In paragraph 36 (i), sub paragraph (a), second line, **delete** '£127.778m' and replace with '£126.478m'

In sub paragraph (b) **add at the end of the sentence** 'subject to the following amendments;

- an additional £50k to reinstate the budget related to green waste that was removed in 2012/13
- an additional £40k to reinstate rubbish bins removed from service during 2012/13
- an additional £17k to refill salt bins that are empty following the related 2012/13 budget saving
- an additional £150k to reinstate the budget related to waste rounds that was removed in 2012/13
- an additional £300k to reinstate budget to facilitate the reduction of the Fair Access to Care Services criteria back to 'Moderate'
- an additional £100k to reinstate the budget related to gully cleaning that was removed in 2012/13
- an additional £10k to reinstate the budget related to winter maintenance that was removed in 2012/13
- an additional £54k to reinstate budget related to ensure, in conjunction with the reversal of saving proposal CANS33 below, that increased charges for brick, rubble, bonded asbestos and gas cylinders can be avoided
- an additional £25k to reinstate the budget related to target hardening that was removed in 2012/13
- an additional £120k to increase the Ward Committees budget
- an additional £240k to be allocated to a programme of road resurfacing
- an additional £275k for the creation of a Community Fund
- an additional £50k for investment in carbon reduction and recycling work
- an additional £50k for investment in local business innovation
- an additional £10k for investment in Youth Services
- removal of the £200k recurring proposal to increase the level of the general reserve
- removal of the £200k recurring proposal to increase general contingency
- an additional £104k of one-off funding to increase the general reserve to its minimum acceptable level of £6,400k.'

In sub paragraph (c) add at the end of the sentence 'subject to the following amendments;

- **Add new proposal to remove uncommitted budget related to the Delivery and Innovation Fund to save £737k**
- **Add new proposal to abolish the Quality Bus Contract to save £232k**
- **Add new proposal to remove the commitment to fund the Innovation & Catalyst programme to save £165k**
- **Add new proposal to reduce union facility time by £50k**
- **Add new proposal to reduce cabinet members by two to save £29k**
- **Add new proposal to remove the Council Leader's personal assistant to save £30k**
- **Add new proposal to remove the base budget contribution to general reserves to save £250k**
- **Add new proposal to remove a portion of the base budget contribution to general contingency to save £50k**
- **Removal of proposals:**
  - **CAN09 - Allotments £10k**
  - **CANS09/118 - Smarter York - Community Delivery £186k**
  - **CAN03/04/05 - Smarter York - Grass Cutting £38k**
  - **CAN12 - Community Centres £40k**
  - **CAN42 - Cultural & Learning Services £200k**
  - **CAN17 - Library Services £50k**
  - **CANS45 - Smarter York £34k**
  - **CAN47 - Parks & Open Spaces - Roles £25k**
  - **CANS54/60 - Neighbourhood Management Unit £81k**
  - **CAN10 - Street Cleansing £48k**
  - **AA01a - Fair Access to Care Services (FACS) - Substantial £160k**
  - **CANS33 - Waste Services - HWRC £75k**
  - **CANS103 - Waste Services - Green Waste £200k**

- **CANS31 - Waste Services - Waste Rounds £150k**
- **CANS19/20 - Highway Infrastructure £185k**
- **CES102 - Planning Consultation £10k.'**

In paragraph 36 (ii), second line, **delete '1.9%' and replace with '0%'. Insert new text** after 'City of York Council element of the council tax' as follows **'resulting in the Council being able to accept the Council Tax Freeze Grant of £763k.'**

Then, **insert additional paragraph 36(iii) as follows:**

**(iii) Approve the creation of a new income line in the budget of £1,681k to match uncommitted New Homes Bonus funds from the abolished Economic Infrastructure Fund."**

Then, **insert additional paragraph 36(iv) as follows:**

**(iv) Approve the creation of a Better York fund which contains the following proposals:**

- **Committed revenue schemes previously associated with the Economic Infrastructure Fund (Tour De France, Living Wage, Financial Inclusion, Officer Delivery, Promoting York and Targeting Growth) - £1,139k**
- **Contribution to the general reserve - £104k**
- **General contingency budget - £200k**
- **Community Fund - £275k**
- **Road resurfacing programme - £240k**
- **Waterworld growth item - £160k**
- **Carbon reduction and recycling work investment - £50k**
- **Investment in local business innovation - £50k."**

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

At this point in the meeting the guillotine was due to fall. It was moved by Councillor Healey and seconded by Councillor Levene that the guillotine be extended to allow for debate on the green amendment and upon the original motion. The motion was lost and the Chair proceeded to put the remaining business as prescribed by Standing Order 1.3. The remaining motions and amendments were deemed moved and seconded and were voted on without debate.

## **Green Amendment**

### **“Capital Budget**

In relation to the Cabinet’s recommendations on the capital budget (paragraph 35 of page 10 of Council papers refers), under paragraph 35 (i), **insert new sub paragraph (f):**

**(f) ‘Allocate from the revenue element of the Economic Infrastructure Fund, the following:**

- ***£300k for developing a business plan for a renewable energy company***
- ***£235k to support the development for a city wide evening and weekend bus service***
- ***£35k to develop a sustainable food strategy for York.’***

### **Revenue Budget**

In relation to the Cabinet’s recommendations on the revenue budget (paragraph 36 of page 11 of Council papers refers) :

In sub paragraph 36(i)(b) **add at the end of the sentence ‘subject to the following amendments;**

- ***An additional £35k to fund an Energy Efficiency and Fuel Poverty officer***
- ***An additional £45k to fund a Waste Minimisation officer and associated costs for policy development related to the waste hierarchy.’***

In sub paragraph 36(i)(c) **add at the end of the sentence ‘subject to the following amendments;**



- **Add new proposal to remove a portion of uncommitted budget related to the Delivery and Innovation Fund to save £202k**
- **Add new proposal to remove the commitment to fund the Innovation & Catalyst programme to save £165k**
- **proposal CAN06 be reduced by £66k to remove the park attendant reorganisation in Parks & Open Spaces in order to ensure parks are locked at night**
- **Removal of:**
  - **CANS42 – Cultural and Learning Services £200k**
  - **CAN09 – Allotments £10k**
  - **CAN110 – Environmental Protection Unit £11k”**

Councillors D’Agorne and Taylor left the meeting at this point.

The Green amendment, on being put to the vote, was declared LOST.

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

RESOLVED: That the Cabinet recommendations in respect of the Capital Programme, Financial Strategy and Treasury Management Strategy Statement and Prudential Indicators be approved.

#### **65. COUNCIL TAX RESOLUTION 2013/14**

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

RESOLVED: (i) That it be noted that on 13 December 2012 the Director of Customer and Business Support Services, under his delegated authority, calculated the Council Tax Base for the year 2013/14:

- (a) for the **whole Council area** as 60,945.49 [Item T in the formula in Section 31B of the Local

Government Finance Act 1992, as amended (the "Act"); and

- (b) for those dwellings in those parts of its area to which a **Parish** precept relates as in column 1 in the attached Schedule A.
- (ii) Calculate that the Council Tax requirement for the Council's own purposes for 2013/14 (excluding Parish precepts) is £69,710,060.
- (iii) That the following amounts be calculated for the year 2013/14 in accordance with Sections 31 to 36 of the Act:
  - (a) £362,263,050.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
  - (b) £291,931,312.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £70,331,738.00 being the amount by which the aggregate at 14(a) above exceeds the aggregate at 14(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. [Item R in the formula in Section 31B of the Act].
  - (d) £1,154.01 being the amount at 14(c) above [Item R], all divided

by Item T (12(a) above),  
calculated by the Council, in  
accordance with Section 31B of  
the Act, as the basic amount of  
its Council Tax for the year  
(including Parish precepts).

- (e) £621,678.00 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Schedule A).
  - (f) £1,143.81 being the amount at 14(d) above less the result given by dividing the amount at 14(e) above by Item T (12(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (iv) That it be noted that North Yorkshire Police and the North Yorkshire Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Act for each category of dwellings in the Council's area as indicated in the tables at 16 below.
  - (v) That the Council, in accordance with sections 30 and 36 of the Act, hereby sets the aggregate amounts shown in the tables below, and at Schedule B for Parished areas, as the amounts of Council Tax for 2013/14 for each part of its area and for each of the categories of dwellings.

## City of York Council

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
762.54	889.63	1,016.72	1,143.81	1,397.99	1,652.17	1,906.35	2,287.62

## North Yorkshire Police

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
136.37	159.09	181.82	204.55	250.01	295.46	340.92	409.10

## North Yorkshire Fire and Rescue Authority

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
41.40	48.30	55.20	62.10	75.90	89.70	103.50	124.20

## Aggregate of Council Tax Requirements (excluding Parished Areas)

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
940.31	1,097.02	1,253.74	1,410.46	1,723.90	2,037.33	2,350.77	2,820.92

- (vi) Determine that the Council's basic amount of Council Tax for 2013/14, which reflects a 1.9% increase, is not excessive in accordance with the principles approved under section 52ZB of the Act.

