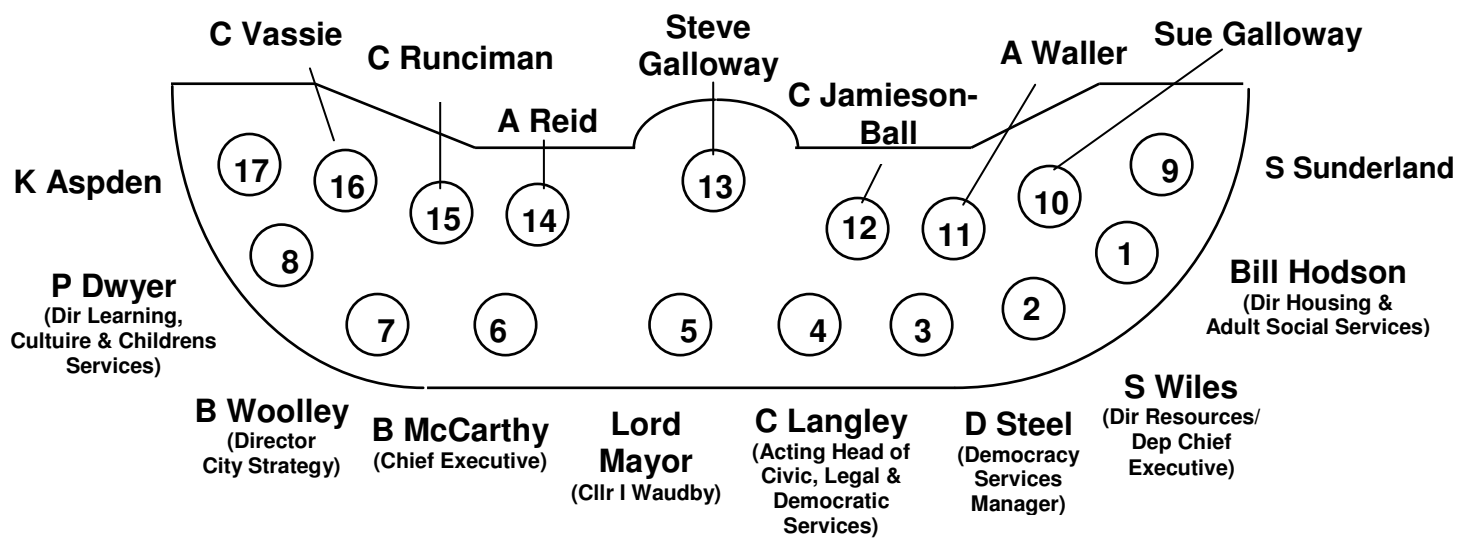
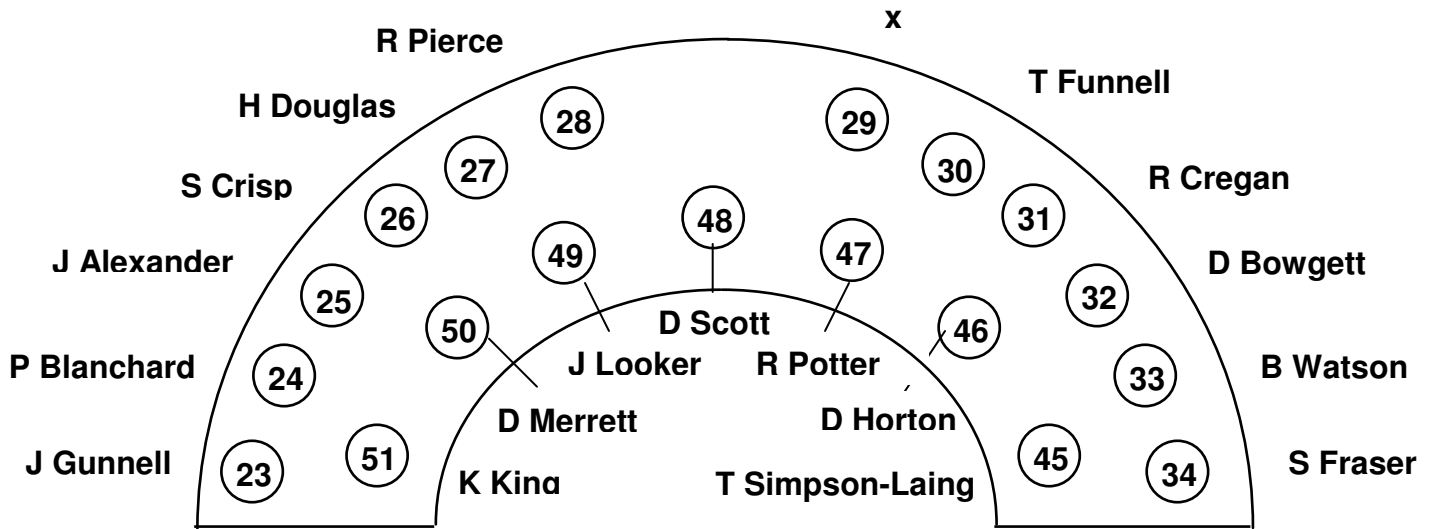


CITY OF YORK COUNCIL SUMMONS

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, 10 April 2008 at 6.30 pm

COUNCIL CHAMBER



A G E N D A

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Minutes (Pages 1 - 42)

To approve and sign the minutes of the Ordinary meeting of Council held on 24 January 2008 and the Budget Council meeting held on 21 February 2008.

3. Civic Announcements

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

4. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the remit of Council may do so. Anyone who wishes to register, or requires further information, is requested to contact the Democracy Officer for this meeting. Contact details are listed at the foot of this agenda. The deadline for registering is **5:00pm on Wednesday, 9 April 2008**.

5. Petitions

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

- (i) Cllr Potter, on behalf of residents asking the Council to aim for a 'plastic bag free City of York' and calling on the Government to ban single use plastic bags.
- (ii) Cllr D'Agorne, on behalf of residents calling for a 20 mph zone in certain streets in Fishergate Ward.

6. Notices of Motion (Pages 43 - 72)

To consider the following Notices of Motion under Standing Order 11:

A – Motions referred from the Executive in accordance with Standing Order 11(a)(i)

(i) From Cllr Fraser:

“The Council is concerned that whilst businesses in the inner core of the City Centre are thriving, some of the City Centre peripheral streets such as Goodramgate, Micklegate and to a lesser extent Fossgate, were not perceived as benefiting from this prosperity and are, in some cases, taking on a somewhat “run down” look. Further, Council notes that a review of the Council’s footstreets scheme is currently under way and determines that regard should be had to this issue, in the conduct of that review. Finally, Council resolves to allocate adequate resources, including Officer time, to research this problem, and to develop an Action Plan, to include an economic regeneration strategy, to address this issue and to encourage a culture of vibrancy and prosperity, in these streets.”

Note: the above Notice of Motion was referred to Executive by Council on 4 October 2007, for consideration with an Officer report under Standing Order 11(a)(ii)(b), and referred back to Council by the Executive on 26 February 2008. The Executive recommendations and the Officer report are attached at pages 43-55.

(ii) From Cllr Potter:

“Bearing in mind that older people in York account for 19.4% (35,185) of the population compared with 13.6% nationally, the Older People's Assembly welcomes the recent World Health Organisation Guidance on building age-friendly cities. It invites the Council to support the adoption in York of the following key features in the Guidance in order to bring about significant improvements to the lives of older people locally:

1. A civic culture that respects and includes older people.
2. A Council that regularly seeks the views of older people and reflects their opinions in policy

- developments
3. Well - maintained and well - lit pavements.
 4. Improved repair and renewal of uneven pavements, and visible enforcement of litter laws.
 5. Increased attention to gully and drain cleansing and treatment of footpaths in icy weather.
 6. Public buildings that are fully accessible to people with disabilities.
 7. Improved bus travel with the use of smaller vehicles for routes off the main roads. Ensuring all bus drivers are more passenger focused and wait for older people to be seated before starting off.
 8. Housing integrated in the community that accommodates changing needs and abilities, as people grow older.
 9. Friendly and personalised information in plain language instead of automated answering services.
 10. Sufficient and well signed public toilets that are clean, secure and accessible by people with disabilities.
 11. Sufficient public seating that is well situated, well maintained, and safe.
 12. Encouraging commercial premises to make their toilets available to the general public.”

Note: The above Notice of Motion was referred to Council by the Executive on 29/1/08. The Executive recommendations and the report to Executive are attached at pages 57-65.

(iii) From Cllr Scott:

“Council believes that residents should have the ability to influence the local provision of services. It recognises the importance of Neighbourhood Management and the need to link the Local Strategic Partnership and Local Area Agreement to neighbourhood initiatives rather than imposing decisions from the top. By listening to the local community, services are made more responsive whilst at the same time promoting democracy and participation.

Council proposes an approach to community leadership

and neighbourhood management that recognises the key role that local councillors have to play in leading and inspiring communities to take pride in improvements that are driven by residents themselves. Current thinking demands that local councils step back from the traditional role of service provider and instead provide increasingly localised services that don't assume ownership by the Council but whose development has been shaped by local residents. It recognises that one size doesn't necessarily fit all. We believe that this Council must drive service improvement by empowering, building confidence and supporting residents. This will increase democratic participation.

Council requests the Executive to report back to Council on:

- 1) the possibilities for increasing localisation and devolvement of services to the community level:
- 2) progress with Neighbourhood Charters or Action Plans;
- 3) citywide consultation at household level, engagement and reporting provisions needed to ensure ward level delivery meets local expectations, and:
- 4) the extension of participatory budgeting and partnership delivery models.”

Note: The above Notice of Motion was referred to Council by the Executive on 26 February 2008. The Executive recommendations are attached at pages 67-71. Cllr Scott has given notice that he will seek to withdraw this motion, with Council's consent, at the meeting and substitute the motion on web-casting listed as no. (vi) under B below.

B – Motions submitted for consideration directly by Council, in accordance with Standing Orders 11(a)(ii)

(iv) From Cllr Ayre:

“Council notes:

- 1) the increase in Landfill Tax from “24 per tonne to £32 per tonne from 1st April 2008;

- 2) that when the Landfill Tax was established in 1996 it was stated that it would not be a net revenue raiser by HM Treasury;
- 3) that despite protests from councils of all political persuasions as co-ordinated by the Local Government Association (LGA) still no commitment has been made by central government to return the increased revenues to local government to assist with the provision of improved recycling services;
- 4) that revenues which could be utilised to boost still further the York recycling rate, through additional kerbside collections and improvements in the range of materials collected, will otherwise be lost from this local authority.

Council requests that the Chief Executive writes to the Secretary of State for Environment, Food and Rural Affairs, and to the four MPs for the City of York Council area stating the above concerns of this Council.”

(v) From Cllr Galvin:

“This Council instructs the appropriate officer to open discussion with the Post Office on the possibility of the Council taking over the running of the Fulford, Haxby Road, Micklegate and Clifton Green Post Offices and in so doing safeguard these valuable community assets. A report on the discussions to be brought back to the next Ordinary meeting of full Council. Furthermore, this Council expresses its dismay at our Labour Member of Parliament for failing to support the retention of Post Offices in the recent Commons debate.”

(vi) From Cllr Scott:

“Council notes the increasing use of technology by public institutions to communicate with the public. Such developments can be evidenced in every public sector organisation in the country. Mainstream political parties have taken advantage of new forms of communication such as YouTube and MySpace websites, as well as social networking websites such as Facebook and Bebo.

Council believes that technological developments in the

public sector should not be limited to exercises such as consultations and voter registrations. The public should be given every opportunity to engage with the decision-making process and, more specifically, meetings of Full Council. This could open up the decision-making process to a whole new section of the local population, making it more inclusive and transparent. Not only will this enable the public to witness elected Members debating local issues, it could also prompt better communication between councillor and constituent, strengthening local democracy.

To this end, Council requests that:

- 1) Officers prepare a report on the feasibility of web-casting meetings of Full Council, as well as other Council meetings. The report should consider:
 - The various options, from contracting outside services to providing services 'in house'.
 - The cost effectiveness of such an exercise, based on overall cost against numbers likely to view web-casts from outside City of York Council.
 - The feasibility of recordings being placed on the Council's website and other hosting websites.
- 2) Officers present this report to the Executive not later than 17 June, in order that the issue can be referred to the 30 June meeting of Full Council."

(viii) From Cllr Firth:

"Council notes:

- 1) There is a major concern from the armed forces, local residents and the country as a whole, that the covenant between the armed forces and the government has been systematically destroyed over recent years, resulting in over-commitment of our limited forces, inadequate equipment and a total lack of quality, specialist medical care for servicemen.
- 2) York has a long-standing and important affiliation with the army and is currently home to a large number of Gurkha soldiers and their families. The recent decision to stop retired Gurkha servicemen from remaining in the UK and receiving desperately needed medical treatment is a disgrace and should

be rescinded.

Council requests that the Chief Executive writes to the Secretary of State for Defence, and to the four MPs for the City of York Council area to request that the government affirms its commitment to the covenant with the armed forces, and to call for an end to the immoral and divisive treatment currently suffered by retired Gurkha soldiers.”

7. Report of Executive Leader and Executive Recommendations (Pages 73 - 106)

To receive and consider a written report from the Leader on the work of the Executive, and the Executive recommendations for approval, as set out below:

Meeting	Date	Recommendations
Executive	8 April 2008	Review of Council’s Constitution (<i>Report attached at pages 81-106. Recommendations of Executive to follow</i>)

8. Report of Executive Member (Pages 107 - 112)

To receive a written report from the Executive Member for Corporate Services and to question the Executive Member thereon, provided any such questions are registered in accordance with the timescales and procedures set out in Standing Order 8(2)(a).

To date, notice has been received of the following questions:

- (i) From Cllr Holvey:
“Could the Executive Member provide more information on the turnaround time for processing new benefits claims?”
- (ii) From Cllr R Watson:
“How has the York Contact Centre improved the services it provides over the last year?”

9. Questions to the Executive Leader and Executive Members received under Standing Order 10(c)

To deal with the following questions to the Executive Leader and / or other Executive Members, in accordance with Standing Order 10(a):

- (i) To the Executive Leader, from Cllr Pierce:
“At its meeting of 29 November, the Council approved nem con a notice of motion calling for the setting up of a task force to make proposals for practical steps to tackle the impact on longer term residents of students living in rented housing outside their campuses. The notice of motion also called for Council to join other university cities via the LGA to lobby central government to introduce new controls to enable councils to exercise control over changes of use from family housing to student lets through changes to planning or other legislation.
In three months’ time, dandelion seeds will be blowing in the wind over Badger Hill from the overgrown gardens of vacated student houses in the summertime ghost streets. What progress has the Council make with these initiatives in the full three months since its November meeting?”
- (ii) To the Executive Leader, from Cllr Moore:
“Would the Leader confirm when the new factory at Nestle will be officially opened?”
- (iii) To the Executive Member for City Strategy, from Cllr Simpson-Laing:
“Can the Executive Member explain what lessons have been learned from choosing the Salvation Army Citadel as the venue for the first week of issuing tokens and bus passes and will she ensure that the venue is not used for such an event in future?”
- (iv) To the Executive Member for City Strategy, from Cllr Simpson-Laing:
“Would the Executive Member for City Strategy explain what action Officers are taking to ensure that correct timetable information is provided at all bus stops and at those locations identified by the Council as information points following the closure of the Bus Information Office?”

- (v) To the Executive Member for City Strategy, from Cllr Merrett:
“Would the Executive Member for City Strategy indicate the numbers of children being trained to cycle each year over the last five years, and the forward projections?”
- (vi) To the Executive Member for City Strategy, from Cllr Horton:
“What is the Anticipated Final Cost (AFC) for the Moor Lane roundabout works split into CYC contribution and others?”
- (vii) To the Executive Member for City Strategy, from Cllr Simpson-Laing:
“Can the Executive Member for City Strategy explain why there has been slow progress in bringing forward York's Local List ?”
- (viii) To the Executive Member for City Strategy, from Cllr D’Agorne:
“Will the Executive Member please outline the timescales for City of York Council to respond to the outcome of the Highways PFI bid and work up an alternative strategy to address the backlog of outstanding maintenance work?”
- (ix) To the Executive Member for City Strategy, from Cllr D’Agorne:
“In the light of approval for Regional Funding for all three Park & Ride proposals, can the Executive Member outline the process for determining which other schemes will be cut from LTP2 over the next 3 years to provide the required 30% matched funding for these schemes?”
- (x) To the Executive Member for City Strategy, from Cllr D’Agorne:
“Can the Executive Member provide a report on progress towards achieving the air quality objectives within York’s Air Quality Management Area and what work will now be undertaken to review demand management options to address growing traffic associated with new developments such as Hungate and the Foss Basin retail developments?”

- (xi) To the Executive Member for City Strategy, from Cllr Hyman
“Can the Executive Member inform Council of the outcome of the Access York bid to the Regional Transport Board?”
- (xii) To the Executive Member for Children’s Services, from Cllr Bowgett:
“I would like to ask the Executive Member for Children’s Services, Cllr Carol Runciman, if she has seen the film ‘Live Now, Drive Later’ and, if so, if she will recommend that this film be shown to all children over the age of 14 in York schools?”
- (xiii) To the Executive Member for Children’s Services, from Cllr Hogg:
“Will the Executive Member give an update on the opening of the new Children’s Centres around the City and let Council know what services for families it is planned to offer in them?”
- (xiv) To the Executive Member for Leisure and Culture, from Cllr B Watson:
“In view of his article in ‘The Councillor’ publication, would the Executive Member like to inform the Council when he envisages his term of office to expire?”
- (xv) To the Executive Member for Housing Services, from Cllr Potter:
“Will the Executive Member explain to Council why Residents Associations have not yet received a clear set of arrangements for on-going provision of skips or the proposed replacement for 2008/09 and why this situation has been going on for at least a year?”
- (xvi) To the Executive Member for Adult Social Services, from Cllr Hogg:
“What progress, if any, has been made with the North Yorkshire & York PCT on the Long Term Commissioning Strategy for Older People’s Services?”

(xvii) To the Executive Member for Neighbourhood Services, from Cllr Orrell:

“Could the Executive Member give an update on the Cold Calling Control Zones in the City, and share any information that has been obtained on the review of the success of the programme?”

(xviii) To the Executive Member for Youth and Social Inclusion, from Cllr Ayre:

“Would the Executive Member report on the progress towards the Young People’s Services for York?”

10. Standards Committee (Pages 113 - 122)

a) Annual Report

To receive the Annual Report of the Standards Committee for the Municipal Year 2007/08, which was approved by the Committee at its meeting on 14 March 2008.

b) Standards Committee – Recommendations in respect of Members’ Allowances Scheme.

To consider a report which sets out a recommendation made by the Standards Committee at its meeting on 14 March 2008 in respect of an alteration to the Members’ Allowances Scheme. The report is at pages 117-122.