Cllr Keith Hyman  
LORD MAYOR OF YORK

*[The meeting started at 6.30 pm and concluded at 10.15 pm]*

## SCHEDULE A

Parts of the Council's Area	1.	2.	3.			D	E	F	G	H		
	Council Tax Base	Basic Amount of Tax	Valuation Bands	A	B						C	D
		£	£	£	£	£	£	£	£	£	£	£
Acaster Malbis Parish Council	281.20	1,153.13	768.75	896.88	1,025.00	1,153.13	1,409.38	1,665.63	1,921.88	2,306.26		
Askham Bryan Parish Council	188.93	1,156.56	771.04	899.55	1,028.05	1,156.56	1,413.57	1,670.59	1,927.60	2,313.12		
Askham Richard Parish Council	75.51	1,170.59	780.39	910.46	1,040.52	1,170.59	1,430.72	1,690.85	1,950.98	2,341.18		
Bishopthorpe Parish Council	1,206.59	1,165.45	776.97	906.46	1,035.96	1,165.45	1,424.44	1,683.43	1,942.42	2,330.90		
Clifton Without Parish Council	1,677.81	1,156.29	770.86	899.34	1,027.81	1,156.29	1,413.24	1,670.20	1,927.15	2,312.58		
Copmanthorpe Parish Council	1,611.79	1,160.48	773.65	902.60	1,031.54	1,160.48	1,418.36	1,676.25	1,934.13	2,320.96		
Deighton Parish Council	133.15	1,169.02	779.35	909.24	1,039.13	1,169.02	1,428.80	1,688.58	1,948.37	2,338.04		
Dunnington Parish Council	1,294.76	1,155.04	770.03	898.36	1,026.70	1,155.04	1,411.72	1,668.39	1,925.07	2,310.08		
Earswick Parish Council	419.49	1,176.99	784.66	915.44	1,046.21	1,176.99	1,438.54	1,700.10	1,961.65	2,353.98		
Elvington Parish Council	471.28	1,169.14	779.43	909.33	1,039.24	1,169.14	1,428.95	1,688.76	1,948.57	2,338.28		
Fulford Parish Council	897.84	1,175.21	783.47	914.05	1,044.63	1,175.21	1,436.37	1,697.53	1,958.68	2,350.42		
Haxby Town Council	3,086.68	1,173.97	782.65	913.09	1,043.53	1,173.97	1,434.85	1,695.73	1,956.62	2,347.94		
Heslington Parish Council	344.31	1,175.54	783.69	914.31	1,044.92	1,175.54	1,436.77	1,698.00	1,959.23	2,351.08		
Hessay Parish Council	112.39	1,167.58	778.39	908.12	1,037.85	1,167.58	1,427.04	1,686.50	1,945.97	2,335.16		
Heworth Parish Council	795.10	1,154.97	769.98	898.31	1,026.64	1,154.97	1,411.63	1,668.29	1,924.95	2,309.94		
Holtby Parish Council	84.97	1,163.58	775.72	905.01	1,034.29	1,163.58	1,422.15	1,680.73	1,939.30	2,327.16		
Huntington Parish Council	3,229.24	1,172.92	781.95	912.27	1,042.60	1,172.92	1,433.57	1,694.22	1,954.87	2,345.84		
Kexby Parish Council	85.42	1,161.21	774.14	903.16	1,032.19	1,161.21	1,419.26	1,677.30	1,935.35	2,322.42		
Murton Parish Council	155.79	1,155.86	770.57	899.00	1,027.43	1,155.86	1,412.72	1,669.58	1,926.43	2,311.72		
Naburn Parish Council	205.57	1,161.80	774.53	903.62	1,032.71	1,161.80	1,419.98	1,678.16	1,936.33	2,323.60		
Nether Poppleton Parish Council	853.42	1,167.22	778.15	907.84	1,037.53	1,167.22	1,426.60	1,685.98	1,945.37	2,334.44		
New Earswick Parish Council	703.82	1,164.64	776.43	905.83	1,035.24	1,164.64	1,423.45	1,682.26	1,941.07	2,329.28		
Osbalwick Parish Council	981.59	1,153.46	768.97	897.14	1,025.30	1,153.46	1,409.78	1,666.11	1,922.43	2,306.92		
Rawcliffe Parish Council	2,196.71	1,162.13	774.75	903.88	1,033.00	1,162.13	1,420.38	1,678.63	1,936.88	2,324.26		
Rufforth and Knapton Parish Council	427.90	1,160.81	773.87	902.85	1,031.83	1,160.81	1,418.77	1,676.73	1,934.68	2,321.62		
Skelton Parish Council	542.54	1,170.42	780.28	910.33	1,040.37	1,170.42	1,430.51	1,690.61	1,950.70	2,340.84		
Stockton-on-the-Forest Parish Council	492.90	1,156.72	771.15	899.67	1,028.20	1,156.72	1,413.77	1,670.82	1,927.87	2,313.44		
Strensall with Towthorpe Parish Council	1,885.84	1,156.18	770.79	899.25	1,027.72	1,156.18	1,413.11	1,670.04	1,926.97	2,312.36		
Upper Poppleton Parish Council	882.20	1,165.96	777.31	906.86	1,036.41	1,165.96	1,425.06	1,684.16	1,943.27	2,331.92		
Wheldrake Parish Council	821.79	1,161.76	774.51	903.59	1,032.68	1,161.76	1,419.93	1,678.10	1,936.27	2,323.52		
Wigginton Parish Council	1,321.87	1,173.29	782.19	912.56	1,042.92	1,173.29	1,434.02	1,694.75	1,955.48	2,346.58		
All other parts of the council's area	27,468.38											
	33,477.11	1,143.81	762.54	889.63	1,016.72	1,143.81	1,397.99	1,652.17	1,906.35	2,287.62		
	60,945.49											

Note: This schedule shows the basic City of York Council + Parish element of Council Tax for each area.

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## SCHEDULE B

## Valuation Bands

## Parts of the Council's Area

	A £	B £	C £	D £	E £	F £	G £	H £
Acaster Malbis Parish Council	946.52	1,104.27	1,262.02	1,419.78	1,735.29	2,050.79	2,366.30	2,839.56
Askham Bryan Parish Council	948.81	1,106.94	1,265.07	1,423.21	1,739.48	2,055.75	2,372.02	2,846.42
Askham Richard Parish Council	958.16	1,117.85	1,277.54	1,437.24	1,756.63	2,076.01	2,395.40	2,874.48
Bishopthorpe Parish Council	954.74	1,113.85	1,272.98	1,432.10	1,750.35	2,068.59	2,386.84	2,864.20
Clifton Without Parish Council	948.63	1,106.73	1,264.83	1,422.94	1,739.15	2,055.36	2,371.57	2,845.88
Copmanthorpe Parish Council	951.42	1,109.99	1,268.56	1,427.13	1,744.27	2,061.41	2,378.55	2,854.26
Deighton Parish Council	957.12	1,116.63	1,276.15	1,435.67	1,754.71	2,073.74	2,392.79	2,871.34
Dunnington Parish Council	947.80	1,105.75	1,263.72	1,421.69	1,737.63	2,053.55	2,369.49	2,843.38
Earswick Parish Council	962.43	1,122.83	1,283.23	1,443.64	1,764.45	2,085.26	2,406.07	2,887.28
Elvington Parish Council	957.20	1,116.72	1,276.26	1,435.79	1,754.86	2,073.92	2,392.99	2,871.58
Fulford Parish Council	961.24	1,121.44	1,281.65	1,441.86	1,762.28	2,082.69	2,403.10	2,883.72
Haxby Town Council	960.42	1,120.48	1,280.55	1,440.62	1,760.76	2,080.89	2,401.04	2,881.24
Heslington Parish Council	961.46	1,121.70	1,281.94	1,442.19	1,762.68	2,083.16	2,403.65	2,884.38
Hessay Parish Council	956.16	1,115.51	1,274.87	1,434.23	1,752.95	2,071.66	2,390.39	2,868.46
Heworth Parish Council	947.75	1,105.70	1,263.66	1,421.62	1,737.54	2,053.45	2,369.37	2,843.24
Holtby Parish Council	953.49	1,112.40	1,271.31	1,430.23	1,748.06	2,065.89	2,383.72	2,860.46
Huntington Parish Council	959.72	1,119.66	1,279.62	1,439.57	1,759.48	2,079.38	2,399.29	2,879.14
Kexby Parish Council	951.91	1,110.55	1,269.21	1,427.86	1,745.17	2,062.46	2,379.77	2,855.72
Murton Parish Council	948.34	1,106.39	1,264.45	1,422.51	1,738.63	2,054.74	2,370.85	2,845.02
Naburn Parish Council	952.30	1,111.01	1,269.73	1,428.45	1,745.89	2,063.32	2,380.75	2,856.90
Nether Poppleton Parish Council	955.92	1,115.23	1,274.55	1,433.87	1,752.51	2,071.14	2,389.79	2,867.74
New Earswick Parish Council	954.20	1,113.22	1,272.26	1,431.29	1,749.36	2,067.42	2,385.49	2,862.58
Osbalwick Parish Council	946.74	1,104.53	1,262.32	1,420.11	1,735.69	2,051.27	2,366.85	2,840.22
Rawcliffe Parish Council	952.52	1,111.27	1,270.02	1,428.78	1,746.29	2,063.79	2,381.30	2,857.56
Rufforth and Knapton Parish Council	951.64	1,110.24	1,268.85	1,427.46	1,744.68	2,061.89	2,379.10	2,854.92
Skelton Parish Council	958.05	1,117.72	1,277.39	1,437.07	1,756.42	2,075.77	2,395.12	2,874.14
Stockton-on-the-Forest Parish Council	948.92	1,107.06	1,265.22	1,423.37	1,739.68	2,055.98	2,372.29	2,846.74
Strensall with Towthorpe Parish Council	948.56	1,106.64	1,264.74	1,422.83	1,739.02	2,055.20	2,371.39	2,845.66
Upper Poppleton Parish Council	955.08	1,114.25	1,273.43	1,432.61	1,750.97	2,069.32	2,387.69	2,865.22
Wheldrake Parish Council	952.28	1,110.98	1,269.70	1,428.41	1,745.84	2,063.26	2,380.69	2,856.82
Wigginton Parish Council	959.96	1,119.95	1,279.94	1,439.94	1,759.93	2,079.91	2,399.90	2,879.88
All other parts of the council's area	940.31	1,097.02	1,253.74	1,410.46	1,723.90	2,037.33	2,350.77	2,820.92

Note: This schedule shows the total aggregate Council Tax (City of York Council, Police, Fire and Parish) for each area.

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## SCHEDULE C

## Parts of the Council's Area

	<b>Council Tax Base</b>	<b>Precept Value £</b>	<b>Basic Band D £</b>
Acaster Malbis Parish Council	281.20	2,774.00	9.32
Askham Bryan Parish Council	188.93	2,562.00	12.75
Askham Richard Parish Council	75.51	2,200.00	26.78
Bishopthorpe Parish Council	1,206.59	28,000.00	21.64
Clifton Without Parish Council	1,677.81	23,000.00	12.48
Copmanthorpe Parish Council	1,611.79	27,883.00	16.67
Deighton Parish Council	133.15	3,533.00	25.21
Dunnington Parish Council	1,294.76	15,421.00	11.23
Earswick Parish Council	419.49	14,250.00	33.18
Elvington Parish Council	471.28	12,350.00	25.33
Fulford Parish Council	897.84	31,000.00	31.40
Haxby Town Council	3,086.68	99,000.00	30.16
Heslington Parish Council	344.31	11,950.00	31.73
Hessay Parish Council	112.39	2,750.00	23.77
Heworth Parish Council	795.10	9,500.00	11.16
Holtby Parish Council	84.97	1,680.00	19.77
Huntington Parish Council	3,229.24	101,520.00	29.11
Kexby Parish Council	85.42	1,600.00	17.40
Murton Parish Council	155.79	2,000.00	12.05
Naburn Parish Council	205.57	3,900.00	17.99
Nether Poppleton Parish Council	853.42	21,000.00	23.41
New Earswick Parish Council	703.82	19,000.00	20.83
Osbalwick Parish Council	981.59	10,000.00	9.65
Rawcliffe Parish Council	2,196.71	42,700.00	18.32
Rufforth and Knapton Parish Council	427.90	7,550.00	17.00
Skelton Parish Council	542.54	16,000.00	26.61
Stockton-on-the-Forest Parish Council	492.90	6,700.00	12.91
Strensall with Towthorpe Parish Council	1,885.84	25,000.00	12.37
Upper Poppleton Parish Council	882.20	20,155.00	22.15
Wheldrake Parish Council	821.79	15,500.00	17.95
Wigginton Parish Council	1,321.87	41,200.00	29.48

Note: This schedule shows precepting information for each parish area.

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Councillor James Alexander  
Labour Leader of City of York Council  
Report to Full Council – March 2013

### **Waste PFI**

Despite the Government having already reassessed PFI credits after the general election, it has recently seen fit to remove PFI credits to the planned energy from waste (EfW) plants for North Yorkshire, West Yorkshire and Merseyside.

I was made aware by the Chief Executive of North Yorkshire County Council at Noon on the day the decision was announced. He said the Government would be announcing this move without any consultation at 1pm.

I telephoned DEFRA and asked to speak to a Minister or a Special Advisor. I was told none were available as they were all in the same meeting.

The decision was allegedly made because the Government now feels they can meet EU regulations for waste management without new EfW plants. Sadly this does not take into account the issue of regional requirements. For example, does it make sense to send our waste further afield for disposal or incineration because the UK as a whole fits the regulatory criteria? Moreover, who will pay for these additional costs? The decision of the Government has so far cost taxpayers in City of York and North Yorkshire County circa £6.5m.

The Government agreed to meet with me and a delegation of leaders to discuss the situation. The Minister has postponed this because he was not aware he had to be in Brussels on the day of our arranged meeting. But the meeting should take place within the next fortnight.

Furthermore, I have asked Anne McIntosh MP, Member of the DEFRA Parliamentary Committee to investigate the matter into how PFI credits for waste programmes are issued. She has refused this request.

In the next 5 years or so we will run out of landfill capacity in the City of York. It has taken 5 years so far to get to the point we have got to with the EfW plant plans.

The financial saving to City of York taxpayers with the plan going ahead would be at least £1m per annum.

The Government has been shambolic in its handling of this situation, and it appears to be a decision driven by its inability to get a handle on the national debt position, rather than the reason stated.

### **HS2**

HS2 trains will stop at York as the connecting point to the East Coast Mainline. I am pleased at the lobbying efforts of City of York Council and both our local MPs. Not only does this announcement by the Government secure York's future as a railway city, it also helps us when trying to attract external investment for the York Central site.

The trains will travel on HS2 lines to Church Fenton and travel the final few miles at standard speeds into York station. This means HS2 will be coming to York, and we welcome this decision.

My colleagues and I will continue to pressure the Government to not only bring forward the investment required for HS2, but also to endeavour to build it in the north and south at the same time.

### **Government's Autumn Statement**

The Autumn Statement increased cuts to local councils in 2014/15 from 5.6% to 7.6%. The reduction in total public expenditure is 0.6%. My colleagues and I wanted to discuss this matter at council on 13<sup>th</sup> December but opposition councillors would not support us having that debate. The consequence is that we did not manage to impress on Government a cross-party response to this increase in savings. Instead the council budget came forward with increased savings than those originally anticipated.

One of our two council motions affords us the opportunity to return to this important issue.

### **Full Council**

I am pleased Group Leaders are actively discussing this issue as our procedures are currently inadequate. My Group colleagues and I are looking at this issue and other constitutional matters in great detail.

We need a more open and transparent democratic process than that which we currently have and we will not miss the opportunity to change this.

### **Bailiffs**

I recently spent some time working alongside bailiffs who work on behalf of City of York Council. I wanted to understand the people who are being visited by bailiffs to make up my own mind over the Government's demonization of people in debt.

I can categorically state that this characterisation is not accurate. The people I met were genuine people who have found themselves in difficulty and are not scroungers. I fear for their futures as the Government further pursues draconian measures against poorer people.

The Government's tax cuts for millionaires will be cold comfort for these people, who will struggle to understand why the richest will see on average over £100,000 extra per year in their back pockets from next month. The Lib Dems' complicity in this decision highlights the party's abandonment of the most needy and least well off in society.

I am ensuring bailiffs who work on behalf of the council are plugged into our financial inclusion strategy, as despite working at the coal face, they weren't previously involved.

### **Living Wage**

I am very proud City of York Council became the first Council in Yorkshire and the Humber to approve implementing the Living Wage. This was a key recommendation of the independent Fairness Commission.

### **House Building**

I have been meeting with large house builders every few months facilitated by the Chamber of Commerce since becoming Leader of the Council. Along with other colleagues I have been meeting house builders on a one to one basis. I have had two meetings with the planning Minister Nick Boles MP over the issue and one with Jack Dromey MP, shadow Housing Minister.

It is clear both the economy and people's cost of living requires large scale expansion of house building of differing tenures. We have so far passed through Cabinet the Get York Building report which reduces affordable housing targets along with investment in converting council housing stock to deal with overcrowding. We have changed the thresholds on affordable housing to help small house builders. We will be building new council properties on small sites and will consider lending to get house building going. We will consider becoming a mortgage lender to help the demand side of housing.

Further announcements will be made to give a further boost to house building. This includes as part of the Local Plan which is on track.

### **Unemployment**

Latest figures show a small increase in JSA claimants, which is not unusual once seasonal employment has come to an end. But the figures for this time last year were higher, so some progress has been made.

Yet the number of people claiming JSA doesn't offer a complete picture. There are many women working part time who are unable to get the extra hours they want and often need. I hope that many of the jobs coming on stream in the future will help to tackle this gap in employment opportunities.

Equally concerning is the position of those at the beginning and in the later stages of their working lives. The number of long-term unemployed over 55 is rising faster than those aged 18 to 24. Both groups are vulnerable in an ever-competitive jobs market, and the council will work hard to provide each with the opportunities they deserve. It is crucially important that those willing and able to work are given the opportunity to do so.

### **Jobs and Growth**

York and Bristol are the only two cities predicted to have economic growth higher than the national average over the coming years excluding London, which skews the data.

York has traditionally had an insular economy that protects the city against economic shocks. But this means the city does not grow as fast as the rest of the country when there is a period of economic expansion. The fact York is predicted economic growth higher than the national

average indicates our economy has fundamentally changed and that the city has a confidence it has not had for some time. This is something my colleagues and I will foster.

### **Heseltine Report**

I welcome the Government's response to Lord Heseltine's report 'No Stone Unturned'.

Financial support will be given to councils pursuing combined authorities or inter-council collaboration. We will be bidding for a share of this £9.2m Transformational Challenge Award.

The Government will make local authorities responsible for 'Not in Education, Employment or Training' (NEET) counts. City of York Council already considers itself as responsible for this agenda and we are making significant progress in this area.

The Government has committed its support to mutuals in central and local government service provision.

The Government also commits to the importance of international marketing and trade missions. York has begun a process of internationalisation to further inward investment, export markets and international visitors. The Lord Mayor is currently in China on such a mission with my full support.

I am, however, disappointed that the Government has rejected both of Lord Heseltine's recommendations that the Government should urgently clarify its policy regarding airport capacity and give greater legal status to Chambers of Commerce (as has proven successful in other European nations).

### **Development Sites**

The Council's delegation to the MIPIM conference has led to 30 inward investment leads. This includes interest from US investors who feel they would like to invest in the UK but are fearful London is overheating. In the north the greatest inward investment opportunities based on economic growth are York, Manchester and Leeds. I look forward to meeting these potential investors in York.

There is significant interest in many of our land sites that have been stalled for some significant time.

### **Bedroom Tax and Other Benefit Changes**

I am receiving correspondence from residents who feel they cannot afford to pay the Bedroom Tax. Furthermore, I am receiving correspondence from residents who are struggling with a raft of benefit changes.

The current Government is the first since the war that has localised some benefits. This is a disastrous policy. It means in successful council areas there are fewer people who need additional support and people can afford the tax base needed to fund this support. In less successful areas more people require the help, but there are fewer people to fund the taxation for this. This will create a circle of decline and some cities will fail as they have done in the US.

The Government has got their priorities wrong if they believe giving a tax break to the rich whilst reducing income to the poor is the right thing to do. Both the Conservative and Liberal Democrat party should be ashamed of this course of action.

York is in a unique position in being successful but poorly funded by Government.

### **Local Enterprise Partnerships (LEPs)**

The Leeds City Region Combined Authority has agreed to a request of Conservative Leaders for a joint authority scrutiny board to be set up chaired by a Conservative councillor. There will also, based on proportionality, be two Conservative councillors on the board of the combined authority. The proportionality will be reviewed with successive elections.

One place will be given to the Liberal Democrats. However it is anticipated that the Liberal Democrats may not qualify for such a place following local elections. This may then instead go to independents. Conservative councillors are pushing for a cut off threshold that would mean the third opposition position being given to the Conservatives rather than Liberal Democrats. I welcome stated Conservative commitment to the Combined Authority which was signed off by Nick Clegg MP. Councillor Robert Light, Conservative Group Leader at Kirklees Council has stated Conservative "commitment to the principle of combined authority working".

In the Government's response to the Heseltine report, the Government says it will appoint a senior Whitehall sponsor for each LEP. This will help LEPs and local authorities with inter-departmental working across Whitehall.

We are supporting Leeds City Region plans for the set up of an inward investment bank that will fund infrastructure projects. Initially this funding will be put towards housing schemes. York will be pitching for such funding but it will not come on stream until 2015. Therefore other investment is required in the short term.

We are pushing for York Central to be awarded preferential borrowing rates via York North Yorkshire and East Riding Local Enterprise Partnership. These powers were awarded to LEPs in the Autumn Statement.

Consideration is being given to extending the Leeds City Region City Deal. I am keen for the Combined Authority to take control of Job Centre Plus and some DWP activities to link the benefits system with employment in a more integrated way.

### **The Recent Budget**

This takes place following submission of this report. However, I am happy to take any questions on the effect this will have on people in York.