11. Scrutiny - Report of the Chair of the Scrutiny Management Committee (Pages 123 - 124)

To receive a report from Councillor Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC.

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 the Guildhall, York (tel. 01904 551088)

- Association of North Yorkshire Councils – meeting on 14/1/08

- Yorkshire & Humber Assembly – meeting on 7/2/08
- North Yorkshire Fire & Rescue Authority – meeting on 10/12/07
- Regional Transport Forum – meeting on 5/3/08
- Pension Fund Sub-Committee – meetings on 14/11/07 and 7/12/07

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 125 - 126)

To consider the appointments and changes to membership of committees and outside bodies set out on the list attached to this summons.

14. Urgent Business

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

Democracy Officer for this meeting:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – fiona.young@york.gov.uk

For more information about any of the following please contact the Democracy 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 Meeting of the City of York Council held in Guildhall, York on Thursday, 24th January, 2008, starting at 6.30 pm

Present: The Lord Mayor, Cllr Irene Waudby, 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
Holvey Reid Sunderland	D'Agorne Taylor
FULFORD WARD	GUILDHALL WARD
Aspden	Looker B Watson
HAXBY & WIGGINTON WARD	HESLINGTON WARD
Firth R Watson	Jamieson-Ball
HEWORTH WARD	HEWORTH WITHOUT WARD
Blanchard Funnell Potter	Ayre
HOLGATE WARD	HULL ROAD WARD
Alexander Bowgett Crisp	Cregan Pierce

HUNTINGTON & NEW EARSWICK
WARD

Hyman
Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Gillies
Healey
Hudson

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

Moore □ Watt □

STRENSALL WARD

Kirk
Wiseman

WESTFIELD WARD

Steve Galloway
Sue Galloway
Waller

WHELDRAKE WARD

Vassie

Apologies for absence were received from Councillor Hogg.

57. DECLARATIONS OF INTEREST

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

The following interests were declared:

- Cllr Gillies – a personal, non prejudicial interest in the motion on police pay (Minute 62(i) refers), as a former member of the Police Federation.
- Cllr Scott – a personal, non prejudicial interest in the motion on police pay, as a former legal adviser to the Police Federation.

58. MINUTES

RESOLVED: That the minutes of the Special and Ordinary meetings of Council held on 29 November 2007 be approved and signed by the Lord Mayor as a correct record, subject to the addition of Cllrs Ayre, Gunnell, Scott and B Watson to the list of attendances at the Ordinary meeting.

59. CIVIC ANNOUNCEMENTS, LORD MAYOR ELECT AND HONORARY RECORDER OF YORK

The Lord Mayor announced:

- (i) That a civic dinner had recently been held in the Mansion House for Judge Paul Hoffman and Brigadier Richard Dennis, who had each been presented with a 'Friend of the City' plaque as a mark of appreciation for their services to the City.
- (ii) The receipt of a letter from Sir Richard Dunnnett thanking the City of York for the welcome given to soldiers taking part in the Homecoming Parade for the Field Ambulance Brigade.
- (iii) The retirement of Civic Support Officers Paul Yeomans and Phil Fleming. It was agreed that Council's appreciation and thanks to Paul and Phil for their services over the years be formally placed on record.

The Lord Mayor invited Cllr Scott to nominate the Lord Mayor Elect for the Municipal Year 2008/09. Cllr Scott nominated, and Cllr Steve Galloway seconded, Cllr Brian Watson as the Lord Mayor Elect and this nomination was unanimously agreed. Cllr Watson replied that he would be honoured to accept this office for the second time and nominated Hon. Alderman David Wilde as Sheriff for the 2008/09 Municipal Year.¹

The Lord Mayor then announced the recent retirement of the Honorary Recorder of York, Judge Paul Hoffman, and asked Council to give formal approval to the appointment of Judge Stephen Ashurst, Resident Judge at York Crown Court, as the new Honorary Recorder. The appointment was approved unanimously.²

Action Required

1. Write to new Sheriff to confirm appointment. GR
2. Write to new Hon. Recorder to confirm appointment. GR

60. PUBLIC PARTICIPATION

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

61. PETITIONS

The following petitions were presented by Members under Standing Order 7:

- (i) A petition presented by Cllr Bowgett, on behalf of residents of Howe Hill Road and Poppleton Road, asking for resurfacing and lighting of the alley way behind their homes, in order to improve safety and security.¹
- (ii) A petition presented by Cllr Moore, on behalf of residents of Skelton, Rawcliffe and Clifton Without, opposing the potential Eco-Town proposal in the Clifton area.²
- (iii) A petition presented by Cllr Looker, on behalf of customers of Sycamore House, objecting to proposed budget cuts affecting services there.³
- (iv) A petition presented by Cllr Douglas, on behalf of residents of Clifton, asking the Council to adopt 'Dead Man's Alley' as a footpath.⁴

RESOLVED: That the above petitions be referred to the Executive or appropriate committee.

Action Required

1. Refer Cllr Bowgett's petition to Executive or appropriate committee. JB
2. Refer Cllr Moore's petition to Executive or appropriate committee. JB
3. Refer Cllr Looker's petition to Executive or appropriate committee. SA
4. Refer Cllr Douglas's petition to Executive or appropriate committee. JB

62. NOTICES OF MOTION

In accordance with Standing Order 11, five notices of motion had been received:

(i) Police Pay

It was moved by Cllr Orrell and seconded by Cllr Vassie that:

“Council notes that crime levels across the City have fallen significantly in recent years. Whilst this reflects the partnership of the Police, Safer York and local communities, this reduction has relied heavily on the considerable efforts of local Police Officers.

The public expect a high quality of policing, and for the government to be fair in their treatment of police pay.

Government has chosen to reduce the police pay increase with a sleight of hand which has created unnecessary conflict with the officers who patrol our streets.

Council calls upon the Home Secretary to agree to the Independent Police Arbitration Tribunal’s recommendation for the pay increase, to maintain police morale.”

Cllr Potter then moved, and Cllr Scott, seconded, an amendment to the above motion, as follows:

‘Before the first paragraph, add:

‘Council would like to note its thanks to the Government for the extra policing, and the provision of PCSOs, that the City of York has received over the last decade.’

In the first (now the second) paragraph:

Remove the words *‘Whilst this reflects’* from the third sentence and remove the words *‘this reduction has relied heavily on the considerable efforts of’* from the last sentence.

In the second (now the third) paragraph:

Remove the words *‘to be fair in their treatment of policy pay’*.

Remove the whole of the next paragraph.

In the final paragraph:

Insert the word *‘therefore’* after *‘Council’*.”

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

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

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

(ii) Management of Empty Dwellings

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

“Council instructs Officers to take up powers given to local authorities under *The Housing (Empty Dwelling Management Orders) (Prescribed Exceptions*

and Requirements) (England) Order 2006 to help bring forward much needed housing lying empty in York.

Council instructs Officers within three months to draft guidance on how the powers might be exercised. Reports should be submitted to both the Local Development Framework (LDF) Working Group and the Executive Member for Housing Advisory Panel (EMAP), so that proper consideration can be given to the benefits of embedding the Government initiative into Council policy in order to help provide much needed housing in the area.”

Cllr Steve Galloway then moved, and Cllr Sunderland seconded, an amendment to the above motion, as follows:

“In the first paragraph:

Delete the words *‘take up’* in the first line and insert: *‘produce a report detailing the costs and other implications of using the’*;

Delete the word *‘forward’* in the last line and insert: *‘into use’*.

In the second paragraph:

Before the word *‘Council’* at the start, insert: *‘Should the new powers subsequently be adopted,’*.

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

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

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

***(iii) ‘Eco Town’ Proposal**

“The Council raises its concern at the Government’s selection of Clifton Gate as a potential ‘Eco-Town’ development site. In particular, there are severe infrastructure problems in the vicinity of the proposed site, which will be made worse should the development proceed. Moreover, there are major traffic congestion problems on the major roads feeding the site and the Council does not consider that the measures for transportation links proposed for Clifton Gate will ease the congestion.

Furthermore, the Council is disappointed that the Government selected the Clifton Gate site in concurrence with potential developers without consulting the City of York Council.

Therefore, we call upon the Chief Executive to write to the Minister for Communities and Local Government and the Minister for Yorkshire to express the objection of the City of York Council to the selection of Clifton Gate as a potential ‘Eco-Town’, on the grounds that it cannot be sustained by the local infrastructure.”

In accordance with Standing Order 14(f), a named vote of those Members present was requested and put on the above motion, as follows:

For	Against	Abstained
Cllr Aspden	Cllr Alexander	Cllr Brooks
Cllr Ayre	Cllr Bowgett	Cllr D'Agorne
Cllr Steve Galloway	Cllr Douglas	Cllr Sue Galloway
Cllr Healey	Cllr Fraser	Cllr Galvin
Cllr Holvey	Cllr Gunnell	Cllr Gillies
Cllr Hyman	Cllr Looker	Cllr Hudson
Cllr Moore	Cllr Merrett	Cllr Jamieson-Ball
Cllr Morley	Cllr Potter	Cllr Reid
Cllr Orrell	Cllr Scott	Cllr R Watson
Cllr Runciman		Cllr Waudby (Lord Mayor)
Cllr Sunderland		
Cllr Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Watt		
15	9	11

In accordance with this vote, the motion was declared CARRIED and it was

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

**Note: In accordance with the advice offered by the Monitoring Officer regarding members of the Planning Committee dealing with any future planning application in relation to the Eco Town proposal, Cllrs Blanchard, Cregan, Crisp, Firth, Funnell, Horton, King, Kirk, Pierce, Simpson-Laing and B Watson all left the Chamber during the debate on the above motion and took no part in the decision thereon.*

(iv) Climate Change Action Plan

It was moved by Cllr Merrett and seconded by Cllr Alexander that:

“Council welcomes the recent Officer report on an ‘Action Plan’ for tackling climate change within the Council. Council recognises that there will be major challenges for the Council, York residents and businesses, which will require greater understanding of the need and measures to tackle ‘Climate Change’. Council therefore agrees that a Cross Party Task Force be established to lead on this issue from the Council. Its remit will be to:

1. Monitor the implementation of the current ‘Action Plan’ within the Council;
2. Examine how the longer term targets can be met to tackle CO2 emissions;
3. Seek consensus between the parties on the Council on the issue of CO2 emissions;
4. Lead the public debate and development of the wider York approach, in conjunction with the ‘Without Walls’ Partnership;
5. That the Task Force report to the Executive on a bi-monthly basis.”

Cllr Waller then moved, and Cllr Reid seconded, an amendment to the above motion, as follows:

“In the third sentence:

Delete all from ‘a Cross Party Task Force’ to ‘its remit will be to:’ and insert: ‘bi-monthly update reports – copied to all Council Members – be submitted via the Group Leader / Shadow Executive / Executive process detailing progress made in the following areas:’..

In the points numbered 1 to 5:

Delete the word ‘Monitor’ from point 1 and the word ‘Examine’ from point 2;

Delete the word ‘Seeking’ from point 3 and insert ‘Establishing’;

Delete the word ‘Lead’ from point 4 and insert ‘Leading’;

Delete the whole of point 5.”

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

The motion, **as amended**, now read as follows:

“Council welcomes the recent Officer report on an ‘Action Plan’ for tackling climate change within the Council. Council recognises that there will be major challenges for the Council, York residents and businesses, which will require greater understanding of the need and measures to tackle ‘Climate Change’. Council therefore agrees that bi-monthly update reports – copied to all Council Members – be submitted via the Group Leader / Shadow Executive / Executive process detailing progress made in the following action areas:

1. The implementation of the current ‘Action Plan’ within the Council;
2. How the longer term targets can be met to tackle CO2 emissions;
3. Establishing consensus between the parties on the Council on the issue of CO2 emissions;
4. Leading the public debate and development of the wider York approach, in conjunction with the ‘Without Walls’ Partnership.”

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

RESOLVED: That the above notice of motion, as amended, be approved.⁴

(v) North Yorkshire Fire Authority Funding

The fifth notice of motion had been proposed by Cllr Morley, as follows:

“The Council calls upon the Government to award a funding settlement at least in line with inflation to the North Yorkshire Fire Authority, in the light of representations already made to the Government by the North Yorkshire Fire Authority.”

Cllr Morley now sought Council’s consent to **alter** the above motion to read as follows:

“Council notes with regret the Government’s decision not to award a funding settlement at least in line with inflation to the North Yorkshire Fire Authority, despite representations made to the Government by the North Yorkshire Fire Authority. Council calls upon Government to reconsider the application of the funding formula in relation to the North Yorkshire Fire Authority.”

Council having consented to the alteration, the altered motion was then moved by Cllr Morley and seconded by Cllr Hyman.

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

RESOLVED: That the above notice of motion, as altered, be approved.⁵

Action Required

1. Write to Home Secretary in the terms set out in Motion (i). GR
2. Draft guidance on exercise of powers for submission to LDFWG and Housing EMAP, as set out in Motion (ii). LE
3. Write to Ministers in the terms set out in Motion (iii). SC
4. Prepare bi-monthly reports as set out in amended Motion (iv) and enter on the Executive Forward Plan. JB
5. Write to Government in the terms set out in altered Motion (v). SC

63. REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS

A written report was received from the Leader, Cllr Steve Galloway, on the work of the Executive. Cllr Galloway then moved, and Cllr Jamieson-Ball seconded, those minutes requiring confirmation from the Executive meeting on 4 December 2007, namely:

- Minute 119 - amendment of the policy for nominating the Lord Mayor¹ and from the meeting of the Executive Member for Corporate Services and Advisory Panel on 11 December 2007, namely:
 - Minute 49 – transfer of Proper Officer responsibility for the Register Office to the Head of Finance.²

RESOLVED: That the above minutes, and the recommendations of the Executive and of the Executive Member for Corporate Services, be approved.

Action Required

1. Make any necessary changes to the policy documentation. GR
SA
2. Ensure that any necessary amendments are made to delegations in the Constitution.

64. REPORT OF EXECUTIVE MEMBER

A written report was received from Cllr Sunderland, the Executive Member for Housing Services.

Notice had been received of 9 questions on the report, submitted by Members in accordance with Standing Orders. In the time allowed, the following five

questions were put, in the order indicated on the list circulated around the Council Chamber and as set out below, with the Executive Member's replies:

(i) From Cllr Horton:

"Given that you regard the increase from 84% to 88.23% as 'substantial, would you not regard the shortfall from your own target of 98% as much greater than 'substantial' and if not, why not?"

Reply:

"I would agree that there is still some way to go to meet our target. However, it has to be acknowledged that substantial progress in improving urgent repairs has been made over recent years with performance improving from 79% in 2004/05 to a projected 90% this financial year."

(ii) From Cllr Horton:

"Given that Labour's insistence on inclusion of choice-based lettings which did not receive your wholehearted approach at its introduction following a Scrutiny topic, will you now accept that it was Labour's perception of the procedure that has given rise to the successful numbers of 'hard to let' properties being achieved and if not, why not?"

Reply:

The outcome of the all party scrutiny review on Housing Allocations did not recommend full implementation of choice based lettings (CBL). There is no doubt that the introduction of CBL, for some of our more difficult to let properties, has had a part to play in reducing the length of time it has taken to re-let these properties. However, a systems review of the void process has been undertaken which has also changed a number of processes within the voids procedure. Additionally, the changes in staffing structures within Housing Services now give Tenancy Estate Managers a clearer focus. All contributed to reducing the turnaround time of hard to let properties."

[In response to a supplementary question from Cllr Horton]

"I do not accept that the introduction of CBL was a result of a minority report from the Scrutiny Committee."

(iii) From Cllr Horton:

"Who do you regard as 'vulnerable perpetrators' and would you please define?"

Reply:

"The approach that Housing Services take to dealing with anti-social behaviour is three-fold – prevention, enforcement and support. There are some instances where the most appropriate form of action is no enforcement but supporting the perpetrators to ensure that they modify their behaviour. In some of these cases the perpetrators will be vulnerable individuals."

[In response to a supplementary question from Cllr Horton]

"One example of a vulnerable perpetrator would be someone with mental health problems, but there are many others."

(iv) **From Cllr Hyman:**

"Does the Executive Member have any information regarding the results of the Annual Housing Service Monitor?"

Reply:

"Every year we take a satisfaction survey of our tenants covering the housing landlord service. I am very pleased to announce that I have the headline figures which I can share with Council.

Questionnaires were sent to 2,000 tenants during October / November 2007. 995 questionnaires were returned – a 49.75% response rate.

The key results were:

- Tenant satisfaction with the overall services provided by Housing up 8% to 88%*
- Agreement with statement that 'CYC is a good landlord' up 12% to 88%*
- Agreement that the rent for the property represents value for money up 12% to 86%*
- Percentage of tenants who would describe the condition of their property as very or fairly good up 7% to 87%*
- Satisfaction with repairs and maintenance up 4% to 83%*
- Satisfaction with opportunities for participation in decision making up 7% to 64%.*

I am sure that you will agree that this can be hailed as a huge success. I would like to thank all the officers who have worked so hard to achieve these fantastic results."

[In response to a supplementary question from Cllr Horton]

"received these figures today, in a press release produced by Housing Services."

(v) **From Cllr Hyman:**

"Does the Executive Member have any information regarding the results of the Annual Housing Service Monitor?"

Reply:

"I understand that York Housing Association could indeed choose to charge differential rents for identical properties on the same site. However, this would create a precedent.

Any rents charged by a Housing Association need to be agreed by the regulator and funder, which is the Housing Corporation. The Housing Corporation have agreed the rent levels for the new bungalows as part of the capital grant approval and the financial viability of the project assumed the same rent level. If the rent levels on any of the properties were to change then the financial viability would have to be re-appraised and would affect the capital receipt. If this were the case then it is likely that the Council would have to start the whole tender evaluation process again. This is therefore unlikely to be a viable option.

The Council cannot use monies from the Housing Revenue Account to benefit residents who are not council tenants. However the Council, under the Local Government Act 2000, does have powers for discretionary expenditure 'to promote well being in the local area'.

It may be possible, under these powers, to make a contribution towards the rent for those residents who are responsible for full payment of their rents. However, this would set a precedent for any future redevelopment projects as well as be open to challenge from residents who have been affected by redevelopment of their homes in the past.

There are currently 15 Discus tenants who do not get any financial help with their rent. We do not know the financial circumstances of these 15 and the Council and York Housing Association will be visiting these people during February as part of a benefit take up campaign.

Some people may be eligible for help through Housing Benefit now, and others may be eligible when their rents increase.

There may be some people who do not wish to discuss or disclose any financial information.

By the end of February we will have a clear idea of individual circumstances and how many people, if any, will be directly affected by an increase in their rent."

[In response to a supplementary question from Cllr Potter]

"It's true that information on the level of rent increases was included in a leaflet left on tables at a meeting of the Steering Group and I was surprised by this."

65. QUESTIONS TO THE EXECUTIVE LEADER AND EXECUTIVE MEMBERS RECEIVED UNDER STANDING ORDER 10(C)

In accordance with Standing Order 10(c)(i), the following questions were put and responses given:

(i) To the Executive Member for City Strategy, from Cllr Merrett:

"Would the Executive Member agree that the state of the back lane through from Scarcroft Hill to Mill Mount, with major potholes and heave, is completely unacceptable, particularly for what is supposed to be the designated safe walking / cycling route between All Saints' Upper and Lower Schools, and will she give an undertaking to obtain early action to restore the route to a safe state?"

The Executive Member replied:

"Officers inform me that the status of the land is that of 'private highway'. As such the Council may be undertaking an ultra vires act (i.e. going beyond their legal role and responsibilities) if they use public money to maintain what is a private asset."

In response to a supplementary question from Cllr Merrett, the Executive Member replied:

"Any request for an early report to EMAP on options to tackle this issue should be made in writing, rather than trying to circumvent the system in this way."

(ii) To the Executive Member for City Strategy, from Cllr Merrett:

"Would the Executive Member also explain why the agreed latter phase of the safe route to school works to remove the blind turn, widen the gap and eliminate the step down between Mill Mount and the back lane has never been undertaken some several years since it was originally

agreed, and will she agree to get officers to expedite this long overdue measure to improve personal safety – especially when it's dark – and to achieve disabled access standards?"

The Executive Member replied:

"Given my answer to the previous question, we might be in some difficulty carrying out some of the work that Councillor Merrett is suggesting.

Officers inform me that in April 2004 EMAP noted it as a reserve scheme but it would appear that it was not progressed.

Officers can find no record of any member raising the issue during the past four years.

Officers are currently drawing up the 08/09 capital programme and there will, of course, be a Safe Routes to Schools spending block. I am happy for them to consider this as one of the schemes but we will need to take into account the implications of the landownership issue."

In response to a supplementary question from Cllr Merrett, the Executive Member replied:

*"If the matter was raised on a 'walkabout' with the Chief Executive, it was not progressed via Transport Planning. I can discuss with the Neighbourhoods department how they would progress issues raised during walkabouts."*¹

(iii) To the Executive Member for City Strategy, from Cllr Pierce:

"Would the Executive Member explain why there is no local service bus serving the new Morrison's development as was expected when planning approval was given for the development with a bus corridor through being specifically provided?"

The Executive Member replied:

"There were discussions with First York, Coastliner and East Yorkshire Motor Services regarding the diversion of bus services via the Foss Islands development when it was first proposed.

First offered, and the Council accepted, re-routing of Grimston Bar P&R via the development. First are, I understand, currently undertaking a review of all their services and are considering the viability of including the development in their services.

East Yorkshire Motor Services have confirmed they will divert some services via the development but they are waiting until bus stops have been established in James Street and Stonebow before changing their existing routes. The Stonebow works are due to start at the end of January and the James Street ones are also well advanced towards implementation.

All bus operators are commercial organisations and, if the service has the potential to increase their patronage, then no doubt they will consider making services available."

In response to a supplementary question from Cllr Sjmpson-Laing, the Executive Member replied:

"Yes, I would be willing to raise in my discussions with First Bus the suggestions made regarding the re-routing of the no.6 bus.² Regarding the suggestion that there are no dropped kerbs along James St., I will ask Officers to look into that."³

(iv) To the Executive Member for City Strategy, from Cllr Moore:

“Can the Executive Member confirm that there was no consultation with the Council before developers submitted the ‘Clifton Gate’ Eco-town application to the Government?”

The Executive Member replied:

“There was no consultation with the Council before developers submitted the eco town application to government.

The Leader of the Council wrote to Hazel Blears, Secretary of State for Communities and Local Government, on the 14th December, expressing dismay at the current process which allows developers to put forward to government a major development proposal for York without any consultation with the Council.

It was not until over three weeks after submission was made that the developers contacted the Council to inform us that a bid had been submitted. To date we do not have the full details of the bid and when the Director of City Strategy telephoned the DCLG in December he was told that they would not discuss any individual bids or even confirm that a bid had been received.

No meaningful attempt has been made to involve the Local Authority. This is completely contrary to the requirements of the new planning system which is very much about working with communities and stakeholders with proposals based on evidential need. The letter sought DCLG assurance that if any proposal for an Eco-town in York comes forward that it will be subject to the full rigours of the planning process both at a regional and local level and that they should seek the advice of the Local Planning Authority on the appropriateness or otherwise of any proposal before making such a decision.

The developers submitting the bid have subsequently contacted the Council to arrange a meeting.”

(v) To the Executive Member for City Strategy, from Cllr D’Agorne:

“Can you please outline the likely budgetary implications for other Council services if we enter into PFI 25-year contracts for both Highways Maintenance and Waste?”

The Executive Member replied:

“I am pleased to tell the Council that it has been selected as one of five Councils, by DfT, to refresh the Expression of Interest for Highway Maintenance PFI submitted in September 2006. The refreshed Expression of Interest will be submitted to DfT in mid February and officers are currently preparing the document.

The costs are being amended to take account of changes to the scope, the discount rates, the swap rates and inflation.

If the Council is successful in being selected as a pathfinder project then the earliest the new contract would become operational is autumn 2011.

The likely budgetary implications for other council services are the loss of the contribution towards directorate and corporate overheads and the general fund. It is currently estimated this will be in the order of £0.5m each year.

The latest available figures on the affordability of the waste PFI project were approved by the Executive on 26 June 2007.

The project is currently in the competitive dialogue process.

Solutions are being discussed and, until the outcome of the procurement is complete, the affordability of the project will not be known. However, it is expected to be within the affordability envelope already approved by the Executive on 26 June 2007."

In response to a supplementary question from Cllr D'Agorne, the Executive Member replied:

"The question of the impact of the project on the continuation of essential services is premature. There will be no impact this year. Any method of dealing with this matter would incur costs and 'do nothing' is not an option."

(vi) To the Executive Member for City Strategy, from Cllr D'Agorne:

"Can you report on progress with purchasing sites for waste treatment at Tockwith or elsewhere?"

The Executive Member replied:

"I am not aware of any plans for the purchase of sites for waste treatment within the CYC boundary."

In response to a supplementary question from Cllr D'Agorne, the Executive Member replied:

"Waste treatment sites will be needed, but none have been identified in the City of York area. North Yorkshire County Council are progressing the matter via the LDF process."

(vii) To the Executive Member for City Strategy, from Cllr D'Agorne:

"Can you tell me when the agendas and minutes of the Quality Bus Partnership will be made publicly available and can you supply a report to councillors on the decisions of the Partnership since its 'relaunch' in September 2007?"

The Executive Member replied:

"The approved minutes of the Quality Bus Partnership will be forwarded by the Transport Planning Unit to Democratic Services for publication on the Council's web site at the beginning of next week.⁴ A report will be prepared for the June 2008 meeting of the Executive Member for City Strategy and Advisory Panel on the decisions of the QBP since its re-launch in September 2007.⁵ In addition, the current list of outside bodies set out in the Constitution for report to full Council has been referred for reconsideration under the forthcoming constitutional review."

(viii) To the Executive Member for Neighbourhood Services, from Cllr Potter:

"Neighbourhood Services EMAP agreed to provide litter bins in the City Centre with compartments to allow for various items to be recycled. These have been very successful in other cities in the UK. When will they eventually be installed in York and what has been the delay?"

The Executive Member replied:

"The EMAP on 17th October 2007 agreed to trial an integrated litter and recycling bin design in the city centre. It would be fair to say that experience of this type of bin has been mixed across the country. Two of the bins discussed at October EMAP were put in place in St Helens Square (17 October 2007) and Kings Square (24 October 2007)."

In response to a supplementary question from Cllr Potter, the Executive Member replied:

"This was only intended to be a small scale pilot project. The priority has been to provide kerb side recycling in those areas which do not already have it."

(ix) To the Executive Member for Housing Services, from Cllr Potter:

"The current 'Discus' bungalow residents in Heworth and Fishergate Wards are having to move to new properties through no fault of their own. They face a rent increase of over £20 per week. They have no choice in the matter and it is difficult for a pensioner on a fixed income to accommodate such a large increase within their existing budgets. What is the Executive Member going to do to address this unacceptable rent increase to be faced by these elderly and vulnerable residents?"

The Executive Member replied:

"As Cllr Potter will know, the Director of Housing and Adult Services updated the EMAP meeting, held on Monday 14th January, on the issues surrounding the future increase in rents, for existing tenants, following the redevelopment of the Discus sites.

I understand that York Housing Association could indeed choose to charge differential rents for identical properties on the same site. However this would create a precedent.

Any rents charged by a Housing Association need to be agreed by the regulator and funder, which is the Housing Corporation. The Housing Corporation have agreed the rent levels for the new bungalows as part of the capital grant approval and the financial viability of the project assumed the same rent level. If the rent levels on any of the properties were to change then the financial viability would have to be re appraised and would affect the capital receipt. If this were the case then it is likely that the council would have to start the whole tender evaluation process again. This is therefore unlikely to be a viable option.

The Council cannot use monies from the Housing Revenue Account to benefit residents who are not council tenants. However the council, under the Local Government Act 2000, does have powers for discretionary expenditure to 'promote well being in the local area'.

It may be possible, under these powers, to make a contribution towards the rent for those residents who are responsible for full payment of their rents. However, this would set a precedent for any future redevelopment projects as well as be open to challenge from residents who have been affected by redevelopment of their homes in the past.

There are currently 15 Discus tenants who do not get any financial help with their rent.

We do not know the financial circumstances of these 15 and the Council and York Housing Association will be visiting these people during February as part of a benefit take up campaign.

Some people may be eligible for help through Housing Benefit now and others may be eligible when their rents increase.

There may be some people who do not wish to discuss or disclose any financial information.

By the end of February we will have a clear idea of individual circumstances and how many people, if any, will be directly affected by an increase in their rent.

The new bungalows are unlikely to be ready for occupation for 18 months and we therefore have plenty of time to consider individual circumstances.

The meeting on Monday 14th agreed that no options would be considered further until the existing 15 tenants has been visited and there was a clear picture of how many people, if any, would be ultimately affected by any increase in their rent.

Tenants do, of course, continue to have the option of transferring to another Council property, with a lower rental, should they choose to do so."

(x) To the Executive Member for Housing Services, from Cllr Horton:

"Who initiated, and following what consultation was the decision taken, in respect of expenditure of estate management budgets, that suggestions for estate improvements be limited to only those members of the relevant R.A. who turned up for the estate walkabout? Would the Executive Member for Housing not consider that such a decision could be regarded as discriminatory against the disabled and infirm and subject to legal challenge, and if not, why not?"

The Executive Member replied:

"The proposed new process for dealing with Estate Improvement budgets was developed by officers in consultation with the Tenants Federation. The intention, I understand, was to encourage more integration between the process and the development of neighbourhood action plans.

I share the questioner's concern that the process has, so far, not specifically sought suggestions from tenants in an area of benefit, although it was intended to do so for the 09/10 financial year.

While the number of suggestions for improvements submitted by ants has fallen over the years, I do regard the freedom to generate proposals to be an important underpinning principle of any representative process.

I have therefore asked officers to ensure that a letter is sent to all tenants within the next 6 weeks seeking any nominations that they may wish to make for the use of the 08/09 estate improvement budget.

The intention would then be for a list of proposed schemes to be subject to the usual ballot of tenants later in the spring, following initial review by the local Tenants Association and the Ward Planning Team."

In response to a supplementary question from Cllr Horton, the Executive Member replied:

"Yes, the ballot will be of all tenants."

Action Required

- | | |
|---|----------|
| 1. Neighbourhoods to supply this information to Executive Member. | GR
JB |
| 2. Executive Member to raise this matter with First York. | JB |
| 3. City Strategy Officers to provide this information for Executive Member. | GR
JB |
| 4. Publish QBP minutes on the Council's website. | |
| 5. Prepare report on QBP for June 2008 City Strategy EMAP meeting. | |

66. INDEPENDENT REMUNERATION PANEL ON MEMBERS ALLOWANCES – FINAL REPORT

Cllr Steve Galloway moved, and Cllr Scott seconded, the following amendment to the recommendation in the report on the Independent Remuneration Panel's review of Members' Allowances, at page 37 of the Council papers:

"Insert at the start of the recommendation at paragraph 18 of the report (page 40): *'That arising from the Independent Panel's report,'*.

Delete all after *'Members are asked to'* and insert:

'Agree that the following actions be taken:

- (i) That, effective from 1 February 2008, the Councillors basic allowance be increased by the rate of inflation since the last review (approximate 10% increase in basic allowance bringing it to £7,000 per annum & equivalent to the 4 year inflation increase awarded to local government employees)*
- (ii) That the basic allowance be increased annually in line with the average annual inflation salary increase awarded to local government employees;*
- (iii) That Members allowances to be pensionable with effect from 1 April 2008;*
- (iv) That, subject to the implementation of appropriate audit and transparency safeguards, the current dependant carers scheme be extended to include a further allowance option, payable at £3.50 per hour up to a maximum of 3.5 hours, and which will be available for family members (other than those with parental responsibility) as from 1 February 2008*
- (v) That no changes be made to current special responsibility allowance levels at the present time but that Group Leaders be asked to review the options for refining the payment levels available for individual posts prior to the Annual Meeting in May 2008, when new Council and Committee places are agreed."*

The recommendation, as amended, now read as follows:

"That, arising from the Independent Panel's report, Members are asked to agree that the following actions be taken:

- (i) That, effective from 1 February 2008, the Councillors basic allowance be increased by the rate of inflation since the last review (approximate

- 10% increase in basic allowance bringing it to £7,000 per annum & equivalent to the 4 year inflation increase awarded to local government employees)
- (ii) That the basic allowance be increased annually in line with the average annual inflation salary increase awarded to local government employees;
 - (iii) That Members' allowances be pensionable with effect from 1 April 2008;
 - (iv) That, subject to the implementation of appropriate audit and transparency safeguards, the current dependant carers scheme be extended to include a further allowance option, payable at £3.50 per hour up to a maximum of 3.5 hours, and which will be available for family members (other than those with parental responsibility) as from 1 February 2008
 - (v) That no changes be made to current special responsibility allowance levels at the present time but that Group Leaders be asked to review the options for refining the payment levels available for individual posts prior to the Annual Meeting in May 2008, when new Council and Committee places are agreed."

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

RESOLVED: That the recommendation in respect of Members' Allowances, as amended, be approved.¹

Action Required

1. Make the required adjustments to Members' allowances GR
and amend the information in the Constitution and on the
Council website.

67. SCRUTINY - REPORT OF THE CHAIR OF THE SCRUTINY MANAGEMENT COMMITTEE

A written report was received from Cllr Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council, on 29 November 2007.

Cllr Galvin agreed to provide a written answer to a query raised by Cllr Funnell on the report concerning the lack of policy reviews carried out by the Health Scrutiny Committee.¹

Action Required

1. Supply the information required for Cllr Galvin's response. GR

68. ACTIVITIES OF OUTSIDE BODIES

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

- York and North Yorkshire Waste Management Partnership – meeting on 1 November 2007
- Yorkshire and Humber Assembly – meeting on 6 December 2007
- Local Government Yorkshire and Humber – meeting on 22 November 2007
- North Yorkshire Fire and Rescue Authority – meeting on 26 September 2007
- Regional Transport Forum – meeting on 7 December 2007
- Pension Fund Sub-Committee – meeting on 27 September 2007
- Police Authority – meeting on 21 November 2007
- Safer York Partnership – meeting on 10 January 2007 (added after publication of the Council agenda).

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

69. APPOINTMENTS AND CHANGES TO MEMBERSHIP

RESOLVED: That the appointments to Committees, Outside Bodies and Working Groups set out on the revised list circulated at the Council meeting (and attached as Annex 1 to these minutes) be approved.¹

Action Required

1. Update committee management system with revised appointments.

GR

Councillor Irene Waudby
LORD MAYOR OF YORK

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

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 21st February, 2008, starting at 6.30 pm

Present: The Lord Mayor (Cllr Irene Waudby) in the Chair, and the following Councillors:

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD

Galvin

CLIFTON WARD

Douglas
King
Scott

DERWENT WARD

Brooks

DRINGHOUSES & WOODTHORPE WARD

Holvey
Reid
Sunderland

FISHERGATE WARD

D'Agorne
Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
B Watson

HAXBY & WIGGINTON WARD

Firth
Hogg
R Watson

HESLINGTON WARD

Jamieson-Ball

HEWORTH WARD

Blanchard
Funnell
Potter

HEWORTH WITHOUT WARD

Ayre

HOLGATE WARD

Alexander
Bowgett
Crisp

HULL ROAD WARD

Cregan
Pierce

HUNTINGTON & NEW EARSWICK
WARD

Hyman
Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Gillies
Healey
Hudson

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

Moore
Watt

STRENSALL WARD

Kirk

WESTFIELD WARD

Steve Galloway
Sue Galloway
Waller

WHELDRAKE WARD

Vassie

Apologies for absence were received from Councillor Wiseman

Note:

Cllrs Alexander, Blanchard, Bowgett, Brooks, Cregan, D'Agorne, Douglas, Gunnell, Healey, Hogg, Holvey and Hudson were not in attendance at the re-convened meeting on 26 February 2008.