**Councillor James Alexander**  
**19<sup>th</sup> March, 2013**

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City of York Council

Committee Minutes

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MEETING	AUDIT & GOVERNANCE COMMITTEE
DATE	19 MARCH 2013
PRESENT	COUNCILLORS CUNNINGHAM-CROSS (CHAIR), BARNES, BROOKS (VICE-CHAIR), BURTON, CUTHBERTSON, STEWARD AND WATSON
IN ATTENDANCE	COUNCILLOR WARTERS

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**PART B - MATTERS REFERRED TO COUNCIL****60. CONSTITUTIONAL CHANGES RELATING TO PUBLIC HEALTH**

[See also Part A minute]

Members considered a report that recommended certain constitutional changes arising from the Council assuming public health responsibilities from 1 April 2013. In particular the Council would be required to have a Health and Wellbeing Board in place and become responsible for the appointment of Director of Public Health.

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

**REASON:** To ensure that the Council has made an appropriate response to the transfer of public health powers.

Councillor Cunningham-Cross, Chair  
[The meeting started at 5.00 pm and finished at 7.00 pm].

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## **York Health and Wellbeing Board**

### **1. Name**

- 1.1 The Board will be known as the York Health and Wellbeing Board (“the Board”)

### **2. Membership**

- 2.1 Board members will be required to represent their organisation with sufficient seniority and influence for decision making. The Membership of the Board will consist of:
- a. The Leader of the City of York Council (“the Council”) or a Councillor nominated by him and two other elected representatives nominated by the Council
  - b. The Chief Executive of City of York Council
  - c. Two representatives of the Vale of York Clinical Commissioning Group appointed by them
  - d. A representative of HealthWatch York appointed by them
  - e. The Director of Public Health
  - f. The Director of Adults, Children and Education
  - g. A representative for the York Voluntary and Community Sector
  - h. A representative of the York Teaching Hospital NHS Foundation Trust
  - i. A representative of Leeds Partnerships NHS Foundation Trust
  - j. A representative for the Independent Care sector
  - k. A representative of the NHS Commissioning Board
  - l. A representative of North Yorkshire Police

- m. Other members appointed by the Board or the Leader of the Council after consultation with the Board.

### **3. Legal Status**

- 3.1 The Health and Wellbeing Board is a Committee of the Council and will adhere to the Constitutional requirements of the Council affecting Committees unless alternative provision is made within these terms of reference or the law

### **4. Disqualification from membership**

- 4.1 The following are disqualified from being a Board Member
  - a. Any person who is the subject of a bankruptcy restrictions order or interim order
  - b. Any person who has within five years before the day of being appointed or since his or her appointment been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine

### **5. Quorum**

- 5.1 The Quorum shall be 7 members including as a minimum a representative of the City of York Council and a representative of the Vale of York Clinical Commissioning Group.

### **6. Chair**

- 6.1 The Chair of the Board shall be the Leader of the Council or his or her nominated representative.
- 6.2 In the absence of the Chair the Board shall elect a Chair for that meeting from the members present.
- 6.3 The Chair of the Health and Wellbeing Board will be required to hold a named delegate list for board representatives including deputies.

### **7. Frequency of Meetings**

7.1 The Board shall schedule meetings at least four times a year.

## **8. Delegation of Powers**

8.1 The Board may establish Sub Committees to discharge any function of the Board or to advise the Board in respect of its functions

8.2 If the Council delegates any of its public health functions to the Board in accordance with section 196(2) of the Health and Social Care Act 2012 then the Board may arrange for those functions to be discharged by an Officer. Other functions of the Board may not be delegated to Officers.

## **9. Functions of the Board**

9.1 In order to advance the health and wellbeing of the patients and residents in York, encourage persons who arrange for the provision of any health or social care services to work in an integrated manner.

9.3 To provide such assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 between the Council and NHS bodies in relation to the exercise of NHS functions or health related functions of the Council.

9.4 To exercise the functions of a local authority and its partner clinical commissioning groups under sections 116 and 116A of the Local Government and Public Involvement in Health Act 2007 relating to joint strategic needs assessments, and health and wellbeing strategy.

9.5 To exercise the statutory functions of a Health and Well Being Board in relation to the carrying out and publication of pharmaceutical needs assessments

9.6 To exercise any other functions of the Council which the Council has determined should be exercised by the Board on its behalf in

accordance with section 196(2) of the Health and Social Care Act 2012 including:

- Overseeing the development of local commissioning plans and, where necessary, initiating discussions with the NHS Commissioning Board if an agreed concern exists.
- Leading cultural and behavioural change to support a joint approach to meeting local need.
- Holding all partners to account for their role in the delivery of joint commissioning and overall stewardship of the health and wellbeing outcomes for patients and residents.
- Working alongside local strategic partnership arrangements to ensure the coordination of city wide ambitions, all of which impact on the health and wellbeing of patients and residents.

9.7 Where it considers it appropriate to do so, or when so requested by the Council, to give the Council its opinion on whether the Council is discharging its duty under section 116B of the 2007 Act to have regard to the joint strategic needs assessment and joint health and well being strategy.

9.8 To periodically review the York Health and Wellbeing Board constitution.

## Scrutiny Report to Council March 2013

### Report of the Chair of Corporate & Scrutiny Management Committee

1. This report is submitted by the Chair of Corporate & Scrutiny Management Committee (CSMC), in accordance with the constitutional requirements set out in Standing Order 4.3(l) to update Council on scrutiny work and to set out any recommendations such as may be made to Council in relation to that work.

### Corporate & Scrutiny Management Committee (CSMC)

#### 2. Call-ins

Since the last report of this kind in December 2012, CSMC has considered the following call-ins and decided in each case that having had the opportunity to look at the issues in more detail, not to refer them back to the Cabinet for further consideration:

- City Footstreets Review – Part 2
- Tethered Horses – Proposed Policy Framework

3. In January 2013, CSMC received a bi-annual monitoring report on the implementation of the Workforce Strategy 2012-15, together with a briefing on 'Operation Reach' aimed at improving staff engagement & communication.

#### 4. CSMC Scrutiny Reviews

The Community Engagement Scrutiny Review Task Group has met a number of times. Following their initial investigations, the Task Group agreed to focus on identifying ways of empowering people and improving community engagement. Work is progressing on the review and the Task Group has recently met with Resident Associations and Parish Council representatives to discuss ways of improving communications between CYC and their organisations.

5. In January 2013, CSMC agreed to proceed with a scrutiny topic submitted by Cllr Healey and Cllr Runciman on how loans/grants from CYC to outside organisations are monitored. A Task Group was set up and it met for the first time in early March to consider which of the loans and grants made during the financial year 2012/13 they wished to look at in more detail. The Task Group identified 6 chosen at random and is due to receive detailed information on those when they next meet.

6. Earlier this month CSMC met to consider the draft final report arising from the Staff Sickness Absence Review. The Committee learnt that many of the findings from the review had been used by HR to inform their work on updating the Council's Attendance at Work Policy. The recommendations arising from the review are due to be presented to Cabinet before the end of the municipal year.
7. Ad-hoc Scrutiny Reviews  
CSMC had previously received a report from the City Centre Access Ad Hoc Scrutiny Committee. On considering this they agreed that the review should be abandoned so as not to duplicate ongoing work elsewhere. However it was agreed that they should meet one last time in order to collate their views to be passed to the Cabinet Member so that he might take them into consideration when making decisions on the ongoing Footstreets Review and city centre access matters more generally. The Ad Hoc Committee has now met and collated their views and they are due to be presented to the Cabinet Member for Transport, Planning and Sustainability in April 2013.

### **Standing Overview & Scrutiny Committees**

8. Community Safety Overview & Scrutiny Committee has met three times since the last report to Council. To inform their consideration of a possible scrutiny topic on Community Resilience, the committee considered a report on surface water management at their January meeting, and received a presentation on Surface Water Flooding at a meeting in February
9. Earlier this month the Committee met to consider a briefing on the use of A-boards, in support of a proposed topic. In light of the detailed information provided, the Committee felt a full scrutiny review was unnecessary and agreed to recommend to Cabinet a city-wide ban on their use.
10. The Committee also received an interim report on their Domestic Waste Recycling scrutiny review. They were informed that due to a lack of staffing resources, work on the review had stalled. The Committee have therefore agreed to carry forward the review in to the next municipal year.
11. In regard to ongoing crime and disorder issues, in January the committee received a bi-annual performance report from Safer York Partnership, and earlier this month received a presentation on North Yorkshire's Police and Crime Panel and their work programme for 2013/14.



12. **Learning & Culture Overview & Scrutiny Committee** has met twice since the last report to Council. It has received bi-annual performance reports from the Theatre Royal, York Museums Trust (YMT) and York Safeguarding Children Board.
13. In January, the Committee agreed to proceed with a scrutiny review on the provision of Careers Education Information Advice & Guidance in York schools and a Task Group was formed to carry out the review on the Committee's behalf. That Task Group met for the first time earlier this month to consider a scoping report for the review.
14. In March, in light of the recommendations arising from their previously completed scrutiny review of YMT, the Committee received a presentation on the principles behind YMT's forthcoming update of their Collections Development Policy. They also received a presentation on the recent developments and future plans for the city's parks.
15. Finally, work is ongoing on the Libraries Review. The Task Group have visited a number of York's libraries to view the facilities and meet with staff and customers. They have also met with officers in Asset Management to discuss other CYC facilities and service provision in the areas surrounding the visited libraries, in order to understand community needs in those areas.
16. **Economic & City Development Overview & Scrutiny Committee (ECDOSC)** has held one formal meeting since the last CSMC report to Council when the Cabinet Member for Transport, Planning and Sustainability attended to present on his challenges and priorities for the year. The Committee also received a report on 'economic inclusion and supported employment for people with disabilities in the City of York Council (Yorkcraft)'.  
  
17. In January 2013 the Committee signed off their review around out of hour's childcare, and the eight recommendations arising were subsequently approved by Cabinet at their meeting in early March 2013.
18. The Committee also agreed a remit for a new review around External Funding with the overall aim '*to be more effective and systematic in securing external funding and investment for York*'. Work has begun on this review and an interim report is due at the next Committee meeting scheduled for 26 March 2013.
19. Finally, the Committee again considered their scrutiny review on 'Reducing the Carbon Footprint in the Privately Rented Sector' which had been put on hold whilst the Task Group were awaiting further details on the Green Deal. On reconsideration of this it was agreed that no

further work should take place on this review as extensive work was already been undertaken in this area.