DECLARATIONS OF INTEREST

70. The Lord Mayor invited all Members with any personal or prejudicial interests in the business on the agenda to declare their interests at this point in the meeting. The following personal interests were declared in relation to relevant aspects of the Revenue and Capital Budget proposals:

<u>Name</u>	<u>Description of Interest</u>
Cllr Alexander	Holder of a Council parking permit
Cllr Blanchard	Holder of a Council parking permit
Cllr Bowgett	Parent of a child affected by pool closures Claimant of Councillors' cycling allowance
Cllr Cregan	Employee of York Theatre Royal Holder of a bus pass Holder of a Council parking permit
Cllr Crisp	Holder of a Council parking permit
Cllr D'Agorne	Member of Cyclist Touring Club Member of York Cycle Campaign
Cllr Douglas	Holder of a Council parking permit
Cllr Fraser	Member of retired section of UNISON and TGWU Resident of a Respark zone, using Visitor permits only
Cllr Funnell	Member of York Credit Union Member of the York Older People's Assembly Executive
Cllr Steve Galloway	May qualify for a bus pass in July
Cllr Sue Galloway	Holder of an allotment (Plot 336 Holgate)
Cllr Galvin	Holder of a bus pass Holder of a Council parking permit
Cllr Gillies	Holder of a bus pass Holder of a Council parking permit
Cllr Gunnell	Employee of York CVS Trustee of the Welfare Benefit Unit Holder of a Council parking permit
Cllr Holvey	Member of UNISON
Cllr Horton	Holder of a bus pass Holder of a Council parking permit
Cllr Hyman	Member representative on york-england.com
Cllr King	Holder of a bus pass Holder of a Council parking permit Member of the Theatre Royal Board
Cllr Looker	Director of York Credit Union Clerk to the Governors, York St John University Company Secretary, York Theatre Royal Governor of Park Grove School and Canon Lee School

	Chair of York Fanteakwa Community Group Holder of a bus pass
Cllr Merrett	Honorary Member of Cyclist Touring Club Honorary Member of Cycling England Occasional user of swimming pools and parent of child who is a regular user Recipient of SRA (Members' Allowances) Resident of a private street
Cllr Morley	Licensee of allotment at Hempland Lane, Heworth Member of Adoption Panel
Cllr Orrell	Holder of a bus pass
Pierce	Holder of a bus pass Holder of a Respark permit
Cllr Potter	Chair of York Wheels – Dial-a-Ride Older People's Champion Parent of a child receiving music tuition and affected by level of tuition fees
Cllr Runciman	Recipient of bus tokens / holder of a bus pass
Cllr Scott	Resident of a Respark zone Member of the Theatre Royal and partner of a person on work experience at the Theatre Royal Member of Unite, TGWU section Holder of a Council parking permit
Cllr Simpson-Laing	Parent of a child receiving music tuition and in the age range for swimming lessons Treasurer of Out of Schools Club and parent of child attending Club Employment involves dealing with funding applications from the voluntary sector Member of Back Park Group and local resident Recipient of Council cycle allowance
Cllr Taylor	Resident of a Respark zone
Cllr Waller	Holder of an allotment Governor of York High School and Westfield Primary School
Cllr Brian Watson	Holder of a bus pass
Cllr Waudby (Lord Mayor)	Holder of a bus pass

CIVIC ANNOUNCEMENTS

71. The Lord Mayor announced the imminent retirement of Mavis Todd, Member Services Officer, who had been with the Council for 43 years. Members joined to express their thanks and appreciation to Mavis for her work over the years.

The Lord Mayor then announced that Colin Langley, Interim Head of Civic, Democratic and Legal Services, would be leaving the Council on 6 March when his six month tenure came to an end. Members expressed their thanks for his advice and assistance during this time.

PUBLIC PARTICIPATION / OTHER SPEAKERS

72. The Lord Mayor reported that there had been two registrations under the Council's Public Participation Scheme to speak at the meeting with regard to business associated with the setting of the Budget, as follows:
- a) Ken Beavan spoke on the Revenue Budget savings proposals in general terms, suggesting that savings should be made by reducing posts in the management structure and reducing expenditure on consultancy fees.
 - b) Eileen White, representing the Friends of York City Archives, spoke in objection to the savings proposal to close the Archives for one day per week, on the basis that it would adversely affect the accessibility of the Archives and the chances of attracting applicants of the right calibre to the post of City Archivist.

The Lord Mayor had also agreed to hear representations from two UNISON representatives in respect of the effects upon staff of certain aspects of the Revenue Budget savings proposals, as follows:

- a) Andrea Dudding spoke in objection to the proposal to close the City Archives for one day per week, on the basis that it would involve a significant cut in staffing levels and reduced access to the Archives, which would have implications at a national level.
- b) Liz Young spoke in objection to the savings proposals for the Home Care service, on the basis that staff had already undergone a major restructure 15 months earlier and had received no definitive information on potential job losses or changes to working patterns that might result from these new proposals.

PETITIONS

73. The Lord Mayor reported that there were no petitions to be presented by Members at the meeting in relation to business associated with the setting of the Council's Budget.

EXCLUSION OF PRESS AND PUBLIC

74. RESOLVED: That the press and public be excluded from the meeting should any discussion arise on the contents of Annex A to the Executive report relating to agenda item 6(b) (Capital Programme Budget - Minute 75 refers) on the grounds that it contains information relating to the financial or business affairs of particular persons (including the authority holding that information), which is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

SETTING THE BUDGET FOR 2008/09

75. Cllr Steve Galloway sought Council's agreement to alter Recommendation (ii) of the Executive in relation to the Revenue Budget (Minute 163), to read as follows:

“(ii) That, consequential upon the above amendments, Council approve the proposals set out in the report, namely:

- a) The net revenue expenditure requirement for 2008/09 as set out in Table 1 (paragraph 17);
- b) The housing revenue account proposals outlined in Annex 12;
- c) The dedicated schools grant proposals outlined from paragraph 80 onwards;
- d) The revenue growth proposals for 2008/09 outlined in Annex 3, totalling £8.013m;
- e) The revenue savings proposals for 2008/09 outlined in Annexes 1 and 4, totalling £6.198m;
- f) The use in 2008/09 of £1.823m of revenue reserves, as outlined in paragraph 49;
- g) The adoption of a risk based calculation to inform the Director of Resources' opinion on the appropriate minimum level of general reserves, as described in paragraph 51;
- h) The fees and charges proposals in Annex 8.”

Council having agreed to the above alteration Cllr Steve Galloway moved, and Cllr Jamieson-Ball seconded, the recommendations of the Executive, as altered, in relation to the Council's budget for 2008/09, including the Revenue Budget, Fees and Charges, Housing Revenue Account and Capital Programme Budget proposals.

Cllr Scott then moved, and Cllr Potter seconded, the following amendment to the Executive recommendations, as altered, on behalf of the Labour Group:

“Contingency Fund

- (1) At the end of recommendation (i) (b) (page 2 of Council Summons), add the words ‘subject to the deletion of the sum of £44k for special responsibility allowances for Members in line with inflation’.

Council Tax

- (2) In recommendation (i) (a) replace the figure ‘4.75%’ with ‘4.50%’.
- (3) In recommendation (iii) (page 3 Council Summons) on line 4 replace the figure ‘4.75%’ with ‘4.50%’

Net Revenue Expenditure

In Recommendation (ii)(a) replace the figure ‘£112.294m’ with ‘£112.132m’

(4) Recommendation (i)c)

Replace the figure in brackets for item CorpNew2 (2nd bullet point) with the words ‘(further £40k)’

Replace the figure in brackets for item HSIG1 (4th bullet point) with the words ‘(further £50k)’

Delete CSYG2 – end of prudential borrowing, highways & street ops (294k) (bullet point 7 on page 3 of Council Summons)

(5) Growth

At the end of paragraph (ii) d) (page 3 of Council Summons), add the words ‘subject to the deletion of the following item:

- CSYG2 –CSYG2 - end of prudential Borrowing, Highways and Street Ops. +£294K

and the inclusion of the following items from Annex 9 of the Executive revenue budget papers (Annex 7 of new report to Council):

- CSIG12 – ‘Smarter Choices’ travel promotion (£50k)

as well as the above proposed increases to growth in relation to items HSIG1 and CorpNew2 referred to in Recommendation (i)c) above and subject also to the following additional items:

- Funds for fireworks display (£50k)
- additional contact hours for Home Care in relation to city wide enabling and intermediate care teams (£50k)
- additional funding to York Credit Union (£25k)
- increases to the proposed recycling pilot scheme (£20k)
- keeping St Georges Field toilets open all year (£20k)
- grant to the Older Peoples Assembly (£10k)
- grant to York Unifying and Multicultural (£1k)’

[Note: as result of the above amendment, growth will total £8.124m]

(6) Savings

(a) At the end of recommendation (ii) (e) (page 3 of Council Summons), add the words ‘subject to the deletion of the following items:

- RESHS2 – reduction in Audit/Fraud resources by 1fte (£24k)
- LCHS3 – family support staffing reduction (£24k)
- LCMS4 – sports SLA and grants (£10k)
- LCMDS6 – school swimming support (£2k)

and the inclusion of the following item from Annex 5 of the Executive papers (Annex 7 of new report to Council) amended to:

- CSHS4 – reduction in the number of subsidised bus

services (£21k)'

Together with the following alteration to:

- LCHS9 – a further reduction in parks and open spaces maintenance (£23k)

As well as the additional items as follows:

- reduction in the Directors with move towards Strategic Directors (£60k)
- reintroduction of JC Deceaux contract for city centre and bus shelter advertisements (£35k)
- reduction in available budget to remunerate a Deputy Leader and one Executive Member (32k), as well as a Main Opposition Deputy Leader and Shadow Executive Member (£11k)
- replacement of EMAPs with a revised structure of devolved power to Executive Members and Directors (£10k)
- removal of 1 Private Street Adoption officer post (£23k)
- centralisation of HR activity (£20k)
- reduction in recruitment consultant expenditure (£20k)
- additional street trader licence (£15k)
- revised date for Council Tax direct debits (£7k)
- revised date for NNDR direct debits (£6k)'

[Note: as result of the above amendment, savings will total £6.471m]

(7) Fees and Charges

At the end of recommendation (ii)(h), add the following words 'subject to the following alteration:

- NSMS9 - increase Commercial Waste fees by a further 3% (£50k)

together with the additional items reducing the level of fees and charges, as follows:

- reduction in residents parking fees by 10% (£44k)
- free evening parking for Minster badge holders from 5.30pm (£35k)
- free parking for Green Minster badge holders for residents with environmentally friendly vehicles (£10k)'

(8) Revenue Reserves

In order to fund an increase in the use of reserves by £50k, in recommendation (ii) (f) replace the figure '£1.823m' with '£1.873m', for the purpose of enabling a review (LS19) of the senior management structure, creating strategic directorates aimed at delivering a part year saving of £60k and £150k per year thereafter.

(9) Capital Programme

At the end of recommendation (a) on the Capital Programme (page 6 of Council Summons), add the words 'subject to the deletion of Balfour Street Play Area'."

A vote was then taken on the above amendment *except* for that part (no. 9) that related to the Capital Budget and the amendment was declared LOST.

Cllr Gillies then moved, and Cllr Healey seconded, the following amendment to the Executive recommendations, as altered, on behalf

of the Conservative Group:

(1) Contingency Fund

At the end of recommendation (i)(b) (page 2 Council Summons) add the words 'subject to the deletion of the following items:

- CX new Members SRA Allowances (£44k)
- CX new Members Allowances possible Superannuation costs (£50k) defer for 1 year'

to be replaced by:

- 'The commissioning of the following reviews:
 - Commercial Property Portfolio (£50k)
 - Subsidised and Community Transport (£44k)'

(2) Growth

In recommendation (ii) (d) replace the figure '£8.013m' with '£8.183m' and at the end of recommendation (ii) (d) (page 3 of Council Summons), add the words 'subject to the following additional items:

- Development of Organisational Effectiveness Programme (£85k)
- Review of Leisure and Culture Services (£50k)
- Review of services that the Council should strategically procure or 'share' (£25k)
- LCMS4 Sports SLA's and grants (£10k)'

(3) Savings

At the end of recommendation (ii) (e) (page 3 of the Council Summons) add the words 'subject to the addition of the following items:

- CSNGIC start concessionary arrangements at 9:30am rather than 9:00am (£23k)
- Reduction in the available budget to remunerate Executive and Shadow Executive Members by 3 in each group to better align the structure with Council Directorate (£57k)
- CSHS2 withdraw the provision of bus tokens (£125k)'

[Note; as a result of these changes, the savings total figure in (ii) (e) would be £6.420m]

(4) Reserves

In recommendation (ii) (f) replace the figure '£1.823m' with '£1.788m'."

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

Cllr D'Agorne then moved, and Cllr Taylor seconded, the following amendment to the Executive recommendations, as altered, on behalf of the Green Group:

(1) At the end of Recommendation (ii)a), add the words 'including a reduction in contingency funds of £100k'.

(2) Growth

At the end of recommendation (ii) d) (page 3 of Council Summons), add the words 'subject to the following additional items:

- recycling from new flats as they are occupied during 2008/09 and integrated piloting of commercial waste

- recycling from selected customers (£117k) (mid-year start)
 - promotion of energy efficient work in private sector housing (£35k)
 - traffic congestion modelling and consultancy work (£35k)
 - development of a tree strategy for the city (£30k)
 - increase in budget for flood events and warping (£24k)
 - new cycling/walking officer (£17k)
 - setup and running costs of Cycle forum (£5k)
 - preparation of bid for cycle demonstration town status (£5k)
- together with the inclusion of the following item from Annex 9 of the Executive revenue budget papers (Annex 7 of new report to Council):
- CSIG12 – Smart travel promotion (£25k)

[Note: as a result of these amendments, growth would total £8.306m]

(3) Savings

At the end of Recommendation (ii)e) (page 3 of the Council Summons), add the words 'subject to the deletion of the following item:

- NSLS1 – reducing the number of staff in the waste strategy unit (£17k)"

And the inclusion of the following items from Annex 5 of the Executive papers (Annex 7 of new report to Council)

- CSNG1c – starting concessionary pass arrangements from 9.30am (£40k)
- CSHS6 – withdrawing contribution to york-England.com (£30k)

Together with the following:

- deletion of Shadow Executive special responsibility allowances, not including leadership (£34k)
- cessation of use of recruitment consultants to senior posts (£20k)
- creation of an annual charge for members parking passes (£6k)'

[Note: As a result of these changes, savings would total £6.291m]

(4) Fees and Charges

At the end of recommendation (ii)(h), add the following words 'subject to the deletion of the following:

- CSNS1 – 2.3% increase for first Respark holder: partial saving (£7k)
City Strategy – child cycle training fee increase (£3k)

and the inclusion of the following:

- increase in standard stay parking by 10p per hour (£40k) for Minster badge holders (alongside the proposed 20p increase for visitors);

together with increasing the commercial waste fees by a further 3% (raising £50k – NSMS9)'."

[Note: as a result of these changes, savings and fees and charges will total £6.391]

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

At this point, Steve Galloway moved that the meeting be adjourned

and that the guillotine be suspended until at least 11:00 pm. Cllr Sunderland seconded the motion, which was agreed by Council.

The meeting was adjourned at 9:45 pm and re-convened at 12:25 am.

Cllr Steve Galloway then moved, and Cllr Jamieson-Ball seconded, that Standing Order 14(i) be suspended to enable Council to consider further amendments to the Budget proposals.

Council having agreed the above motion to suspend Standing Order 14(i), the Lord Mayor then ruled under Standing Order 14(o) that she would permit two amendments to be moved and discussed at the same time. Cllr Scott then moved, and Cllr Potter seconded, the following amendment to the Executive recommendations, as altered:

Amendment A

“(1) Contingency Fund

At the end of Recommendation (ii)a), add the words ‘including a reduction in contingency funds of £100k’

At the end of recommendation (i)(b) (page 2 of the Council Summons), add the words ‘subject to the deletion of the sum of £44k for special responsibility allowances for Members in line with inflation’ and replace with ‘*a review of Subsidised and Community Transport (£44k)*’

(2) Recommendation (i)(c)

Replace the figure in brackets for item CorpNew2 (2nd bullet point) with the words ‘(further £40k)’

Replace the figure in brackets for item HSIG1 (4th bullet point) with the words ‘(further £50k)’

Delete

- CSYG2 – end of Prudential Borrowing, Highways & Street Ops (£294k) (bullet point 7 on page 3 of the Council Summons)
- LCHS - Archives one day closing (£16k)

(3) Growth

At the end of paragraph (ii) d) (page 3 of Council Summons), add the words ‘subject to the inclusion of the following items from Annex 9 of the Executive revenue budget papers (Annex 7 of new report to Council):

- CSIG12 – ‘Smarter Choices’ travel promotion (£50k)

As well as the above proposed increases to growth in relation to items HSIG1 and CorpNew2 referred to in Recommendation (i)(c) above; and subject also to the following additional items:

- Funds for fireworks display (£50k)
- additional contact hours for Home Care in relation to city wide enabling and intermediate care teams (£50k)
- additional funding to York Credit Union (£25k)
- increases to the proposed recycling pilot scheme (£20k)
- keeping St Georges Field toilets open all year (£20k)

- grant to the Older Peoples Assembly (£10k)
- grant to York Unifying and Multicultural (£1k)
- Development of Organisational Effectiveness Programme (£85k from reserves)
- Review of Leisure and Culture Services (£50k)
- Review of services that the Council should strategically procure or 'share' (£25k from reserves)
- Review of Commercial property portfolio (£25k)
- promotion of energy efficient work in private sector housing (£35k)
- traffic congestion modelling and consultancy work (£35k)
- development of a tree strategy for the city (£30k)
- increase in budget for flood events and warping (£24k)
- new cycling/walking officer (£17k)
- setup and running costs of Cycle forum (£5k)
- preparation of bid for cycle demonstration town status (£5k)

[Note: as result of the above amendment, growth will total £8.463m]

(4) Savings

(a) At the end of recommendation (ii) (e) (page 3 of Council Summons), add the words 'subject to the deletion of the following items:

- RESHS2 – reduction in Audit/Fraud resources by 1fte (£24k)
- LCHS3 – family support staffing reduction (£24k)
- LCMS4 – sports SLA and grants (£10k)
- LCMDS6 – school swimming support (£2k)
- NSLS1 – reducing the number of staff in the waste strategy unit (£17k)

and the inclusion of the following item from Annex 5 of the Executive papers (Annex 7 of new report to Council) amended to:

- CSHS4 – reduction in the number of subsidised bus services (£21k).'

Together with the following alteration to:

- *LCHS9 – a further reduction in parks and open spaces maintenance (£23k)*

As well as the additional items as follows:

- reduction in the Directors with move towards Strategic Directors (£60k)
- reintroduction of JC Deceaux contract for city centre and bus shelter advertisements (£35k)
- reduction in available budget to remunerate a Deputy Leader and one Executive Member (£32k), as well as a Main Opposition Deputy Leader and Shadow Executive Member (£11k)
- replacement of EMAPs with a revised structure of devolved power to Executive Members and Directors (£10k)
- removal of 1 Private Street Adoption officer post (£23k)
- centralisation of HR activity (£20k)
- reduction in recruitment consultant expenditure (£20k)
- additional street trader licence (£15k)

- revised date for Council Tax direct debits (£7k)
- revised date for NNDR direct debits (£6k)

[Note: as result of the above amendment, savings will total £6.438m]

(5) Fees and Charges

At the end of recommendation (ii)(h), add the following words: 'subject to the following alteration:

- NSMS9 - increase Commercial Waste fees by a further 3% (£50k),

Together with the additional items reducing the level of fees and charges, as follows:

- reduction in residents' parking fees by 10% (£44k)
- free evening parking for Minster badge holders from 5.30pm (£35k)
- free parking for Green Minster badge holders for residents with environmentally friendly vehicles (£10k)
- together with the deletion of City Strategy – child cycle training fee increase (£3k)

(6) Revenue Reserves

In order to fund an increase in the use of reserves by £50k, in recommendation (ii) (f) and by £110k in recommendation (ii) (d) replace the figure '£1.823m' with '£1.983m', for the purpose of enabling a review (LS19) of the senior management structure, creating strategic directorates aimed at delivering a part year saving of £60k and £150k per year thereafter and for funding the development of the OEP and the review of strategic procurement and shared services."