20. **Health Scrutiny Overview & Scrutiny Committee** has had an extremely busy time recently, having met 4 times since the last report to Council. They have received and considered various reports and updates around issues such as the outcomes of a consultation on the proposed closure of Mill Lodge; a verbal report from Leeds and York Partnership NHS Foundation Trust on mental health services; a final progress update on Healthwatch (the contract having now been awarded for this service); the second and third quarter finance and performance monitoring reports; an update report on the provision of the travellers and homeless medical service in the city; the local account for adult social care; safeguarding vulnerable adults assurance report; a quality monitoring report around residential, nursing and homecare services; an update report on the carer's strategy and the implementation of the recommendations arising from a previous scrutiny review on carers and an update report on access to talking therapies.
21. The Committee have also had in depth updates and conversations with key health partners around the North Yorkshire and York Clinical Services Review and the Francis Report.
22. The Chair has also kept the Committee up to date around the ongoing joint health scrutiny review around children's cardiac services.
23. In addition, work on the End of Life Care Review has been completed and the recommendations arising from the review have been considered and supported by the Cabinet.
24. Finally, work is ongoing around both the 'Personalisation Review' and the 'Community Health in the Care of Young People Review'. The Task Groups for these have met on several occasions. A public event is scheduled for April for the Personalisation Review and a further meeting of the 'Community Health in the Care of Young People Review' is scheduled for March to speak to representatives from the Youth Council.

**Councillor Siân Wiseman**  
**Chair of Corporate & Scrutiny Management Committee**



## **Cabinet Member for Health Housing & Adult**

### **Social Service Report Council March 2013.**

The combination of the financial position that the Council has been placed in by the Government, the growth in demand for services, and Coalition cuts to welfare are resulting in a challenge which is making it increasingly difficult to create a city that is fair, more equal and where vulnerable residents achieve better life outcomes. Even with these challenges, as Cabinet Member for HASS, I continue to work with Officers to make a difference.

### **Housing 2012/13**

**Housing Week** - 5<sup>th</sup> -11<sup>th</sup> November, 2012. The week offered events including a '*Housing Summit*', a '*Get York Building*' workshop as part of the Local Plan Visioning event, chaired by the Joseph Rowntree Foundation, and a summit on PRS property. Attendees included Councillors, developers, landlords, tenants and members of the public who looked at key issues such as the provision of sufficient affordable homes, homelessness and private renting.

**HRA Business Plan** – A 30 year plan has been developed and sets out details of the key priorities for the next five years, including the creation of an investment fund to deliver *Affordable Homes*. Highlights include investment of over £80m in our stock over the next five years, £6m for new Council Homes, £1m on loft conversions, £33m on repairs and maintenance and £42m for the modernising of existing council homes. During 2012/13 210 homes received Tenant's Choice improvements.

**Gypsy & Traveller sites** – The council is proposing to provide six new pitches at the Osbaldwick Traveller Site for which £342,000 has been awarded by the HCA (Govt) . Match funding from the council will be from revenue raised as a result of the additional income from the new pitches.

**Tenancy Strategy** - Following consultation with Tenants, stakeholders and Social Housing providers a new '*Tenancy Strategy*' was launched in January 2013. A *Tenant Engagement & Equalities Facilitator* will further develop tenant engagement and involvement activities and the *Tenant Inspectors* have recently completed a review of the voids standard "*Your Home Our Promise*". A *Tenant Scrutiny Panel* has been set up to look at local housing standards and the *Antisocial Behaviour Panel* has been re-established – Housing have signed up to the '*Respect Standard for Housing Management*' committing to nationally agreed ASB service standards.

**Older Person's Guide to Housing Options** "*Positive Ageing – Housing Choices*" was launched in November 2012. Stakeholders include Age UK, Yorkshire Housing and York Housing Association. Monthly *Housing Advice*

*Sessions* are being held in our Sheltered Schemes and a show flat which will demonstrate technology to help older people to continue to live safely and independently in their homes, has opened at Alex Lyon House in Tang Hall.

Council successfully obtained *Warmer Winter Healthy* funding of £18k from DOH, in partnership with Age UK, York and Yorkshire Energy Partnership, to assist and give advice to older residents on how to keep warm over the winter. CYC also led on a sub-regional *Fuel Poverty* bid to DECC for replacement boilers - within York 60 households will benefit from the scheme.

**Sheltered Housing** - Management of sheltered schemes was transferred into Housing Services. Comprehensive consultation took place during the summer of 2012, with surveys being sent - nearly 200 responses were received.

**Air Source Heat Pumps** - A *Renewable Heat Premium Payment* grant funded the installation of air source heat pumps for heating and hot water in seven council homes which were 'off mains gas' – these will reduce fuel bills. A saving of around 700 tonnes of carbon is anticipated over 25 years.

**Solar Panel** – after the DECC debacle over the Solar Panel 'Feed in Tariff' the Council was able to install Photovoltaic Panels which reduce carbon emissions and provide free daytime electricity. Over 400 hundred homes have had panels fitted so far and we are continuing to work with the Empower Community to, where possible install more.

**Orlit Homes** - a £800k project, to refurbish 84 post war non traditional Orlit homes including re-roofing, loft insulation, new UPVs double glazed windows, structural repairs and masonry painting has taken place.

**Peasholme Centre** - Ofsted inspectors were extremely positive during their inspection of the Peaseholme Centre. They reported standard of service and facilities as excellent, with customers clearly benefiting from the service.

**Homelessness Strategy** - Following a successful stakeholder event in July 2012 and 4 consultation events in October/November including the Supporting People User Group a new Homelessness Strategy 2013-18 has been agreed.

**Homelessness** - homeless households in temporary accommodation remain stable. Early intervention continues to be a priority to prevent homelessness - 2454 households have had a housing options interview this year. £279,000 was awarded by CLG to tackle rough sleeping and implement the '*No Second Night Out*' initiative - a protocol has been launched in partnership with Arclight, Peasholme and the Salvation Army working with Howe Hill, Youth Homeless workers and Housing Options. The protocol aims to prevent rough sleeping and a programme of redevelopment and refurbishment of a building to be used as a temporary accommodation hostel has been completed.

**Howe Hill for Young People** - Opened in Jan 2012 and accommodates up to twenty one 16-21 year olds. The Pathway Care Leaver Team are based on

site alongside Housing Support Team, YOT, Mental Health services and link with substance misuse agencies. Staffing is 24 hours a day and there is an education programme that offers an opportunity to develop the skills necessary to maintain a successful tenancy in the future.

**Housing Landlord Service** was shortlisted for the Local Authority Landlord of the year by the Chartered Institute of Housing's UK Housing Awards 2012 - this was for the '*Access Matters Scheme*' tackling the problem accessing tenants' homes to carry out gas safety checks. Housing Services were also shortlisted for the Guardian Public Services Awards for our work on changes to Local Housing Allowance (LHA) in the PRS market. Housing Services submitted evidence to the Parliamentary Committee Inquiry into the Private Rented Sector and was been invited to give oral evidence in 18 March 2013. A *Private Landlord Accreditation Scheme* was launched in December 2012.

**Housing Standards and Adaptations** were awarded £124K to help residents benefit from Green Deal as 'demonstrator' projects. CYC are piloting three schemes around Leeman Road, Lawrence Street and Tang Hall helping private residents to insulate hard to heat homes. Around 70 per cent of the cost will be met through utility company grants and the remainder from an interest-free energy efficiency loan, funded by the bid.

**Community Energy Switching** - Council has joined with Community Energy Direct (CED) to pilot a scheme to help households save money on their energy bills. The pilot will also set up energy smart clubs to provide advice on saving money through energy efficiency - average households can save up to £115 per year by switching suppliers.

**Empty Homes** – an Officer is now dedicated to working on the City's empty homes and bringing much needed empty housing back into use.

**Impact of Welfare Reforms** - A raft of initiatives/work is underway to mitigate the impact of Welfare Reform and 'Bedroom Tax' including the establishment of a multi agency *Welfare Reform Task Group* to coordinate and initiate work to mitigate the impacts on York. Two '*Money and Employment Advisors*' will visit tenants affected by the bedroom tax by the end of March 2013 and to discuss the implications of Universal Credit. I have set aside £30k funding to develop a '*Home Relocation*' package for tenants to downsize.

A joint *Housing Benefit/ Housing Options/ Salvation Army* initiative has been developed using £27k of DWP money and will target those affected by welfare benefit reforms - tenants in PRS have been contacted and offered tailored advice. A specialist '*Money Matters*' newsletter is being produced (3 editions so far) focusing on welfare reform, housing benefit changes, universal credit, debt and money management advice.

Housing outreach sessions are operating at various locations across the city - residents can talk to Estate Managers, Housing Benefits and CAB Debt

Project Workers. An advice hub opened at Tang Hall Community Centre in September 2012 providing advice and information on housing, job opportunities, training, benefits, debt budgeting plus support from York Housing Association's homelessness prevention service.

**Archer Close** - York's first new Council homes in 20 years, was formally named in November 2012. They provide the backdrop to a housing strategy which will see the necessary decisions taken to stimulate house building and to create the conditions required to generate more affordable homes in the city.

**Living Above the Shop** – The idea has been re-launched with funding from the Delivery & Innovation Fund and the Joseph Rowntree Trust. Working with the North of England Civic Trust an initial survey has been completed and work is currently underway to work with property owners and agents.

### **Adult Social Services 2012/13**

The City of York has the lowest calculated spend per head of population on adult social care at £206 per year, compared to average of £273 in areas of similar size - due to low Government funding and low Council Tax – and spends around 10% of the Adult budget on care management and professional support (the advised optimum level for care assessment and review processes).

Pressures as a result of low funding and historically low allocations results in CYC spending less on Mental Health and Older People Support whilst having an ageing population and an increasing number of those with higher dependence across all ages. There are also additional high costs for the Council for specialist residential and nursing care placements.

However due to demographic need CYC spend more than the national average on Learning Disability support for community based services, less on residential care and are in the middle-range for individual budget spend on home care, day care and residential care. Cost pressures are further added to on yearly bases from transitions from children's to adult services as children with highly complex care needs move into adult services.

The Council has undertaken a Satisfaction Survey of residents who receive Social Care Services. Over 81% found service information and advice easy to access and 83% said that the care and support services they received helped them feel safe – both figures are higher than regional and Unitary averages.

**Carers Strategy 2011-2015** - sets out how CYC will work to help carers enjoy a life outside caring. A Carers Discount Card has been introduced and is supported by 50 businesses and a Carers Emergency Card Scheme has over

400 carers of all ages registered. Support for carers through direct payments has remained stable and is higher than the average in the region.