Cllr Gillies then moved, and Cllr Healey seconded, the following amendment to the Executive recommendations, as altered:

Amendment B

(1) Growth

"At the end of recommendation (ii)(d), add the words 'subject to the following additional items:

- Commissioning of review on Commercial Property Portfolio (£50k)
- Commissioning of review relating to subsidised and community transport (£44k)
- Development of Organisational Effectiveness Programme (£85k)
- Review of Leisure and Culture Services (£50k)
- Review of services that the Council should strategically procure or 'share' (£25k)
- LCMS4 Sports SLA's and grants (£10k)

[Note: These changes will result in a total growth figure of £8.277m]

(2) Savings

At the end of recommendation (ii)(e), add the words 'subject to the following additional items:

- Reduction in the available budget to remunerate Executive and Shadow Executive Members by 2 in each group to better align the structure with Council Directorate (£44k)
- CSHS2 – reduce the provision of bus tokens to £20 per eligible claimant (£51k)

[Note: These changes will result in a total savings figure of £6.293m]

(3) Reserves

In recommendation (ii)(f), replace the figure '£1.823m' with '£1.992m'

(4) Contingency Fund

At the end of recommendation (i)(b) (page 2 Council Summons) add the words 'subject to the removal from 2008/09 of the following item:

- CX new Members SRA Allowances (£44k)

(5) Capital Programme

At the end of the recommendation on the Capital Programme Budget, add the following:

'(h) Carbon management expenditure can only take place through the EMAP / Executive process'."

Members were then invited to vote for one or other of the above two amendments. The results were as follows:-

Amendment A – 20 in favour

Amendment B – 26 in favour.

Amendment A, as moved by Cllr Scott, was therefore declared LOST and Amendment B, as moved by Cllr Gillies, was declared CARRIED.

Council then moved into **private session** to debate that part of the original Labour Group amendment that related to the Capital Programme Budget. That part of the amendment was then put to the vote, with the following result:-

For – 20

Against – 20

The Lord Mayor then used her casting vote to vote against the amendments, which was then declared LOST. Council then moved back into **public session**.

The Executive recommendations, as altered and amended, were then put to the vote, with the following result:-

For – 20

Against – 20

The Lord Mayor then used her casting vote to vote for the recommendations, which were therefore declared CARRIED and it was

RESOLVED: That the recommendations of the Executive in relation to the Revenue Budget 2008/09 and the Capital Programme Budget 2008/09 to 2010/11, as altered and amended, be approved, as follows:

Revenue Budget 2008/09

(i) That the following amendments to the budget proposals be agreed:

- a) A reduction of the proposed Council Tax increase from 4.95% to 4.75% and consequent amendment of the income figure used (Annex 1).
- b) An addition to potential calls on contingency of a possible increase in expenditure on Scrutiny activities (Annex 2), subject to the removal from 2008/09 of the following item:
 - CX new Members SRA Allowances (£44k)
- c) **Acceptance** of the following savings and growth options for consultation listed in Annex 5:

Savings:

- Corpnew2 – remove contingency for capital programme running costs (£350k)
- CSMS2 – increase Standard Stay Car Parking Charges by 20p for visitors (£250k)
- HSHS12 – reduction in mediation service (£35k)
- NSNS4 – reduce gum busting carried out, by targeting priority areas (£17k)
- LCHS – Archive one day closure (£16k)
- NSLS4 – increase entry charge to Union Terrace Toilets from 20p to 30p (£10k)
- LCMDS5 – closure of Burton Stone Lane Flexible Learning Centre (£4k)
- LCMDS6 – School Swimming Support: cease support of the service (£2k)

Growth:

- CSIG16 – inflationary increase to Voluntary Sector grants (£20k)
- Corpnew2 – continuation of funding for Christmas lights display

(no increase in expenditure from current year) (£30k)

- NSIG5 – improve recycling levels (£30k)
- HSIG1 – phased increase in residential and nursing fees (£50k)
- NSIG2 – end of LPSA funding available for Out of Hours Noise Service (£50k)
- NSNG7 – pilot the extension of recycling to terraced properties (£80k)
- CSYG2 – end of Prudential Borrowing, Highways & Street Ops (£294k)

d) **Rejection** of the remaining savings and growth options for consultation listed in Annex 5.

(ii) That, consequential upon the above amendments, the proposals set out in the report, be approved namely:

- a) The net revenue expenditure requirement for 2008/09 of £112.294m, as set out in Table 1 (paragraph 17);
- b) The housing revenue account proposals outlined in Annex 12;
- c) The dedicated schools grant proposals outlined from paragraph 80 onwards;
- d) The revenue growth proposals for 2008/09 outlined in Annex 3, totalling £8.013m, subject to the following additional items:
 - Commissioning of review on Commercial Property Portfolio (£50k)
 - Commissioning of review relating to subsidised and community transport (£44k)
 - Development of Organisational Effectiveness Programme (£85k)
 - Review of Leisure and Culture Services (£50k)
 - Review of services that the Council should strategically procure or 'share' (£25k)
 - LCMS4 Sports SLAs and grants (£10k)
- e) The revenue savings proposals for 2008/09 outlined in Annexes 1 and 4, totalling £6.198m, subject to the

following additional items:

- Reduction in the available budget to remunerate Executive and Shadow Executive Members by 2 in each group to better align the structure with Council Directorates (£44k)
 - CSHS2 – reduce the provision of bus tokens to £20 per eligible claimant (£51k)
- f) The use in 2008/09 of £1.992m of revenue reserves, as outlined in paragraph 49;
- g) The adoption of a risk based calculation to inform the Director of Resources' opinion on the appropriate minimum level of general reserves, as described in paragraph 51;
- h) The fees and charges proposals in Annex 8.

(iii) That the total Council Tax increase, including the Parish, Police and Fire Authority precepts be agreed at the Council meeting, on the basis of a 4.75% increase in the City of York element of the Council Tax.

(iv) That the increase for council dwelling rents by an average of 5.25%, in line with government guidance on rent restructuring, be agreed, as set out in Annex 13.

Capital Programme Budget 2008/09 - 2010/11

That the three-year capital programme proposals as summarised in the report, be agreed, in particular:

- a) The asset sales shown in exempt Annex A;
- b) The use of £500k of prudential borrowing in 2010/11, as outlined in paragraph 21;
- c) The inclusion in the capital programme of all fully funded schemes as detailed in Annex B and discussed in paragraph 23;
- d) The inclusion in the capital programme of the bids recommended in paragraphs 25, 28 and 30;
- e) The advance of £255k of prudential borrowing to York Museums Trust for the refurbishment of the Hospitium in the Museum Gardens, as outlined in paragraphs 33 to 37;
- f) The additional £300k funding proposed for York High School, as outlined in paragraphs 38 and 39;
- g) The full programme, as summarised in Annex D.

- h) Carbon management expenditure can only take place through the EMAP / Executive process.

TREASURY MANAGEMENT STRATEGY STATEMENT AND PRUDENTIAL INDICATORS

76. Cllr Steve Galloway moved, and Cllr Jamieson-Ball seconded, the recommendations of the Executive in respect of the Integrated Treasury Management Strategy Statement and Prudential Indicators for 2008/09 to 2011/12.

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

RESOLVED: That the recommendations of the Executive in respect of the Treasury Management Strategy Statement and Prudential Indicators for 2008/09 to 2010/00 be approved, as follows:

- a) The Prudential Indicators for 2008/09 to 2010/11, as set out in Annex A to the Executive report;
- b) The proposed Treasury Management Strategy for 2008/09 to 2010/11, as detailed in paragraphs 12 to 40 of the report;
- c) The revised Treasury Management Policy and Treasury Management Practices, as contained in Annexes D and E.

Adjournment

The Lord Mayor announced that, due to technical difficulties with the setting of the Police and Fire Authority precepts, it would not be possible to proceed with item 7 on the Agenda, the Council Tax Resolution 2008/09, at this stage.

Cllr Steve Galloway then moved, and Cllr Jamieson-Ball seconded, that the meeting be adjourned and re-convened at 1:30 pm on Tuesday, 26 February 2008, to consider the Council Tax Resolution.

Council having agreed the above motion, it was

RESOLVED: That the meeting be adjourned, and reconvened at 1:30 pm on Tuesday, 26 February, in order to consider the Council Tax Resolution.

The meeting was adjourned at 1:00 am on Friday, 22 February 2008 and re-convened at 1:30 pm on Tuesday, 26 February 2008.

COUNCIL TAX RESOLUTION 2008/09

77. Councillor Steve Galloway moved, and Councillor Jamieson-Ball seconded, the Council Tax Resolution for 2008/2009, as set out in the revised report that had been included in the agenda published on the Council's website and circulated around the Council Chamber.

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

RESOLVED: That the Council Tax Resolution for 2008/2009, as set out in the revised report, be approved, as follows:

1. COUNCIL TAX BASE

That it be noted that the Director of Resources, under his delegated authority, calculated the following amounts for the year 2008/09 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:

(a) Whole of the Council's Area

66,007.99 being the amount calculated in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 and the Local Government Act 2003, as its Council Tax Base for the year.

(b) Parts of the Council's Area

the amounts mentioned in Column 1 of Schedule A to this Resolution, being the amounts calculated in accordance with Regulation 6 of the Regulations and the Local Government Act 2003, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate.

2. DISTRICT/PARISH COUNCIL TAX RATES

That the following amounts be now calculated by the Council for the year 2008/09 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

(a) District/Parish Gross Expenditure

£340,939,922.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act.

(b) Income

£229,907,510.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.

(c) District/Parish Net Expenditure

£111,032,412.00 being the amount by which the aggregate at 11(a) above exceeds the aggregate at 11(b) above, calculated by

the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.

(d) **Government Grants and Collection Fund Surpluses**

£42,565,992 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates and revenue support grant, increased by the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Regulation 4(7) of the Local Government Changes for England (Collection Fund Surpluses and Deficits) Regulations 1995 and increased by the amount of any sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Local Government Changes for England)(Community Charges) Directions under Section 98(4) of the Local Government Finance Act 1988 made on 22 November, 1995.

(e) **Basic Amount of Tax (including average parish precepts)**

£1,037.2444 being the amount at 11(c) above less the amount at 11(d) above, all divided by the amount at 10(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

(f) **Parish Precepts and Special Expenses**

£561,352.00 being the aggregate amount of all special items referred to in Section 34(1) of the Act.

(g) **Basic Amount of Tax (Unparished Area)**

£1,028.74 being the amount at 11(e) above less the result given by dividing the amount at 11(f) above by the amount at 10(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 special item relates.

(h) **Basic Amount of Tax (Parished Areas and Special Expenses Areas)**

the amounts mentioned in Column 2 of Schedule A to this Resolution, being the amounts given by adding to the amount at 11(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned divided in each case by the amount at 10(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(i) **District/Parish Council Tax Rates**

the amounts mentioned in Columns 3 A to H of Schedule A to this Resolution, being the amounts given by multiplying the amounts at 11(g) and 11(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the

Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

3. NORTH YORKSHIRE POLICE AUTHORITY TAX RATES

That it be noted that for the year 2008/09 the North Yorkshire Police Authority has stated the following amounts in precept issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
128.91	150.40	171.88	193.37	236.34	279.31	322.28	386.74

4. NORTH YORKSHIRE FIRE AND RESCUE AUTHORITY TAX RATES

That it be noted that for the year 2008/09 the North Yorkshire Fire and Rescue Authority has stated the following amounts in precept issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
39.04	45.55	52.05	58.56	71.57	84.59	97.60	117.12

5. TOTAL COUNCIL TAX RATES

That, having calculated the aggregate in each case of the amounts at 11(i), 12 and 13 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts mentioned in Schedule B to this Resolution as the amounts of Council Tax for the year 2008/09 for each of the categories of dwellings shown therein.

Cllr Irene Waudby
LORD MAYOR OF YORK

*[The meeting started at 6.30 pm and adjourned at 1.00 am on 22nd February;
reconvened at 1.30 pm and concluded at 1.35 pm on 26th February]*

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City of York Council

Committee Minutes

MEETING

EXECUTIVE

DATE

26 FEBRUARY 2008

PRESENT

COUNCILLORS STEVE GALLOWAY (CHAIR),
ASPDEN, SUE GALLOWAY, JAMIESON-BALL,
REID, RUNCIMAN, SUNDERLAND, VASSIE AND
WALLER

PART B - MATTERS REFERRED TO COUNCIL**174. BUSINESSES IN CITY CENTRE PERIPHERAL STREETS**

Members considered a report which provided information in relation to a motion referred to the Executive by full Council on 4 October 2007 and made recommendations for the Council to adopt in response to the motion.

The motion, set out in paragraph 2 of the report, expressed concern that some of the peripheral streets in York were not benefiting from the prosperity of the 'inner core' of the City Centre and sought the development of an Action Plan to address this issue. The report highlighted a number of Council initiatives that were already under way to support the contribution of the peripheral streets to the City's economy. These included: work arising from the recommendations of the scrutiny review carried out in 2004; the York City Centre Partnership, launched in 2005; an action plan for the evening economy (arising from a report considered by the Executive on 24 July 2007); and development of the City Centre Area Action Plan (AAP) as part of the Local Development Framework.

Pending adoption of the AAP, which would take account of issues affecting the peripheral streets, the Executive was recommended to endorse a series of proposed actions, detailed in paragraph 6 of the report, to enhance the economic vitality and viability of these streets.

In respect of the comments of the Shadow Executive and the points raised by Cllr Fraser on this item (Minute 167 refers), Members noted that any improvements would have to be funded from existing resources. However, there were opportunities to access resources via the AAP and the suggestion for stimulating footfall in Micklegate via the Park and Ride buses would be examined further.

RECOMMENDED: That Council re-consider the motion on businesses in the City Centre peripheral streets that was referred to the Executive on 4 October 2007, together with this report, and agree the following actions (including the actions detailed in paragraph 6 of the report) as their response to the motion:¹

- a) Working with retailers, traders and other businesses on the peripheral streets to offer advice and encouragement.
- b) Working with Visit York to examine the scope for further publications to attract additional visitors to the peripheral streets.
- c) Examining the scope for extending the range of festivals and market events beyond the main City Centre area.
- d) Developing further initiatives to promote the evening economy, taking account of the role of peripheral streets.
- e) Maintaining progress with developing the City Centre Area Action Plan and ensuring that this is focused on supporting the gateways and fringe streets.
- f) Considering the extent of the footstreets review initiative, through consultation during this review.
- g) Carrying out further work to examine the scope for bringing empty property in peripheral streets back into use.
- h) Officers to examine how action might be taken to stimulate footfall in Micklegate by the use of advertising and / or automated announcements on the Park and Ride buses, both in the short term and in the long term once the new bus fleet comes into use.

REASON: In accordance with the procedures set out in Standing Orders and to help shape the effectiveness of future action.

S F Galloway, Chair
[The meeting started at 2.00 pm and finished at 2.50 pm].



Executive26th February 2008

Report of the Director of City Strategy

BUSINESSES IN CITY CENTRE PERIPHERAL STREETS**Summary**

1. The report seeks to inform the Executive on a motion considered at full Council in October 2007 regarding businesses in City Centre peripheral streets and makes recommendations for the Council, working in partnership with others, to adopt in response to the report.

Background

2. At the Council meeting held in October 2007, it was resolved to refer a motion to the Executive for consideration with an officer report under Standing Order 11(a)(ii)(b). The original motion stated that: "the Council is concerned that whilst businesses in the inner core of the City Centre are thriving, some of the City Centre peripheral streets such as Goodramgate, Micklegate and to a lesser extent Fossgate, were not perceived as benefiting from this prosperity and are, in some cases, taking on a somewhat "run down" look. Further, Council notes that a review of the Council's footstreets scheme is currently under way and determines that regard should be had to this issue, in the conduct of that review. Finally, Council resolves to allocate adequate resources, including Officer time, to research this problem, and to develop an Action Plan, to include an economic regeneration strategy, to address this issue and to encourage a culture of vibrancy and prosperity, in these streets."

Consultation

3. No specific consultation has been undertaken in relation to this issue. The proposed closure of the Micklegate Post Office has generated considerable public comment and this matter was considered by the Executive at its meeting held on 16th January. Further consultation will need to follow on from consideration of this report by the Executive.

Options

4. The options for Members are to consider the actions set out below in response to the issue raised.

Analysis

5. The issue of difficulties faced by some retailers on streets peripheral to the City Centre is not a new one, and not one that is easily solved. Peripheral streets on either side of the river can find trading levels difficult, particularly the independents

who do not have the draw of a destination shop at one or both ends of their street to create good pedestrian flows nor the assistance of media marketing campaigns associated with the larger chain stores in the City Centre. However, it should be recognized that there are some particular “destination shops” in the peripheral streets for whom customers are rarely passing trade and attract buyers from the City and far beyond by their reputation. It is clear that different streets in the City Centre fulfill different functions, and this is reflected in values and rentals. The streets referred to in the motion to Council are generally recognized as secondary retail locations, often with an emphasis on A3, A4 and A5 uses (namely Restaurants and cafes, drinking establishments, and hot food takeaways). These uses form an important element of York’s evening economy.

The current position

York Trading conditions in retailing are anecdotally becoming more difficult (although this has yet to show in the latest results for the city centre Business Survey which covers the second quarter) and particularly for smaller traders. There are suggestions that this has been the case since Easter of this year – with the poor summer weather there was no summer boost to trading. The increases in interest rates and energy have played a key role in raising household costs and both spending and confidence have suffered. Many City Centre businesses have reported however good trading over the Christmas period. In property terms tenants large and small are nervous and there is strong resistance to rent rises and possibly fewer rent reviews too. There used to be considerable concern over boarded up shops, while we are not at that stage (probably five or so years ago) the market is not buoyant – but depressed by poor consumer sales and confidence. There remains continued investment in the City Centre through the relocation of new businesses and refurbishments. Goodramgate appears to have suffered more closures while Micklegate has more refurbished units ready to let. Again, it needs to be recognised that different streets have different characters depending on the mix of retail and services, and this impacts on pedestrian traffic, both during the day and in the evening. In the case of Micklegate, there are concerns that the proposed closure of the Post Office will have a further detrimental effect on footfall.

Council initiatives

In 2004, the Council carried out a scrutiny review into retailing involving a number of meetings with retailers. This recognised the importance, value and contribution made by the peripheral streets whilst recognising that these streets needed support. Much work has been done, and continues to be done, to enhance the profile of York as a destination for high quality and unique shopping, especially with the City’s independent small shops, in response to the recommendations set out in the scrutiny review..

The York City Centre Partnership (YCCP) was launched in October 2005 and is a public/private partnership company limited by guarantee. The company has been supported by Yorkshire Forward, the City of York Council, York Business Pride, Land Securities, Marks and Spencer and other companies. Its aims is to enhance the economic vitality and viability of the City Centre for the benefit of all who live, work, invest in or visit the Centre. A primary objective of the company has been to consult and research the establishment of a Business Improvement District in the City Centre of York. A BID is a partnership arrangement through which the local

authority and the local business community agree to take forward practical schemes to benefit that business community; these are funded through a compulsory levy linked to the level of business rates by those who operate commercially within the predetermined boundaries of the BID's effective area. A report was presented to the Executive in December 2007, highlighting its achievements within its action plan – these are appended to this report.

Additional marketing and promotional work – York Tourism Bureau has produced a Shopping Trails leaflet which guides the user through many of the City's peripheral streets concentrating on five themes: "designer wear", including Micklegate; "designer living and antiques", including Micklegate, Fossgate and Goodramgate; "something special" including Micklegate; and two "pampering trails, mainly featuring the Minster Quarter and City Centre. Considerable efforts have been made through the City of Festivals and specialist market activity to bring additional visitors into the City Centre. In addition, the Illuminating York event has specifically based activity in Micklegate in 2006 and Gillygate in 2007 to present work from students of the creative arts of York St. Johns University.

Evening economy - it has been referred to above that the City Centre peripheral streets play an important role in relation to the evening economy. A report highlighting the importance of developing the evening economy was considered by Executive on 24th July. This agreed a vision for York's evening economy and a more detailed action plan is being produced.

The Minster Quarter – the Council has supported an initiative driven by independent retailers to promote key streets in the City Centre, namely: Stonegate, High and Low Petergate, Gillygate, Goodramgate, Grape Lane, Little Stonegate, Swinegate, Minster Gates, College Street and Duncombe Place. The objectives of this initiative are to promote these streets nationwide as a unique destination for diverse shopping and leisure; to emphasise the independent and small chain character of these streets; to increase the number of shoppers on these streets rather than sightseers; to increase the viability of independent and small chain business; and to act as a lobbying voice. Whilst it is still early days, the initiative is looking to raise the profile of the area under the banner of the Minster Quarter.

City Centre Area Action Plan – the City Development team in City Strategy are leading on the City Centre Area Action Plan (AAP) which forms part of the Local Development Framework. Once adopted, the AAP will form the planning policy and spatial framework for the development of the City Centre and develop a series of principles to guide and control developments and to resist schemes that conflict with the overall vision for the City Centre. It will consider issues including the public realm, retailing, culture and tourism, the evening economy, community facilities, heritage and transport. The issue of the peripheral streets in the City Centre will be addressed by identifying site-specific and area-based proposals to stimulate enhancement in areas where it is most needed. The City Centre AAP "Issues and Options" consultation, which is timetabled for May 2008, includes a proposal to identify gateway and fringe streets as potential areas for action. This will allow the Council to establish overarching planning policies for these areas as well as providing the framework for actions to tackle issues such as the urban environment, street furniture, etc. The protection of retail uses in the peripheral streets will be an important aspect of the planning policies set within the Local Development Framework and the City Centre AAP. As part of the evidence base for the Local Development Framework, a Retail Study is currently being produced for the

Council. This will review the performance of the City Centre as a retail destination and make recommendations on the best approaches for enhancing the economic vitality and viability of the City Centre. The AAP will consider how these recommendations can be put into effect.

The AAP will also address the issue of pedestrian flows through and around the City Centre and will consider how best to encourage visitors and residents alike to explore the peripheral city centre areas and gateway streets. A brief has recently been issued to consultants to undertake a review of the Footstreets pedestrian priority zone. The review mainly concentrates on the operation of the zone but will also take into account other issues such as the potential to expand the zone into peripheral streets, signage within, to and from the zone. It will look at the function of the City centre and whether its layout is still appropriate for the multitude of uses to which it is put. It will also assess the impact the introduction of the zone has had on city centre businesses and will look at current servicing arrangements and whether these can be improved. The review should take somewhere in the order of six months to undertake given the large number of stakeholders who will need to take part in the various consultation exercises. This review will form part of the evidence for the City Centre AAP.

6. In summary therefore a significant amount of action has already taken place by the Council with regard to the City Centre peripheral streets and the City Centre AAP will provide the framework, supported by the statutory planning process, for further implementation in the future. There is however no reason just to wait until the City Centre AAP before seeking to take further action to encourage footfall, buyers and sales on the peripheral streets in the City Centre. Proposed measures include:
 1. Working with retailers, traders and other businesses on the peripheral streets to offer advice and encouragement to initiatives such as increased marketing activity to increase sales, emphasising the quality and range of goods for sale in some of the City's historic streets. A strong marketing identity could be developed, learning from the experience of the Minster Quarter;
 2. Working with Visit York to examine the scope for further publications to attract additional visitors to the peripheral streets around the City Centre on a themed approach;
 3. Examining the scope for developing further City Centre festivals and speciality market events to extend their range beyond the main City Centre core, building upon the success of Illuminating York in doing so;
 4. Developing further initiatives to promote the evening economy, taking account of the role many peripheral streets play in contributing to this growing activity – in so doing, extending the attractiveness of the evening economy in the City Centre for a wider audience of residents and visitors.
 5. Maintaining progress with the development of the City Centre Area Action Plan and ensuring that this is focussed on implementation to support the gateways and fringe streets in the City Centre, particularly regarding issues such as planning policies, pedestrian movement, quality of the environment, and street furniture.
 6. Footstreets review – to consider the extent of this initiative and the implications for businesses in peripheral streets through the consultation to be undertaken during the review.
 7. Further work to examine empty property within the peripheral streets and the scope and opportunity to bring such property back into use.

7. It is recommended that the Executive endorses the initial set of actions highlighted above in order to work with businesses to enhance the economic vitality and viability of the City Centre peripheral streets.

Corporate Priorities

8. The Council's corporate strategy identifies a number of priorities relevant to the issues considered within this report:
 - Increase people's skills and knowledge to improve future employment prospects.
 - Improve the prosperity of residents with a focus on minimising income differentials.
 - Improve the life chances of the most disadvantaged and disaffected children, young people and families in the city.
 - Improve the way the Council and its partners work together to deliver better services for the people who live in York.

Implications

9. Financial: There are no direct financial implication arising from the recommendations set out in this report. Additional staff resources have been allocated to the City Development team which will support the development of the City Centre AAP. The proposed actions related to working with businesses on the peripheral streets and liaison with Visit York will be undertaken by existing staff within the Economic Development Unit. Any further actions to support the City Centre peripheral streets will need to be the subject of any future reports to the Executive or EMAP.
10. Human resources: None
11. Equalities: None
12. Legal: None
13. Crime and Disorder: None
14. Information Technology: None
15. Property: None

Risk Management

16. In compliance with the council's risk management strategy. There are no risks associated with the recommendations of this report.

Recommendation

17. The Executive is requested to agree the actions set out in paragraph 6 above as the response to the motion on businesses in the City Centre peripheral streets as considered by Council in October 2007, and that this report and recommendations are referred back to Council.

Reason: To help shape the effectiveness of future action.

Contact Details

Author:

Roger Ranson
Assistant Director Economic
Development & Partnerships
Phone No: 01904 551614

Chief Officer Responsible for the report:

Bill Woolley
Director of City Strategy

Report Approved Date

Specialist Implications Officer(s)

Financial – Patrick Looker
Others – Report Author

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Annex: York City Centre Partnership Limited, summary of activities to November 2007.

York City Centre Partnership (YCCP) Limited
Activities Summary to November 2007

YCCP Ltd

- Company established: July 2005
- Appointment of Chief Executive: October 2005
- Agreement with CYC over financial arrangements including administration and audit of YF grant: December 2006
- Business Workshop held: February 2006. Approximately 60 delegates from city centre businesses and public sector attended to determine priority actions.
- Two-year Action Plan: launched April 2006
- First AGM held: December 2006
- Memorandum of Understanding between YCCP and CYC signed: February 2007.
- Board expanded to include additional private sector representatives: summer 2007
- Second AGM held: November 2007

Database

Establishment of database of approximately 1,400 city centre businesses with full contact details including email where applicable. Regularly updated: 2006/07

New classification system planned for January 2008.

Communication, Management and Monitoring

- YCCP established as a core member or consultee of numerous other groups in the City; e.g. First Stop York Tourism Partnership (Product Development), Safer York Partnership, Nightsafe/Licensing group, York At Large, Chamber of Commerce, York Tourism Bureau, Evening Economy Forum, York Business Pride, Shopmobility.
- First footfall counting camera installed on Coney Street: October 2007.

Information on kpi's e.g. car park usage, park & ride usage etc. distributed through Retailers Strategy Group and YCCP Newsletter.
- Benchmarking information on footfall (through Springboard) from 50 key locations in the UK, now available and distributed through Retailer's Forum and future YCCP newsletters: July 2007.
- Regular meetings and information sharing with Key Council departments e.g. Economic Development, City Strategy, Neighbourhood Services.

- Key consultee for City Centre Area Action Plan. North West Area Action Plan (inc York Central) and Local Development Framework.

City Centre Environment

- Chair of “York in Bloom” independent committee and sponsorship of 13 new flower tubs around the City Centre area: 2006/07.

New entry into “Yorkshire in Bloom” regional competition: July 2007 (a year ahead of target).

Won Silver Gilt award: September 2007.

- Trustee of Shopmobility scheme: January 2006.

Regular bi-monthly meetings to improve equipment stock, raise awareness of scheme and fundraising.

- Ongoing work with Council Planning department to enable better signage to be located in the City Centre has resulted in new-look temporary signage for Food and Drink Festival: September 2007
- Work with Council’s Economic Development department and City Centre Office on issues over Newgate Market: 2006/07

Transport & Access

- Input into discussions on transport and access issues, including car parking, methods of payment (strong support for pay on exit), incentive pricing through Retailer’s Forum and Retailer Strategy Group.
- Best Practice seminar and visit to York’s Park & Ride scheme requested by Lincoln CCP and Council: May 2007.
- Consultation with retailers on Boxing Day opening for Park & Ride sites: October 2007. No “critical mass” of open stores/attractions, so Park & Ride will not open this year.
- Promotion of “Pay-by-phone” scheme by distributing 5,000 leaflets and 500 posters to members of Retailer’s Forum, plus media coverage in The Press and Radio York: October/November 2007.

Safety & Security

- Chair of RACY scheme (250 members): February 2006.

Safer Business Award: 2006.

New Service Level Agreement signed with Police: September 2007.

Monthly meetings and ongoing work to ensure that change in police procedure, CCTV control room do not adversely affect RACY. RACY core founder member of the National Information Sharing Alliance launched: June 2007.

Relaunch of scheme in Acomb: September 2007

- Evacuation Plan for City Centre in course of development through City Centre Operations Manager.
- Member of the Begging & Anti-social behaviour group with Safer York Partnership and Police: 2006/07.

Additional "Begging Boxes" installed in the City Centre to encourage people to give to charity rather than directly to beggars on the street: January 2007.

Targeted action by Police on begging: October 2007.

- Member of new Cycle Theft group with Safer York Partnership and Police to discourage cycle theft in city centre: June 2007.

Major cycle awareness event planned for summer 2008.

- Participation in the "Best Bar None" scheme launched in the city with sponsorship of the "Best City Centre Venue" award – presented at the National Railway Museum with over 200 attendees: November 2006 & November 2007.

Marketing/Promotion/Events

- Events strategy review published : 2006.

Emphasis on higher quality events and recommendation that revenue generated can be ploughed back into quality infrastructure

- YCCP magazine "Outlook" published quarterly (2000 circulation) to inform businesses/organisations of YCCP work, city statistics and information of interest. 10,000 distributed to date. First issue: January 2006.
- YCCP website launched: April 2006.

Regularly updated. Links to other relevant websites.

- 20,000 bespoke leaflets produced and distributed in support of Gardening Markets and open air Art Exhibitions: 2006 and 2007.
- Publication of first "Day Out/Night Out" brochures to promote city centre offer to regional audience.

Sponsorship from Northern Rail for distribution in 22 stations. 70,000 produced: June 2007.

Considerable interest from advertisers in future edition.

- Establishment of “Minster Quarter” steering group with retailers/hoteliers to create marketing campaign to promote the area for retailing: April 2007
- Overall contribution to the Christmas “Yuletide York” marketing campaign: 2006/07. Sponsorship of the St Helen’s Christmas Tree: November 2006.

£10,000 contributed to Christmas lights in City Centre: November 2007.

Assistance given to St Leonard’s Hospice for Christmas tree: November 2007.

- First Christmas Window Dressing competition for retailers in association with The Press and Retailer’s Forum.: October 2007.

70 entries now received. 2,000 promotional leaflets produced.

Prizes with an approximate value of £2,000 donated by retailers.

Heritage/Culture & Tourism

- Work with CYC on the Renaissance Lighting scheme, particularly introducing the “shop window” lighting schemes to traders in Micklegate (2006) and Gillygate for 2007.
- Ongoing liaison with York Tourism Bureau with presentation to the YTB Board in February 2007.

Sponsorship of the YTB award scheme event in 2006 for “Best City Event”.

Sponsorship continued: 2008.

Business Development/Innovation

- Establishment of Retailer’s Forum: 2006.

Now meeting regularly under chairmanship of Frank Wood (Braithwaites Jewellers). Currently reviewing seasonal opening hours, participation in the evening economy debate, pressing for “pay-on-exit” car parking. Difficult to overcome complacency/apathy in encouraging attendance, but last meeting in December 2007 attracted over 20 participants with a database of 80 retailers expressing an interest.

- Ongoing promotion of positive aspects of the City Centre with local media, including press and TV 2006/07.

Five media appearances in first three weeks of November 2007.

- Membership of York Business Pride group: 2006/07

Business Improvement Districts

- 2,000 copies of YorkBID newsletter and questionnaires produced: March 2007. Follow-up 2,000 copies of YorkBID newsletter produced: July 2007.

- Face-to-face meetings, presentations to numerous groups on BIDs plus media coverage: 2006/07
- Result of questionnaires and recommendations to Board: July 2007.
- Decision on BID vote: November 2007

ATCM

- Chief Executive appointed Board Director of national organisation: December 2004.
- First ever regional meeting (Yorkshire & North East) held in York. 26 delegates attending in Guildhall welcomed by Lord Mayor: April 2007.
- First ever entry by York in ATCM National Awards – two categories: November 2007.
Awards announced in February 2008.
- Chief Executive attends International Downtown Association World Conference in New York as speaker: September 2007

22nd November 2007

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MEETING	EXECUTIVE
DATE	29 JANUARY 2008
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), ASPDEN, SUE GALLOWAY, JAMIESON-BALL, REID, RUNCIMAN, SUNDERLAND, VASSIE AND WALLER

PART B - MATTERS REFERRED TO COUNCIL

153. AGE FRIENDLY CITIES

Members considered a report which examined the implications of a Notice of Motion to Council, submitted by Cllr Potter for initial consideration by the Executive, in accordance with the procedures set out in Standing Order 11(a)(i).

The Notice of Motion, set out in full in paragraph 2 of the report, invited Council to support the adoption in York of a set of key features in the recent World Health Organisation (WHO) guidance on building 'age-friendly' cities. The report outlined the contents and context of that guidance, which had been launched on 1 October 2007, to coincide with the International Day of Older Persons.

It was noted that the motion had been submitted on behalf of the Older People's Assembly, which represented a significant number of older people in York. It was further noted that the task of auditing York against the aims and objectives set out in the WHO guidance would be a major piece of work involving all Council departments. However, it should be expected that York was already meeting many of the standards laid down in the guidance. Members confirmed that this was the case and stressed the need for a corporate approach, to ensure that the needs of older people were not addressed in isolation from those of other sections of the community.

Having noted the comments of the Shadow Executive, it was

RECOMMENDED: (i) That the motion, and the accompanying report, be received at the next available meeting of Council, on 10 April 2008.¹

REASON: In accordance with the procedures set out in Standing Orders.

(ii) That Council refer the motion to the Social Inclusion Working Group and the Inclusive York Forum for their subsequent consideration, and action where appropriate.

REASON: To enable these groups to consider the guidance referred to in the motion and make any future recommendations.

S F Galloway, Chair
[The meeting started at 2.00 pm and finished at 2.35 pm].



Executive

29th January 2008

Report of the Director of Housing and Adult Social Services

Age friendly Cities

Summary

1. A notice of motion has been received from Councillor Ruth Potter (in her role as Older People's Champion) on behalf of the Older People's Assembly. Under standing orders, this requires an officer report to the Executive on the implications of the notice of motion.

Motion

2. The notice of motion states:

BUILDING AN AGE – FRIENDLY YORK

Bearing in mind that older people in York account for 19.4% (35,185) of the population compared with 13.6% nationally, the Older People's Assembly welcomes the recent World Health Organisation Guidance on building age-friendly cities. It invites the Council to support the adoption in York of the following key features in the Guidance in order to bring about significant improvements to the lives of older people locally:

1 A civic culture that respects and includes older people.

2 A Council that regularly seeks the views of older people and reflects their opinions in policy developments

3 Well - maintained and well - lit pavements.

4 Improved repair and renewal of uneven pavements, and visible enforcement of litter laws.

5 Increased attention to gully and drain cleansing and treatment of footpaths in icy weather.

6 Public buildings that are fully accessible to people with disabilities.

7 Improved bus travel with the use of smaller vehicles for routes off the main roads. Ensuring all bus drivers are more passenger focussed and wait for older people to be seated before starting off.

8 Housing integrated in the community that accommodates changing needs and abilities, as people grow older.

9 Friendly and personalised information in plain language instead of automated answering services.

10 Sufficient and well signed public toilets that are clean, secure and accessible by people with disabilities.

11 Sufficient public seating that is well situated, well maintained, and safe.

12 Encouraging commercial premises to make their toilets available to the general public.

Background

3. On 1st October 2007 the World Health Organisation (WHO) launched it's "Global Age-Friendly Cities Guide" to coincide with the International Day of Older Persons. The report was based on 2 main premises:

1st trend - The world is rapidly ageing:

- In 2006, the number of persons aged 60 and older was 650 million.
- In 2025, the number will be almost double: 1.2 billion people will be 60 and older.
- By 2050, there will be 2 billion people aged 60 and over in the world.

2nd trend - The world is a growing city:

- In 2007, over half of the global population lives in cities. By 2030 about three out of five people will live in cities.