**Learning Disabilities** – CYC has a strong history of working to develop individual accommodation plans for residents with Learning Disabilities. Presently 52% live with their families and 45% have their own tenancy (nationally only 15%). May 2012 saw the completed move to the Sheltered Housing with Extra Care scheme - joint project with JRF – which replaced Dormary Court Residential Home.

At Year end 2011/12, 284 out of 620 residents with a Learning Disability had a Personal Budget and 16 Young People had Direct Payments. 10.3% of residents with Learning Disabilities receiving care managed support were in employment (higher than Yorkshire & Humber and Unitary average) The Learning Disabilities Day Services review is a step towards ending services which do not meet individual's wishes. With the move to Personal Budgets it is important we equip people with the skills needed to be active residents.

The review of *Yorkcraft* is recommending that this service can be sustainable and evolve if it is an integral part of CYC delivering higher levels of service to the Council and other organisations in the city. *Yorkcraft* could use its location and develop expertise as an incubator for the development of social enterprises. More work on these options will be conducted. Changes to the business model at *Yorkcraft* were not optional due to the withdrawal of £200k DWP funding – without remodelling CYC could not continue to fund the service. The review noted that a contract slimmed down *Yorkcraft* with a mixed employee base could continue to trade in future years.

**Equipment** - During 2011/12 over 2500 pieces of equipment were issued to residents to keep people safe and independent in their homes - this included Telecare equipment which alongside the 24 hour a day Warden Call services provides additional assurance to people living in their home. In 2012 CYC asked those who use Warden Call and Telecare how it had helped them to stay independent, 92% said it had a positive impact on their lives. CYC have also piloted Telecare to help with medication supported by local pharmacists. Telecare is now a regular part of support plans for people being helped by the *Reablement Service*. Telecare is being expanded, receiving £1.2m capital investment over the next 5 years.

**The Warden Call and Community Equipment and Loans Service** – Due to reduced Government funding Adult Social Care has to make cuts at a time of increased demand for services. To try and 'save' services new ways of delivery are being explored. A successful bid was made to the Department of Health's *Social Enterprise* fund. CYC received £68k and this is being used to work on a business case for a Warden Call and CELS Social Enterprise. A report to Cabinet in April with a full Business Plan will consider creating a Social Enterprise.

**Hospital Discharges** - Between 2011 and 2012, the average length of stay at the York Teaching Hospital reduced by one week whilst there has been a 10% increase in discharges to social care. CYC is aware that residents with multiple long term conditions account for a significant number of the admissions and time spent in hospital. We are working with health to create *Neighbourhood Care Teams* who will support people who have left hospital or are at risk of admission to stay in the community with health and social care.

**Supporting People Board** – The Board has ended due to the withdrawal of ring fenced funding. Contracts put in place by the Board continue to fund projects related to Drugs, Alcohol, Domestic Violence, Homelessness, Mental Health and Learning Disabilities. To help with the rise in Domestic Violence I agreed to the allocation, for up to 15 months from Supporting People funding for a 37 hours Domestic Violence worker post which will be of help given the increasing incidence of domestic violence in the city. The economic downturn and changes in residents' financial situations, sadly does impact on the level of DV

**EPH Modernisation Programme** - tendering work for the Community Village and the new Fordlands is due to be completed late May in readiness for starting a tender exercise in June subject to final Cabinet approval.

As part of the planned closure of Fordlands and Oliver House the Council asked York St John University to undertake review into the processes and protocols, *Moving Homes Safely*, used by the Council, in March 2012, as part of its Care Home Modernisation Programme. The review considered the impact of moving homes on frail elderly residents. The result of this work was that the City of York Council relocated residents in line with 'best practice'. We have learned from this experience and, with the help of this report, we can ensure that the second phase of closures and relocation in our modernisation programme will work on and improve on the work already done.

**Safeguarding** - CYC launched a new protocol, with other investigating agencies, to route all safeguarding referrals through the new Safeguarding Team. This ensures consistency over the initial safeguarding assessment and with advice and guidance available to agencies. New procedures have been developed internally to ensure greater consistency with the multi agency procedures and stop the habit of creating separate reports by each agency.

## **Public Health**

In 2012 White Papers were published describing the reform of the NHS and Healthcare in England. The Health and Social Care Bill 2012 set these changes in legislation and as Portfolio Holder for Health I have been undertaking a key role in implementing these changes locally.



During the last year Council has also managed the transition of the Public Health Functions into the Authority. Achievements are as follows:-

- Appointment of our Director of Public Health Dr Paul Edmondson Jones.
- Secured our core Public Health Team from the PCT, and ensured that Council Services are involved in Public Health delivery.
- Secured a new HealthWatch Contract for York
- Managed the transition of Public Health Contracts and budgets

Officers have ensured that York is well placed in terms of national and regional debate and activity.

Whilst the additional funding for Public Health over the next two years is welcome - £33 (£6.641m) and £36 (£7.305m) per head of population, (82.1% of the funding targeted to meet the city's needs). Council needs to recognise that to deliver the services required of us will not be easy when the Department of health has made it clear that £42 per head of population is required.

The Pharmaceutical Adviser to the York & Humber Strategic Health Authority joined CYC, at no cost, on secondment for two days a week for 4 months, until 31 March 2013, to help with pharmaceutical aspects of the Public Health transition and the NHS reorganisation. Work has included identify/develop the requirement for strategic pharmaceutical direction and medicines optimisation, prescribing support for commissioning such as sexual health, substance misuse services and smoking cessation.

The Director of Public Health is attending meetings with the Clinical Commissioning Group, PCT and other partners to ensure that CYC's voice is being heard and so that we have a clear understanding on all financial matters of NHS and Public Health funding. The Director and I are looking at how best the Public Health funding can address issues flagged up in the Joint Strategic Needs Assessment (JSNA) and work is beginning to address three strands in April, through campaigns. These are Smoking, Obesity and Domestic Violence

**Health & Wellbeing Board** - In 2011 the York Transition Project was established, with the Shadow Health and Wellbeing Board, chaired by myself, being established in early 2012. The Board has high level representation on it from across the City's Health economy, a mixture of providers and commissioners, including the Hospital Trust, the Clinical Commissioning Group and representatives from the voluntary sector, and Link ( shortly to become Health Watch).

Milestone achievements for the board in the year of transition are:

- Development and agreement of the third Joint Strategic Needs Assessment for York
- Development of a Health and Wellbeing Strategy for the City.

- Development of Partnership Delivery Boards is underway
- Discussions around funding challenges in the York Health Economy

The Board becomes a statutory body from April 2013 and will be responsible for the Health and Wellbeing of residents in our City. We have been informed that the composition of our Board is being used across the country as an example of best practice due to its numbers and mix of representation.

The **Joint Strategic Needs Assessment 2012 (JSNA)** identified four main themes that have a direct impact on what we plan to do:

- We must intervene early to keep people healthy and independent.
- Our population is ageing and will place increasing demands on health and social care services
- Health and wellbeing inequalities exist in the city and must be tackled
- We need to know more about the mental health needs of our population

I am pleased that early conversations on how we tackle Health Inequalities in the City are taking place to tackle the 10 year difference in male life expectancy in some wards in our city.


**Clinical Commissioning Group** - Budget deficit will be around £15 per head of York's population - the Vale of York CCG will receive the largest deficit budget with its allocation being regionally the lowest per head of population due to its population density and perceived better outcomes. The Vale of York is the 42<sup>nd</sup> worst funded out of 2011 CCGs nationally, funded at £1,074 per head, and is the second lowest out of the 66 CCGs in the North of England. If the CCG was funded at the same rate as Harrogate it would have £20m more per year (uplift of 6%), as Hambleton £39m more per year (uplift of 12%) or as Scarborough £68m more per year (an uplift of 20%). This is a very worrying situation.

The Vale of York CCG will soon be moving in to West Offices and I see this as a positive move towards working together in these difficult financial times. Due to the CCG being cross-boundary I approached the leaders of North Yorkshire County Council and East Riding of Yorkshire Council. It has been agreed that the Chairs of the Health & Wellbeing Boards will meet to discuss issues several times a year.

**LGYH Improvement & European Board** – I agreed to a £25k fund to be set up to work on the issue of Child Sexual Exploitation across Local Authority boundaries. The Board also agreed to request that the elected PCC attend the first board after the election to discuss this issue.



Student Community Forum – Article 4  
DCLG Director General – on CYC Housing Policy  
York Link  
York High & Millthorpe – changes to Housing and Welfare  
Living Above the Shop Forum Meeting  
YorHome 3<sup>rd</sup> Anniversary  
Hugh Bayley & Sally Hutchinson Age UK York  
John Kennedy – JRF  
Resident Federation Training Day  
York Housing Summit  
Archer House Opening Ceremony  
Jack Dromey MP – Housing  
York Associates – meeting with Swedish MP's about Housing & Health  
South Australia Minister for Disabilities- looking at UK Social Care Systems  
Pat Crowley – York Teaching Hospital  
Mark Hayes – Vale of York CCG  
Angela Potts – York CVS  
Mike Padgham – Independent Care  
Bill McCarthy - MD NHS Commissioning Board  
Disabled Workers Coop  
Our Celebration/York Mind  
Connaught Court  
Retirement Care Village at Oakham, Rutland  
Auden House  
Wilberforce Trust  
BBC Breakfast - need for Affordable Housing  
Look North Inside Out – need for Affordable Housing  
Radio 4 – You & Yours' transformations in Elderly Care  
Radio 5 Live – Council Housing  
The Economist - Older Peoples Strategy  
Norwegian TV - Housing

 <p>CITY OF <b>YORK</b> COUNCIL</p>	
<b>Council</b>	28 <sup>th</sup> March 2013
Cabinet Member for Corporate Services	

## **Pay Policy 2013/14**

### **Summary**

1. The purpose of this report is to present the council's Pay Policy Statement for 2013/14 at Annex A for approval.
2. To note that the Statement reflects the Chief Officer structure in existence at the time of adoption of the Policy.

### **Background**

3. Section 38 – 43 of the Localism Act 2011 introduced a requirement for the council to produce and publish an annual policy statement that covers a number of matters concerning the pay of the council's senior staff, principally Chief Officers. This will be the second Policy Statement the council has produced.
4. Further guidance was issued in February 2013 by the Secretary of State for Communities & Local Government. This guidance has been followed in the production of the Pay Policy Statement.

### **Consultation**

5. Approval of the Policy Statement is by full Council, consultation with other management bodies is not required. However, where changes to policy are proposed that affect terms and conditions of employment appropriate consultation with the relevant parties will be carried out.