4. The report recognises that older people play crucial roles in all societies - by volunteering work, transmitting experience and knowledge, helping their families with caring responsibilities or in paid work. These contributions can only be ensured if older persons enjoy good health and if societies address their needs.
5. The report runs to 82 pages and is international in it's scope. Altogether 35 cities in 22 countries from all continents participated in the study - Istanbul, London, Melbourne, Mexico City, Moscow, Nairobi, New-Delhi, New York, Rio de Janeiro, Shanghai and Tokyo are included along with other cities. It is intended as a guide to support the development of age-friendly cities.
6. Older people themselves were active participants in the project and they decided what an age-friendly city is. About 1500 older people described the advantages and disadvantages faced in eight areas of city living covering:
 - outdoor spaces and buildings,

- transportation,
- housing,
- social participation,
- respect and social inclusion,
- civic participation and employment,
- communication and information; and
- community support and health services

(Older people's concerns and ideas were complemented by some 750 caregivers and service providers.)

7. In the report each of these topics has a checklist which cities can use as a tool for self assessment and a map to chart progress against. An example is given at Annex A - on outdoor spaces and buildings.
8. WHO argue that every city, regardless of its current level of age-friendliness, can use the Guide to improve or monitor any aspect of urban life. It proposes ways to make a city more age-friendly - for example: having affordable transportation costs; providing special customer service arrangements, such as separate queues; holding public events at convenient times; having courteous and helpful service providers promoting and supporting job opportunities for older people; and providing clear information about health and social services.

Consultation

9. The motion has come on behalf of the Older People's Assembly who represent a significant number of older people in York. The WHO report was largely written from the viewpoints of older people involved in the survey.

Options

10. Under the council's constitution the Executive are requested to note the report and forward it with the motion to the next available Council meeting – in this case 10 April 2008.

Analysis

11. The WHO report that lies behind the motion is a lengthy document that covers a very diverse set of international settings. The 8 checklists set out a detailed list of aims and objectives. No work has been done as yet to audit York against these standards and this would be an extensive piece of work involving all departments of the council. However, it could be expected that York would already be meeting many of the standards.
12. The resource implications of meeting these standards or defining what they would mean in the context of York have not been assessed.

Corporate Strategy

13. The aims set out in the notice of motion referred to in paragraph 2 above could be said to support the following direction statements/priorities for improvement set out in the Council's Corporate Strategy 2007-2011:-

"The council will provide strong leadership for the city using partnerships to shape and deliver the Community strategy for the city" (Direction Statement);

"We will listen to communities and ensure that people have a greater say in deciding local priorities." (Direction Statement)

"We will promote cohesive and inclusive communities" (Direction Statement)

" Improve the health and lifestyles of the people who live in York " (Priority for Improvement)

"Improve the quality and availability of decent, affordable homes in the city" (Priority for Improvement)

14. **Implications**

- **Financial**

There are no financial implications to this report at this stage.

- **Human Resources (HR)**

There are no HR implications to this report at this stage.

- **Equalities**

Tackling age discrimination by removing the barriers that create it is one of the key equalities duties for local authorities .

- **Legal**

There are no legal implications to this report at this stage.

- **Crime and Disorder**

There are no crime and disorder implications to this report at this stage.

- **Information Technology (IT)**

There are no IT implications to this report at this stage.

- **Other**

There are no known other implications to this report at this stage

Risk Management

15. There are no risk management implications to this report at this stage.

Recommendation

16. That the Executive refer the motion with this accompanying report to the next available Council meeting – in this case 10 April 2008.

Contact Details

Author:

Bill Hodson
Director of Housing and Adult
Social Services

Chief Officer Responsible for the report:

Bill Hodson
Director of Housing and Adult Social
Services

Report Approved

Date 5th January
2008

Bill Hodson
Director of Housing and Adult Social
Services

Report Approved

Date

Specialist Implications Officer(s) *Equalities – Report Author*

Wards Affected:

All

For further information please contact the author of the report

Background Papers: Global Age-Friendly Cities - A Guide – World Health Organisation – October 2007
(www.who.int/ageing/publications/Global_age_friendly_cities_Gu.)

Annexes: A: Checklist of age-friendly outdoor spaces and buildings

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Age-friendly outdoor spaces and buildings checklist**Annex A****Environment**

- The city is clean, with enforced regulations limiting noise levels and unpleasant or harmful odours in public places.

Green spaces and walkways

- There are well-maintained and safe green spaces, with adequate shelter, toilet facilities and seating that can be easily accessed.
- Pedestrian-friendly walkways are free from obstructions, have a smooth surface, have public toilets and can be easily accessed.

Outdoor seating

- Outdoor seating is available, particularly in parks, transport stops and public spaces, and spaced at regular intervals; the seating is well-maintained and patrolled to ensure safe access by all.

Pavements

- Pavements are well-maintained, smooth, level, non-slip and wide enough to accommodate wheelchairs with low curbs that taper off to the road.
- Pavements are clear of any obstructions (e.g. street vendors, parked cars, trees, dog droppings, snow) and pedestrians have priority of use.

Roads

- Roads have adequate non-slip, regularly spaced pedestrian crossings ensuring that it is safe for pedestrians to cross the road.
- Roads have well-designed and appropriately placed physical structures, such as traffic islands, overpasses or underpasses, to assist pedestrians to cross busy roads.
- Pedestrian crossing lights allow sufficient time for older people to

cross the road and have visual and audio signals.

Traffic

- There is strict enforcement of traffic rules and regulations, with drivers giving way to pedestrians.

Cycle paths

- There are separate cycle paths for cyclists.

Safety

- Public safety in all open spaces and buildings is a priority and is promoted by, for example, measures to reduce the risk from natural disasters, good street lighting, police patrols, enforcement of by-laws, and support for community and personal safety initiatives.

Services

- Services are clustered, located in close proximity to where older people live and can be easily accessed (e.g. are located on the ground floor of buildings).
- There are special customer service arrangements for older people, such as separate queues or service counters for older people.

Buildings

- Buildings are accessible and have the following features:
 - elevators
 - ramps
 - adequate signage
 - railings on stairs
 - stairs that are not too high or steep
 - non-slip flooring
 - rest areas with comfortable chairs
 - sufficient numbers of public toilets.

Public toilets

- Public toilets are clean, well-maintained, easily accessible for people with varying abilities, well-signed and placed in convenient locations.

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City of York Council

Committee Minutes

MEETING	EXECUTIVE
DATE	26 FEBRUARY 2008
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), ASPDEN, SUE GALLOWAY, JAMIESON-BALL, REID, RUNCIMAN, SUNDERLAND, VASSIE AND WALLER

PART B - MATTERS REFERRED TO COUNCIL**173. NEIGHBOURHOOD MANAGEMENT REVIEW**

[See also under Part A minutes]

Members considered a report which considered the role of Neighbourhood Management within the Council, in response to the Local Government White Paper 'Strong and Prosperous Communities' and The Local Government and Public Involvement in Health (LGPIH) Act 2007, and made recommendations for the future delivery of neighbourhood management in York.

The report provided an update on progress against a number of issues raised in the 'Policy Prospectus' agreed by Group Leaders on 23 May 2007, against the background of the legislation and the current role and successes of the Neighbourhood Management Unit (NMU). It also took account of a notice of motion on Community Leadership and Neighbourhood Management, considered by the Executive on 15 January 2008 (Minute 138 of that meeting refers). The Executive had deferred referral of the motion to Council pending consideration of this review report.

RECOMMENDED: That Council consider the notice of motion on Community Leadership and Neighbourhood Management, together with the decisions of the Executive in respect of the recommendations in the report (*see under Part A minutes, Minute 170*).¹

REASON: In accordance with the procedures set out in Standing Orders.

S F Galloway, Chair

[The meeting started at 2.00 pm and finished at 2.50 pm].

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City of York Council

Committee Minutes

MEETING	EXECUTIVE
DATE	26 FEBRUARY 2008
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), ASPDEN, SUE GALLOWAY, JAMIESON-BALL, REID, RUNCIMAN, SUNDERLAND, VASSIE AND WALLER

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

170. NEIGHBOURHOOD MANAGEMENT REVIEW

[See also under Part B minutes]

Members considered a report which considered the role of Neighbourhood Management within the Council, in response to the Local Government White Paper 'Strong and Prosperous Communities' and The Local Government and Public Involvement in Health (LGPIH) Act 2007, and made recommendations for the future delivery of neighbourhood management in York.

The report provided an update on progress against a number of issues raised in the 'Policy Prospectus' agreed by Group Leaders on 23 May 2007, against the background of the legislation and the current role and successes of the Neighbourhood Management Unit (NMU). It also took account of a notice of motion on Community Leadership and Neighbourhood Management, considered by the Executive on 15 January 2008 (Minute 138 of that meeting refers). The Executive had deferred referral of the motion to Council pending consideration of this review report.

Members were invited to consider a number of changes to enhance the Council's approach to neighbourhood management and engagement and, in particular, options in respect of the following issues, as detailed in the report annexes:

Issue A - a refreshed model of Neighbourhood management (Annex 1):

Model 1 – a model developed around increasing the democratic platform of the Council and participation in the decision making process. This was the recommended option, as it would be simpler to achieve and would meet the government's agenda;

Model 2 – a model developed around increased localised services and neighbourhood management.

Issue B – option for devolution of ward committees and area forums (Annex 1):

Option 1 – continue with the current arrangements for devolution via ward committees – this would be the option taken should Model 1 above be followed;

Option 2 – transfer support from ward committees to area forums. This could result in less public engagement but would give NMU officers more capacity to target hard to reach groups and support elected Members.

Issue F – narrowing the gap of deprivation (Annex 5):

Option 1 – continue with the current of budget allocation;

Option 2 – apply a budget matrix alongside a baseline allocation of funding, thereby accounting for deprivation, and publish a Social Inclusion Strategy;

Option 3 – ask the NMU to work with the Economic Development Unit on other options for tackling deprivation in ward based communities.

Issue I – the role of parish councils (Annex 8):

Option 1 – continue the existing arrangements with parish councils (PCs);

Option 2 – review the working relationships with PCs to achieve better co-ordination at a neighbourhood level;

Option 3 – instigate a formal review of parish arrangements in the City, under the provisions of the LGPIH Act 2007;

Option 4 – investigate devolution to PCs, including passporting the ward committee local improvement schemes budget.

With regard to the government's 'Councillor Calls for Action' (CCfA) proposals (Issue H), Members expressed the hope that the CCfA process would be used only rarely, as most issues could be dealt with more appropriately through existing channels.

Having noted the comments of the Shadow Executive, it was

RESOLVED: (i) That the content of the report, and in particular the potential opportunities available to strengthen neighbourhood delivery and communications, consultation and involvement of local people in local decisions, be welcomed.

(ii) That, in respect of **Issue A**, a refreshed model of neighbourhood management broadly in line with **Model 1** – increased democracy and participation – be approved, as exemplified in Annex 1 to the report.

(iii) That, in respect of **Issue B, Option 1** - the continuation of a devolution model around delivery via ward committees, as existing, be approved, to support and facilitate engagement at a local level.

(iv) That the development of Neighbourhood Action Plans (NAPs) be approved as a vehicle for delivering the adopted neighbourhood model and tying together the strategic vision of the City and the local vision (**Issue C, Annex 2**).

(v) That the production of a citywide Consultation and Engagement Strategy be approved to support the refreshed neighbourhood model and consistent consultation across the Council (**Issue D, Annex 3**).

(vi) That the successful delivery of ward committee local improvement schemes in York, via a participatory budgeting process be noted and that it be recognised that the continuation of this approach will assist the local authority as it continues to inform, consult and involve the local public in local decisions **(Issue E, Annex 4)**.

(vii) That, in respect of **Issue F, Option 3** be approved and the Neighbourhood Management Unit (NMU) be requested to work with the Economic Development Unit on options for tackling deprivation in ward based communities.

(viii) That it be noted that it may not be possible to provide additional support for building based community facilities from existing resources within the NMU, but it is anticipated that the demand for additional devolution of this sort will be limited in York **(Issue G, Annex 6)**.

(ix) That it be noted that the Councillor Call for Action (CcfA) will be implemented from April 2008 **(Issue H, Annex 7)**

(x) That, in respect of **Issue I**, a review of working arrangements, with those parish councils that request it be approved, in line with **Option 2** detailed in Annex 8 to the report, provided that any revised processes are cost neutral.

(xi) That Officers be advised that additional resources are unlikely to be available to the NMU, but that any restructuring proposals considered to be essential can be the subject of a further report to the Executive at a later date.

(xii) That the notice of motion referred to in paragraph 2 be referred to Council together with the decisions of the Executive on this report.

REASON: To respond to the issues raised within the Members' Policy Prospectus on 23 May 2007 and the notice of motion to Council and to provide guidance on options for the future delivery of Neighbourhood Management.

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- 1 There have been 5 meetings of the Executive since the last ordinary meeting of the Council.
- 2 The final two review reports requested as part of the protocol arrangements for the management of
- 3 the Council during the present financial year have been received.
- 4 The first concerned the **Safe City** agenda. Executive members were pleased to note the
- 5 considerable reduction in crime levels achieved over the last year. The year to date figures for
- 6 individual crimes are as follows

House burglary	-7%
Other burglary	-12%
All violence	-3%
Common assault	+3%
Wounding	-20%
Personal robbery	-7%
Other robbery	-46%
Theft of vehicle	-21%
Theft from vehicle	-27%
Vehicle interference	-42%
Criminal damage	-12%
Theft of pedal cycle	-14%
<u>Total crime reduction</u>	<u>-9%¹</u>

- 7 The transformation in the performance of the Police and the Safer York Partnership in making York
- 8 a Safer City in which to live and work has been marked over the last few years.
- 9 The Executive agreed that our target must be to have the safest City in the country, judged by both
- 10 crime statistics and public perceptions, and that this would mean the vigorous implementation of
- 11 new initiatives like the Capable Guardian scheme and the introduction of effective measures to
- 12 deal with issues such as speeding traffic.

¹ The change in levels of reported crime in York from 1st April 2007 to 12th March 2008, compared to the same period last year:

13 The provision of mobile speed check equipment will have the support of the Executive. Within that
14 context it is important that the proposed use of the Annual Road Safety Grant is agreed by the
15 Council and the local Police Commander.

16 The Executive thanked the local Police Commander and the officers of the Safer York Partnership
17 for the progress made in addressing community safety issues during the last year, requested the
18 North Yorkshire Police Authority to, at least, continue existing funding levels, through the York
19 command unit, for the Safer York Partnership, confirmed its support for the Neighbourhood Policing
20 initiative which has done much to improve public perceptions of the effectiveness of community
21 safety arrangements in the City and looked forward to the introduction of initiatives, such as the
22 mobile speed enforcement service and Community Guardian scheme, as further evidence of the
23 City's determination to establish a safe and secure community environment fit for the 21st century.

24 The second review report looked at **tree cover** in and around the City and provided some options
25 for developing a strategic approach towards the management and protection of the City's trees.

26 This report was a first step towards adopting a tree strategy for the city. It outlined a timetable that
27 would allow a strategy to be adopted by the end of 2008. Most residents will be aware of the
28 environmental benefits of trees which range from improving the quality of life to influencing CO2
29 levels. York does have a management system for trees and some trees are protected under
30 planning laws. However, we have no written policy covering the management of all trees, the
31 number of trees or, indeed, to protect trees which fall outside the current regulations.

32 A tree strategy would also allow community woodland to be developed and would encourage
33 partnership working with other agencies which in turn could lead to outside funding sources being
34 made available.

35 The Executive agreed to ask officers to codify a tree management strategy for the city.

36 Another major issue facing the City is **traffic congestion**. The Executive considered a report on
37 the submission of a bid for funding, from the Regional Transport Board (RTB), for the development
38 of 3 new Park & Ride (P & R) sites at Askham Bar, the A59 near Poppleton, and Clifton Moor.

39 The RTB found itself with £93 million headroom in its budget and has invited bids for new schemes.
40 Bids had to be submitted by 15th February.

41 Our LTP identifies a number of key issues which include increasing the capacity of the Outer Ring
42 Road (ORR) to reduce congestion in the city centre allowing reallocation of road space to buses,
43 cyclists and pedestrians and providing additional park and ride sites to intercept traffic on all main
44 radials.

45 Phase 1 of the *Access York* bid addresses the provision of new P & R sites by proposing new sites
46 on the A59 and on Wigginton Rd and replacing Askham Bar with a larger capacity site with the
47 associated bus priority measures. Phase 2 will address the capacity of the ORR.

48 Phase 1 is within the maximum level allowed for bids and has the added advantage that each of
49 the 3 sites could be developed independently. Individually, and as a package, they represent
50 excellent Value for Money. York has a good track record in delivering P & R sites.

51 Phase 2 needs more work and the ORR study is currently being updated. Options being
52 investigated range from enlarged roundabouts, with or without grade separation, to possible
53 dualling of the most congested sections. Options for enhanced crossing points such as subways
54 at key locations and improved cycling facilities will be included. We should be in a situation to
55 submit a bid for Phase 2 in the autumn

56 The Access York project combines major infrastructure improvements into a single scheme which
57 will provide a step change in transport provision for the city.

58 At the time of writing the agenda for the RTB has just been published and I am pleased to record
59 that the York Access project phase 1 is recommended for approval.

60 The Council will not receive its 2008 overall **CPA score** until the *in depth* inspection undertaken in
61 January has been evaluated. However the Council has received confirmation that it continues to be
62 rated as a "good" Council under the assessment criteria used to measure performance in 2007.

63 The independent assessment of how the Council uses its available resources has resulted in a
64 score of 3 (out of 4) this year- up from a 2 last year. The 'Use of Resources' report has also said
65 that the council's performance in this area is 'improving well'. The Council's fraud service has also
66 been highly praised by the District Auditor and has been used as an exemplar of best practice
67 nationally.

68 The Council has also received its Annual Audit Letter which provides a snap-shot of how the
69 Council was performing at the end of the 2006-07 financial year.

70 It does, however, provide a useful tool to mark progress year on year. This year's letter is possibly
71 the most encouraging **Annual Audit letter** the authority has ever received.

72 Overall the independent District Auditor states that the Council is 'Improving well' and
73 demonstrating 'Good' performance across the board. It states that certain priority service areas
74 have 'significantly improved' and performance has remained high in many others. It also says that
75 the council is now reaching out to 'hard to reach' groups in the community- something that has not
76 been recognised previously.

77 The letter praises the Council for providing 'good value for money'. It states that the Council is now
78 getting more out of its small budget and a relatively low government grant settlement, by using new
79 technologies and developing a strategic approach to managing risk and procuring goods and
80 services at a better value than before.

81 It also commends the work of the Council in several important areas of performance- such as they
82 way it plans and budgets for its service provision; the way it works with outside partners; the

83 process in which officers and councillors make decisions; and for developing a 'proactive approach'
84 to sickness and absence through the introduction of the 'Attendance at Work' policy.

85 A number of key services were rated highly by the District Auditor: waste management (significant
86 improvements in recycling); children and young people (rated as 'excellent'); social services (good);
87 and Benefits (good).