## **Options**

6. Option one - to approve the Pay Policy Statement.
7. Option two - to reject / amend the Pay Policy Statement.

## **Analysis**

8. The Localism Act 2011 sets out specific details of what should be included in the Policy Statement. Local Government Yorkshire and Humber have provided guidance and templates which comply with these requirements. The council has adopted these templates as have many others in the region.
9. The salaries quoted in the documents are based on full time equivalent salaries and the median average has been used in calculating the pay multiple. It should also be noted that apprentices have been excluded from the statement as they are employed on training contracts, and paid outside of the council's grading structure.
10. New information is included in the Policy Statement this year to reflect the new guidance and changes introduced by the council.
11. In accordance with the new guidance, full Council will now be given the opportunity to vote on any proposed severance payment over £100,000.
12. As a new policy for 2013, the introduction of a Living Wage for employees has been included in the Policy Statement. Whilst this will lift the pay of individuals at the lowest pay levels it does not impact on the median salary level. The pay multiple (the relationship between the median salary and the highest paid salary in the council) at the time of writing shows no change from the previous year at 6.2:1.
13. Salary information is already published for certain senior staff under the requirements of The Accounts and Audit (England) Regulations (2011). Information can also be found in the council's website at:

[http://www.york.gov.uk/info/200602/open\\_data/569/open\\_data/2](http://www.york.gov.uk/info/200602/open_data/569/open_data/2)

14. The current Pay Policy Statement and its Annexes is also published in this section of the website.
15. The transfer of the role of Director of Public Health and Public Health Consultant to the Council will be affected during the period of the 2013/14 Pay Policy Statement. Following the transfer the Policy Statement and salary information required under the Accounts and Audit (England) Regulations (2011) will be amended accordingly.

### **Council Plan**

16. The production of this Policy Statement contributes to the council's core capability of being a confident and collaborative organisation by meeting it's legal obligations in a timely and effective way.

### **Implications**

17.

(a) **Financial**

There are no financial implications of the report.

(b) **Human Resources (HR)**

There are no human resources implications of the report, other than this statement reflects current HR Policy in relation to senior pay in the council.

(c) **Equalities** (Contact – Equalities Officer)

There are no equalities implications of the report.

(d) **Legal**

The Pay Policy Statement meets the requirements of the Localism Act and also meets the requirements of guidance issued by the Secretary of State for Communities and Local Government to which the authority is required to have regard under Section 40 of the Act.

(e) **Crime and Disorder**

There are no implications for crime and disorder.

(f) **Information Technology (IT)**

There are no implications for IT.

(g) **Property**

There are no implications for property.

(h) **Other**

Other implications are covered in the body of the report.

**Risk Management**

18. There are no significant risks associated with production of the Policy.

**Recommendations**

19. That in order to fulfil the requirements of Sections 38 - 43 of the Localism Act 2011:
- (i) Council approves the Pay Policy Statement for 2013/14 relating to the pay of the council's senior staff.
  - (ii) Council notes that Annex A reflects the Chief Officer structure in existence at the time of adoption of the Policy.
  - (iii) Council notes the requirement to review and approve an amended Pay Policy Statement following any changes made to policy during 2013/14.



**Contact Details**

<b>Authors:</b>	<b>Cabinet Member Responsible for the report:</b>		
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	<b>Report Approved</b>	√	<b>Date</b> 18/3/13
Pauline Stuchfield AD Customers & Employees 01904 551706			
<b>Specialist Implications Officer(s)</b> AD Governance & ICT			
<b>Wards Affected:</b> None		<b>All</b>	√
<b>For further information please contact the author of the report</b>			

**Background Papers:**

Communities & Local Government:  
 'Openness and accountability in local pay:  
 Guidance under section 40 of the Localism Act'

**Annexes:**

Annex A - City of York Council Pay Policy Statement 2013 to 2014

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**Annex A****City of York Council –Pay Policy Statement for the period  
1 April 2013 to 31 March 2014.****Introduction**

Under Sections 38 – 43 of the Localism Act 2011 the council is required to produce a Policy Statement that covers a number of matters concerning the pay of the council's senior staff.

This Policy Statement meets the requirements of the Localism Act in this regard and also meets the requirements of guidance issued by the Secretary of State for Communities & Local Government to which the council is required to have regard under Section 40 of the Act. This Policy also relates to the data on pay and rewards for staff which the council publishes under the Code of Recommended Practice for Local Authorities on Data Transparency and the data which is published under The Accounts and Audit (England) Regulations (2011). It should be noted that the requirements to publish data under the Secretary of State guidance, the Code of Practice and the Regulations do differ and the respective requirements are summarised in Annex A1 to this Policy Statement. This Policy Statement does not cover or includes school staff and is not required to do so.

**Publication of this Policy Statement**

This Policy Statement was considered and approved by full Council at its meeting on 28th March 2013. The council has taken the following action to ensure that this Policy Statement is easily accessible to the public: it is publicised on the council website in a readily accessible place - Senior Salary information, under Governance and Transparency. It can also easily be found under global web searches.

## **Definition of officers covered by the Policy Statement**

This Policy Statement covers the following posts:

1. Head of the Paid Service, which in this council is the post of Chief Executive.
2. Monitoring Officer, which in this council is the post of Assistant Director of Governance and ICT.
3. Statutory Chief Officers, which in this council are the posts of:
  - Director of Adults, Children and Education
  - Director of Customer and Business Support Services.
4. Non-statutory Chief Officers which in this council are the posts of:
  - Director of City and Environmental Services
  - Director of Communities and Neighbourhoods
  - Assistant Director - Education and Skills
  - Assistant Director - Facilities Management, School and Children's Strategy and Planning
  - Assistant Director - Children's Specialist Services
  - Assistant Director - Adult Commissioning, Modernisation and Provision
  - Assistant Director - Adult Assessment and Safeguarding
  - Assistant Director - Housing and Community Safety
  - Assistant Director - Communities, Culture and Public Realm
  - Assistant Director - Finance, Asset Management and Procurement
  - Assistant Director - Customers and Employees
  - Assistant Director - City Development and Sustainability
  - Assistant Director - Highways, Fleet and Waste
  - Assistant Director - Strategic Planning and Transport.

## **Policy on remunerating Chief Officers**

It is the policy of this council to establish a remuneration package for each Chief Officer post based on evaluation of the role to determine its size and consequently its position in the Chief Officer grading structure. The salaries attached to the structure are derived from the national framework for Chief Officers.

Increases to the salary scales are based on nationally negotiated settlements by the Joint Negotiating Committee for Chief Officers of Local Government, and progression through a salary scale is based on incremental progression. There has been no increase to the pay structure during the period 2012/13.

The remuneration of the Chief Executive is set by the Council and is that which is sufficient to attract and retain staff of the appropriate skills, knowledge, experience, abilities and qualities that is consistent with the council's requirements of the post in question at the relevant time. The last market comparison of Chief Executive pay took place in 2011 and showed City of York Council to be paying around the average for Unitary Chief Executives but the regional picture showed that York was the lowest paying single tier council.

Further details on the Council's Policy on remunerating Chief Officers is set out in the schedule that is attached to this policy statement at Annex A2.

### **Policy on remunerating the lowest paid in the workforce**

The council applies terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of council decisions, these are then incorporated into contracts of employment. The lowest pay point in this council is Grade 1. This relates to an annual salary of £12,180 and can be expressed as an hourly rate of pay of £6.31. However, in December 2012 the Cabinet approved the introduction of the Living Wage with effect from 1<sup>st</sup> April 2013. This introduces a minimum hourly rate of pay of £7.45, the current UK Living Wage rate, and is to be implemented by means of a pay supplement to basic pay. The council's salary scales remain unchanged.

Increases to the council's salary scales are in accordance with national pay settlements reached through negotiation by the National Joint Councils.

### **Policy on the relationship between Chief Officer remuneration and that of other staff**

The highest paid salary in this council is £134,688 which is paid to the Chief Executive. The average median salary in this council (not

including schools) is £21,719. The ratio between the two salaries, the 'pay multiple' is 6.2:1. This council does not have a policy on maintaining or reaching a specific 'pay multiple', however the council is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the council as expressed in this Policy Statement.

The council's approach to the payment of other staff is based on locally or nationally negotiated grading and salary structures. It is to pay that which the council needs to pay to recruit and retain staff with the skills, knowledge and experience needed for the post in question and to ensure that the council meets any contractual requirements for staff including the application of any local or national collective agreements, or council decisions regarding pay.

### **Policy on other aspects of Chief Officer remuneration**

Other aspects of Chief Officer remuneration are appropriate to be covered by this Policy Statement, these other aspects are defined as recruitment, pay increases, additions to pay, performance related pay, earn back, bonuses, termination payments, transparency and re-employment when in receipt of an LGPS pension or a redundancy/severance payment. These matters are addressed in the schedule that is attached to this policy statement at Annex A3.

### **Approval of Salary Packages in excess of £100k**

The council will ensure that, at the latest before an offer of appointment is made, any salary package for any post (not including schools) that is in excess of £100k will be considered by full Council. The salary package will be defined as base salary, any bonuses, fees, routinely payable allowances and benefits in kind that are due under the contract.

### **Flexibility to address recruitment issues for vacant posts**

In the vast majority of circumstances the provisions of this Policy will enable the council to ensure that it can recruit effectively to any vacant post. There may be exceptional circumstances when there are recruitment difficulties for a particular post and where there is evidence that an element or elements of the remuneration package are not sufficient to secure an effective appointment. This Policy Statement recognises that this situation may arise in exceptional circumstances

and therefore a departure from this Policy can be implemented without having to seek full Council approval for a change of the Policy Statement. Such a departure from this Policy will be expressly justified in each case and will be approved through an appropriate authority decision making route.

**Amendments to the policy**

If a change is considered to be appropriate during the year then a revised policy will be presented to full Council for consideration.

**Policy for future years**

This Policy Statement will be reviewed each year and will be presented to full Council each year for consideration in order to ensure that a policy is in place for the council prior to the start of each financial year.

**Annexes:**

- Annex A1 Publication Requirements
- Annex A2 Chief Officer Remuneration Details
- Annex A3 Chief Officer Remuneration Policies

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## Publication Requirements

The Secretary of State for CLG Code of Recommended Practice for Local Authorities on Data Transparency indicates that local authorities should publish the following data concerning staff:

- Salaries, names (with an option for individuals to refuse to consent to this), job descriptions, responsibilities, budgets (including overall salary cost of staff reporting), and numbers of staff for all staff in receipt of a salary of more than £58,200
- An organisational chart of the staff structure of the authority including salary bands and details of currently vacant posts
- The 'pay multiple' – the ratio between the highest paid salary and the median average salary of the whole authority workforce.

The Accounts and Audit (England) Regulations (2011) require that the following data is included in the authority's accounts:

- Numbers of employees with a salary above £50k per annum (pro-rata for part-time staff) in multiples of £5k
- Job title, remuneration and employer pension contributions for senior officers. Senior officers are defined as Head of Paid Service, Statutory Chief Officers and Non-Statutory Chief Officers by reference to Section 2 of the 1989 Local Government & Housing Act.
- Names of employees paid over £150k per annum.

For the above, remuneration is to include:

- Salary, fees or allowances for the current and previous year
- Bonuses paid or receivable for the current and previous year
- Expenses paid in the previous year
- Compensation for loss of employment paid to or receivable, or payments made in connection with loss of employment
- Total estimated value of non-cash benefits that are emoluments of the person.

For the above pension contributions to include:

- The amount driven by the authority's set employer contribution rate
- Employer costs incurred relating to any increased membership or award of additional pension.

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Post	Base Salary	Expenses	Bonuses	PRP	Earn-Back	Honoraria	Ex-Gratia Payments	Election Fees	Joint Authority Duties	Severance Arrangements
Chief Executive	£134,688	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment provide for a performance element to the salary scale .	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Paid expenses as Presiding Officer during Elections.	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Acting Director of Adults, Children & Education	£92,491	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Director of Customer and Business Support Services	£102,766	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.

Chief Officer Remuneration Details

Annex A2

Director of City and Environmental Services	£88,080	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Director of Communities and Neighbourhoods	£102,766	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Assistant Director - Education and Skills	£73,401	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.

Chief Officer Remuneration Details

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Assistant Director - Finance, Asset Management and Procurement	£73,401	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Assistant Director - Customers and Employees	£73,401	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Assistant Director - Governance and ICT	£73,401	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.

Chief Officer Remuneration Details

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Assistant Director - Facilities Management, School and Children's Strategy and Planning	Vacant – see Acting Director of Adults, Children & Education	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Assistant Director - Children's Specialist Services	£70,752	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Assistant Director - Adult Commissioning, Modernisation and Provision	£70,752	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.

Chief Officer Remuneration Details

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Assistant Director - Housing and Community Safety	£70,752	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Assistant Director - Communities, Culture and Public Realm	£70,752	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Assistant Director - City Development and Sustainability	£70,752	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.

Chief Officer Remuneration Details

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Assistant Director - Highways, Fleet and Waste	£70,752	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Assistant Director - Strategic Planning and Transport	£70,752	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.
Assistant Director - Adult Assessment and Safeguarding	£68,413	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for PRP	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are in accordance with normal authority procedures	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder.



## Chief Officer Remuneration Policies

Aspect of Chief Officer Remuneration	Authority Policy
Recruitment	The post will be advertised and appointed to at the appropriate approved salary for the post in question level unless there is good evidence that a successful appointment of a person with the required skills, knowledge, experience, abilities and qualities cannot be made without varying the remuneration package. In such circumstances a variation to the remuneration package is appropriate under the authority's policy and any variation will be approved through the appropriate authority decision making process.
Pay Increases	The authority will apply any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations. The authority will also apply any pay increases that are as a result of authority decisions to significantly increase the duties and responsibilities of the post in question beyond the normal flexing of duties and responsibilities that are expected in senior posts.
Additions To Pay	The authority would not make additional payments beyond those specified in the contract of employment.
Performance Related Pay	The authority does not operate a performance related pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed rigorously.
Earn-Back ( Withholding an element of base pay related to performance)	The authority does not operate an earn-back pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed rigorously.
Bonuses	The authority does not pay bonus payments to senior officers.
Termination Payments	The authority applies its normal redundancy payments arrangements to senior officers and does not have separate provisions for senior officers. The authority also applies the appropriate Pensions regulations when they apply. The authority has agreed policies in place on how it will apply any discretionary powers it has under Pensions regulations. Any costs

## Chief Officer Remuneration Policies

	<p>that are incurred by the authority regarding senior officers are published in the authority accounts as required under the Accounts and Audit (England) Regulations 2011.</p> <p>Full Council will also be given the opportunity to vote on any severance package with a cost in excess of £100k. The components of any such package will be clearly set out and may include pay in lieu of notice, redundancy payment, pension entitlements, holiday pay and any bonuses, fees or allowances paid.</p>
Transparency	<p>The authority meets its requirements under the Localism Act, the Code of Practice on Data Transparency and the Accounts and Audit Regulations in order to ensure that it is open and transparent regarding senior officer remuneration.</p>
Re-employment of staff in receipt of an LGPS Pension or a redundancy/severance payment	<p>The authority is under a statutory duty to appoint on merit and has to ensure that it complies with all appropriate employment and equalities legislation. The authority will always seek to appoint the best available candidate to a post who has the skills, knowledge, experience, abilities and qualities needed for the post. The authority will therefore consider all applications for candidates to try to ensure the best available candidate is appointed. If a candidate is a former employee in receipt of an LGPS pension or a redundancy payment this will not rule them out from being re-employed by the authority. Clearly where a former employee left the authority on redundancy terms then the old post has been deleted and the individual cannot return to the post as it will not exist. The authority will apply the provisions of the Redundancy Payments Modification Order regarding the recovery of redundancy payments if this is relevant. Pensions Regulations also have provisions to reduce pension payments in certain circumstances to those who return to work within the local government service.</p>



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**Council**

**28<sup>th</sup> March 2013**

Report of the Monitoring Officer

## **Travel Allowances**

### **Summary**

1. The current scheme of allowances contains a number of anomalies as to when travel costs can and cannot properly be claimed by Members. The Independent Remuneration Panel (IRP) reported to Council in October 2012 and recommended changes to the current list of approved duties alongside a number of other changes which Members felt unable to accept at that time.

### **Background**

2. Members are entitled to claim reimbursement for travel and subsistence costs when engaged on “approved duties”. Members can also claim dependent care allowances for such duties. The current scheme allows for expenses to be claimed for attendance at:
  - (a) A meeting of the Cabinet
  - (b) A meeting of a committee of the Cabinet
  - (c) A meeting of the authority (Council)
  - (d) A meeting of a committee or sub-committee of the authority
  - (e) A meeting of any other body to which the authority makes appointments or nominations (including outside bodies)
  - (f) A meeting which has been authorised by the authority or a committee or sub-committee of the authority and to which representatives of more than one political group have been invited
  - (g) A meeting of a local authority association of which the authority is a member
  - (h) Duties undertaken on behalf of the authority in connection with the inspection of premises and schools
  - (i) Any meeting involving co-opted members

3. This does not prevent the Council paying travel costs directly for other travel and delegated powers permit this. However, this leaves many anomalies. For example currently member training is not an approved duty. This means that, although there is no legal difficulty in rail tickets being purchased by the Council to get the Member to the training event, any additional expenses incurred directly by the Member such as a taxi or bus fare from the railway station to the training venue, cannot properly be reclaimed. It is also the case that expenses claimed by Members are published and easily reviewed by anyone interested in doing so whereas travel paid for directly is only published within the Council's general transparency reports.
4. There are similar issues where Members attend events to promote the City. The relevant Department (but usually not Democratic Services) may agree to pay up front costs but there is no provision enabling additional expenses to be reclaimed. Given public concern around expenses generally it may also be thought that there is a strong interest in having a list of approved duties which is as clear as possible as to when Member travel will be paid for whether directly or by being claimed as an expense.
5. The solution proposed by the Independent Remuneration Panel was to extend the lists of approved duties by adding the following:
  - Meetings of the Local Government Association, any sub group of the Association or any body to which the Association makes appointments.
  - Visits by Cabinet Members, Chairs and Vice Chairs and Group Leaders on Council business associated with those Roles.
  - Attendance of Members at conferences, training courses and seminars approved in accordance with the Council's arrangements for member development.
  - Other travel approved [by the appropriate Officer] as being reasonably necessary to further the aims of the Council (excluding travel for party political or social functions).

It is suggested that the Chief Executive or an Officer nominated by her should be designated as the "appropriate officer"

6. The IRP did recommend that travel within the area of the City should not receive an allowance but did so having regard to the significant increase in basic allowance which was also being recommended. Following Council's decision in respect of the IRP recommendation the anomalies in respect of "approved duties" remain.

### **Consultation**

7. The recommendation has regard to the report of the Independent Remuneration Panel presented to Council in October.

### **Options**

8. The options then are:
  - To leave the scheme unchanged
  - To leave the list of approved duties as it is but make a clear statement , perhaps as an annex to the scheme, which explains that the Council will pay for other travel directly where the appropriate Officer is satisfied that it is a reasonable use of resources
  - For Council to approve the addition of the duties identified by the IRP as approved duties for the scheme

### **Analysis**

9. The existing arrangement creates anomalies and makes it more difficult to achieve full transparency as to the cost of Member travel. The third option is the most transparent and flexible.

### **Council Plan**

10. The IRP advised Members that they considered it: "important that councillors, particularly those holding senior positions, are able to travel to promote the City and to identify opportunities which the City might be able to grasp."
11. The report therefore links to a number of objectives but particularly of making the Council an effective organisation.

## 12. Implications

### Financial

The recommendation would mean that some expenditure currently incurred within other Directorates will be transferred to Democratic Services. The implications of this will need to be addressed during the year. The recommendation may result in some additional costs to the Council. It is not anticipated that these will be significant.

### Legal

The Council is entitled to amend its list of approved duties having regard to the recommendations of the IRP

### Recommendations

13. Council is asked to:

1) Extend the list of approved duties in line with paragraph 5 above

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

2) Request Officers to publish details of all travel and subsistence costs incurred on behalf of Members alongside the details of their allowances

Reason: To ensure complete transparency in this area

## Contact Details

### Author and Chief Officer Responsible for the report:

Andy Docherty

Assistant Director, Governance and ICT

Telephone: 01904 551004

Report  
Approved



Date

18/03/13

**Specialist Implications Officer(s)**

*Implication ie Financial*

None

**Background Papers:**

None

**Annexes**

None

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

### **Committees/Working Groups**

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

To appoint Mr Andrew Pennington as Statutory Co-opted Member (Parent Governor Representative) on the committee following the resignation of Mrs Paula Widdowson.

### **Joint Working – Strategic Partnerships**

#### **Health and Wellbeing Board (3)**

To confirm the appointment of Councillors Looker and Wiseman and to note the Leaders appointment of Cllr Simpson-Laing.

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