88 The Audit and Governance Committee will look in detail at the letter but in the meantime the
89 Executive has asked officers to prepared action plans aimed at further improving those activity
90 areas highlighted as requiring attention by the Auditor.

91 The Executive considered the implications for York of the Government's review of sub-national
92 economic development and regeneration, and the role that the City should play in the emerging
93 **Leeds City Region** (LCR).

94 Executive members had mixed feeling about this item. While cooperation between local authorities
95 on matters of common interest are often valuable, the City Region concept originates in the
96 concept of "mayoral power". Many of the authorities in the LCR are sceptical about this concept.

97 The Executive approved the involvement of the Council in the Leeds City Region but asked officers
98 to approach any discussions, with partner authorities, with caution given the concern that York
99 might lose some of its ability to determine its own priorities and to have full control over all
100 resources that might be available to it in the future.

101 The Executive considered a proposal to instigate a pilot project to tackle **deprivation** in one
102 geographically targeted area of the City, on the basis of the latest published information on the
103 Index of Multiple Deprivation (IMD).

104 The report sprang from the decision of the Executive taken in December to support a pilot project
105 aimed at understanding why several IMDs in York fair badly in national government comparisons
106 and to use the results to ensure that the Council has an effective approach to combating social
107 inequalities across the City.

108 The worst performing IMD lies in the Kingsway West area. It is hoped that partner organisations will
109 help with resourcing the project. Any remaining funding will be a be a call on the LPSA2 funding
110 (with an application to the Venture Fund possibly being necessary)

111 The Kingsway West area fell into the bottom 10% of neighbourhoods with a low *Index of Multiple*
112 *Deprivation*. This is by no stretch of the imagination a "run down" area with house prices buoyant
113 and a good community spirit evident. But in one way the low score was unsurprising as there are a
114 large number of older people living in the community with 2 Council and 1 private elderly persons
115 retirement homes in the area.

116 Many rely on state pensions and the government survey result is weighted heavily by income
117 levels. Many of the other properties are 1 bed roomed social housing flats which will again tend to
118 be occupied by people with low incomes.

119 Since the IMD survey was completed in 2005, the Council has finished modernising the homes in
120 the area, the new Hob Moor School has been completed and - along with the rest of York - crime
121 levels have dropped dramatically. These actions may have already taken the neighbourhood higher
122 up the *league table*.

123 Nevertheless the Council, working with partners such as the PCT, police and voluntary sector, do
124 wish to do an in depth study in the neighbourhood to check what further actions are required to
125 ensure that the community has the support that it needs to flourish. I would expect that a significant
126 amount of work would be concentrated on health issues.

127 When the results of the pilot are known, I would expect that any techniques that have been proven
128 to work will be rolled out to similar neighbourhoods both within the Westfield Ward and more widely
129 across the City

130 The Executive also considered the future of the **Youth Service** in York and adopted a directly-
131 managed model when responsibility for the Connexions service transferred to the Council in April.

132 It has also approved a temporary appointment to review the working of the **City Archive** service,
133 agreed to publish the **Local Development Framework** Allocations Development Plan for
134 consultation purposes, approved a plan to establish a partnering agreement between the
135 Council's City Strategy and Neighbourhood Services departments, for the delivery of maintenance,
136 restoration and major restoration schemes on the **City Walls** and approved amendments to the
137 original agreements between the Council and the Joseph Rowntree Housing Trust in relation to the
138 **Derwenthorpe** site, to enable the sale of land to go ahead and the development to proceed.

139 Three notices of motion were considered.

140 The first had been referred to the Executive by Council and concerned the **prosperity of**
141 **peripheral streets** in the City centre. The Executive resolved to agree the following actions as their
142 response to the motion:

143 a) Work with retailers, traders and other businesses on the peripheral streets to offer advice and
144 encouragement.

145 b) Work with Visit York to examine the scope for further publications to attract additional visitors to
146 the peripheral streets.

147 c) Examine the scope for extending the range of festivals and market events beyond the main City
148 Centre area.

149 d) Develop further initiatives to promote the evening economy, taking account of the role of
150 peripheral streets.

- 151 e) Maintain progress with developing the City Centre Area Action Plan and ensuring that this is
152 focused on supporting the gateways and fringe streets.
- 153 f) Consider the extent of the footstreets review initiative, through consultation during this review.
- 154 g) Carry out further work to examine the scope for bringing empty property in peripheral streets back
155 into use.

156 Officers were also asked to examine how action might be taken to stimulate footfall in Micklegate by
157 the use of advertising and / or automated announcements on the Park and Ride buses, both in the
158 short term and in the long term once the new bus fleet comes into use.

159 The second notice of motion concerned **Age Friendly Cities** and was submitted via the Executive.

160 The World Health Organisation (WHO) launched its Age-Friendly Cities Guide; on the basis that
161 the world is rapidly ageing and that the world is a growing city. The motion noted that older people
162 account for a higher proportion of the population in York than nationally, and suggested the Council
163 support the key features of the guidance to bring about improvements in the lives of older people.
164 The Executive supported many of the items listed in the motion although there was a feeling that
165 technology might enable older people to retain their independence rather than, as implied in the
166 motion, be a barrier to access.

167 The Council is already doing much of what is contained within the motion. We suggest that the
168 Council should refer the issues to the Social Inclusion Working Group (SWIG) and the Inclusive
169 York Forum to consider the guidance and make any future recommendations.

170 The third notice of motion was tabled direct to the Executive and concerned a report prepared by
171 the Director of Neighbourhood Services who had been asked to **review neighbourhood**
172 **management in** York taking into account recent government legislation.

173 The officer report was helpful in mapping the progression of the Neighbourhood Management
174 Team (*Neighbourhood Pride Unit*) which has been developing over the last five years in a way
175 which has responded more directly to the needs of residents in the various communities that form
176 the city. We are ahead of the game nationally, but that should not stop us from moving forwards
177 and improving.

178 It is important to note that the York model has attracted interest from the Local Government
179 Information Unit, and prompted the IDeA (Improvement and Development Agency for local
180 government) to find out more about the success of our devolution and participatory budgeting
181 programmes. York was specifically invited to join the Neighbourhood Network for the LGIU, We
182 were asked to give a presentation to the other Councils specifically on our development of
183 Participatory Budgeting.

184 It is regrettable that the Government's proposals are in danger of being bogged down in
185 bureaucracy, as at the core of the changes to Neighbourhood Management in York has been the
186 improvement of services at grass roots level.

187 The Executive resolved to

188 i) Welcome the content of the officer report, and in particular the potential opportunities available to
189 strengthen neighbourhood delivery and communications, consultation and the involvement of local
190 people in local decisions.

191 ii) Approve a refreshed model of neighbourhood management broadly in line with Model One –
192 increased democracy and participation – as exemplified in Annex 1 to the officer report.

193 iii) Approve the continuation of a devolution model around delivery via ward committees, as
194 existing, to support and facilitate engagement at a local level.

195 iv) Approve the development of NAP's as a vehicle for delivering the adopted neighbourhood
196 model and tying together the strategic vision of the city and the local vision.

197 v) Approve the production of a citywide Consultation and Engagement Strategy to support the
198 refreshed neighbourhood model and consistent consultation across the council.

199 vi) Note the successful delivery of ward committee local improvement schemes in York, via a
200 participatory budgeting process, and recognises that the continuation of this approach will assist
201 the local authority as it continues to inform, consult and involve the local public in local decisions.

202 vii) Request the NMU to continue to work with the Economic Development Unit on options for
203 tackling deprivation in ward based communities.

204 viii) Note that it may not be possible to provide additional support for building based community
205 facilities from existing resources within the NMU, but anticipates that the demand for additional
206 devolution of this sort will be limited in York.

207 ix) Note that the Councillor Call for Action could be implemented from April 2008.

208 x) Approve a review of working arrangements, with those Parish Councils that request it, in line
209 with Option Two detailed in Annex 8 of the officer report, provided that any revised processes are
210 cost neutral.

211 xi) Advise officers that additional resources are unlikely to be available to the NPU, but that any
212 restructuring proposals considered to be essential can be the subject of a further report to the
213 Executive at a later date.

214 Finally the Council is being recommended to approve an updated integrated Treasury Management
215 Strategy Statement (including the annual investment strategy), the proposed Prudential Indicators
216 for 2008/09 to 2011/12 and the use of the revised Treasury Management Policy and the Treasury
217 Management Practices

218 The Treasury Management Strategy and Policy are of particular importance as the Council moves
219 towards the Hungate development that will realise significant revenue savings over the next 30
220 years. However, because of the high level of capital investment required to realise these savings,

221 the council's borrowing is expected to rise from the current £10 million per annum to around £30
222 million in 2009/10.

223 The borrowing strategy aims to minimise the risks to the Council of borrowing such large amounts
224 in a single year. In order to borrow at the best available interest rates, officers have the option of
225 borrowing in advance.

226 The investment strategy provides a projection of interest rates of the next 3 years and seeks to
227 maximise the returns to the Council whilst minimising the risks involved.

228 Over recent years the council treasury management has performed well taking out loans at very
229 low rates and investing them at higher rates, successfully generating revenue for the Council
230 enabling investment in Council services.

231 Steve Galloway
232 31st March 2008



Full Council – 10 April 2008

Report of The Head of Civic, Democratic & Legal Services

Proposed Changes to the Constitution

Summary

1. This report contains a number of proposed changes to the constitution which are being brought forward for a variety of reasons and which concern the following; the size of the Executive; Standing Orders; expanding the terms of reference for the Urgency Committee; clarification around working groups; Champions; expansion of the role of the Standards Committee.
2. The proposals contained in this report are a selection from the recommendations set out in the report of Colin Langley, the interim Monitoring Officer, which was presented to Group Leaders at their meeting held on 8 February 2008. Further recommendations will be brought forward by the Monitoring Officer over the coming months.

Background

3. The Monitoring Officer is charged with keeping the constitution under review in order that it is legally compliant, fit for purpose and up to date in light of legislative developments and changes in best practice. From time to time the Monitoring Officer will advise the Council on amendments and modifications to the constitution which are either necessary, or in the opinion of the Monitoring Officer, advisable.
4. During his interim appointment, Colin Langley prepared a report containing a number of recommendations for amendment of various aspects of the constitution. The reasons underlying the recommendations include, amongst others, the need to comply with new legislation and a desire to simplify decision-making processes in order to make them more transparent and streamlined. This report seeks to implement some of the proposals from that report and others will follow in the near future.
5. Below I have set out the separate proposals in sections identified from A to G. Each one deals with a specific amendment and in some cases the revised wording is attached to the report as an appendix.

A) Expanding the Role of the Standards Committee to Undertake the Local Assessment of Complaints Against Members of the Council.

6. The Local Government and public involvement in Health Act 2007,(LGPIH), introduces changes to the ethical framework whereby the initial assessment of complaints, which is currently undertaken by the Standards Board for England, (SBE), will be transferred to the local standards committee. In accordance with constitutional requirements, a report has been taken through the CYC standards committee, which approved these recommendations at a meeting on the 25 January 2007.
7. In short, the changes involve increasing the size of the standards committee by 5 members, those being 2 parish representatives, 2 independent co-opted members and 1 elected member. This will result in a committee of 11 members which is in-line with many other authorities. The committee delegations shall require amending accordingly. The full detail of the changes and their rationale, is set out in the full report to standards committee which I have listed as a background document. Council is invited to approve the increase in size of the Standards Committee accordingly.
8. Regarding the recruitment of new Independent Co-opted Members, we have experienced a disappointing response to our adverts for these vacancies. It is difficult to explain this result but I would note that York is in the minority of authorities who do not attach any allowance for the role of Independent Co-opted Member of Standards Committee. This is something which the Council may wish to review at the next opportunity. In light of the poor response it has been necessary to embark on a process of more targeted recruitment by highlighting the vacancy with bodies such as CVS and the Magistrates Courts Service. In this way it is hoped that more applications will be forthcoming. However, to facilitate the selection and appointment process I recommend that Full Council delegates to the Standards Committee the power to undertake the selection and appointment of the Independent Co-opted Members to fill the vacancies arising.
9. As for the additional Elected Member it is recommended that this should be filled by a member of the Green Party Group nominated by that group and Full Council is asked to approve such appointment.
10. Regarding the two additional Parish Member seats on the committee it is recommended that the existing Parish Council substitute, Cllr. Brian Mellors, together with a person nominated by the Yorkshire Local Councils Association. I recommend that Full Council approves these appointments to the Standards Committee.
11. Article 8 and Part 3 of the constitution to be amended accordingly. I have attached the amended terms of reference for the Standards Committee as Appendix A.

B) Various Changes to Standing Orders

12. Time limit on Leader's speech on their report reduced from 10 to 5 minutes:- Rule 8(1)(a) to be changed accordingly.
13. Written answers to be circulated where exec member not able to provide response within the time limit:- Rule 10(a) to be amended accordingly.
14. The list of outside bodies from whom reports to Council will be sought, shall be decided annually at the first ordinary council meeting following the annual meeting:- Standing order Rule 4 to be amended accordingly. (N.B. Appointments to outside bodies will continue to be made at the AGM).

C) Expansion of the Functions of the Urgency Committee to Include Staffing Matters.

15. The council doesn't currently have a standing committee with responsibility for staffing matters which fall within the auspices of Full Council, (with the exception of appeals against disciplinary action). The primary function in this respect is that under S.112 of the Local Government Act 1972 which covers the appointment of staff and their terms and conditions. Whilst the Chief Executive is authorised under the Scheme of delegation to exercise any function of Full Council, including those relating to staffing matters, this is subject to certain specified exclusions which include the recruitment and appointment of chief officers. In order to avoid the need to take all such matters to Full Council, I recommend that Council delegates these functions to one of its committees. Such arrangements are the norm amongst other similar councils and enable matters to be dealt with more quickly and at the appropriate level whilst retaining Member involvement.
16. The terms of reference and delegations to the Urgency Committee shall be amended to reflect this expanded role. I have attached the proposed terms of reference at Appendix B.

D) Reduction in the size of the Executive and adjustment to portfolios – Effective from the commencement of the next Annual Meeting of Council

17. Under the current arrangements Full Council determines the number of Executive Members and their Portfolios, (N.B. the LGPIH includes a requirement that this be changed to enable the Leader to determine these matters, and I shall be bringing forward proposals regarding this in the near future). The Leader has indicated that he wishes to make the following changes to the Executive and, accordingly, seeks the approval of Full Council in order that they will take effect from the date of Annual Meeting.
18. It is proposed that the number of Executive Members be reduced by two this being achieved by the merging of the Housing and Adult Social Services portfolios and the deletion of the Social Inclusion & Youth portfolio with the functions be distributed to the Children's Services and Leisure portfolios.

19. Part 3, Executive Portfolios and scheme of delegation, to be amended accordingly. The relevant sections of Part 3 have been extracted and are attached as Appendix C.

E) Economic Development Partnership Board (EDPB) – Removal from the Constitution

20. The EDPB is a working group of Council. As such it does not exercise any functions on behalf of the Council but acts in an advisory capacity. It has been suggested that, in view of its connections with the Local Strategic Partnership, it would be more effectively situated under the wings of the LSP itself. Essentially this will involve disbanding the EDPB as a working group and transferring its work to a body formed by the LSP. As is currently the practice the newly formed body will make recommendations to the CYC Executive where it is inviting the council to act on a matter.
21. It is envisaged that the Council will be entitled to nominate at least three elected Members to sit on the newly formed LSP EDPB in order that each of the three main party groups may be represented. These nominations will be dealt with in due course once the new body is formulated.
22. Part 3 of the Constitution to be amended accordingly to remove reference to the EDPB.

F) Member Champions

23. It is proposed that the various Member Champions be consolidated into the following list:-
- Older Peoples Champion
 - Information Management & E-Gov Champion
 - Children and Young People's Champion
 - Efficiency, procurement and risk management Champion
 - Energy Efficiency Champion
 - Heritage Champion
 - Cycling Champion

Part 3 of the constitution (p81) to be amended accordingly. N.B. This change will take effect from the next Annual General Meeting.

G) Working Groups

24. Working Groups are currently listed in Part 3 of the constitution alongside the committees of council. These are as follows:-
- i. Social Inclusion Working Group

ii. Local Development Framework Working Group

25. Working Groups are fundamentally different entities to committees and it is recommended that they be listed elsewhere within the document so as to avoid the potential for confusion as to their status. It is suggested that, in circumstances where it is felt sensible to make reference in the constitution to a working group, for instance where it is expected to be a long term arrangement, then this can be listed as an appendix to Article 10 of the constitution.
26. Article 10 to be amended accordingly to include list of the standing working groups.

Consultation

27. Consultation was carried out with political groups after the election in 2007. This has been followed by consultation with Chief Officers and the proposals have been discussed on two occasions at Group Leader’s meetings.

Options

28. Members have the option of deciding whether or not to approve the various proposals put forward in relation to the constitution.

Implications

29.

Legal	<p>The Constitution is an amalgam of different parts drawn from a variety of sources. Some parts are prescribed by legislation or guidance whereas some parts are a matter for local decision.</p> <p>The responsibility for maintaining the constitution lies with Full Council and any changes, apart from those covered by the delegations to the Monitoring Officer, must be approved by Full Council.</p> <p>Quentin Baker quentin.baker@york.gov.uk</p>
Financial	<p>There are no financial implications arising from these recommendations.</p>
Human Resources	<p>There are no human resource implications arising from these recommendations.</p>

Recommendations

30. I therefore recommend that Full Council:-

- i. Agrees the proposed amendments to the constitution listed A – G.
- ii. Instructs the Monitoring Officer to make the necessary amendments to the written document.

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Wards Affected: *List wards or tick box to indicate all*

All *tick*

For further information please contact the author of the report

Background Papers:

Report of the Interim Head of Civic Legal and Democratic Services, presented to Group Leaders at their meeting on 8 February 2008.

Appendices:

Appendix A:- Terms of reference for the Standards Committee

Appendix B:- Terms of reference for the Human Resources and Urgency Committee

Appendix C:- Revised Executive portfolios

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Article 8

The Standards Committee

The Standards Committee

- 1 The Council will establish a Standards Committee composed of:
 - i. four Councillors (who may not include the Executive Leader);
 - ii. four Independent Members who will have a vote (appointed in accordance with Local Government Act 2000 and its subsidiary regulations) and one of whom will Chair the Committee;
 - iii. three Parish Councillors of a Parish Council in the Council's area, who are not also City Councillors.

- 2 A Parish Council Member must be present when matters relating to Parish Councils or their Members are being considered.

General Role

- 3 The Standards Committee will:
 - seek to promote and maintain a high standard of conduct in the transaction of all Council and Local Council business.
 - assist in the observation of the Members' Code of Conduct (set out in Part 5 of this Constitution)
 - advise on the adoption, revision or monitoring of the Members' Code of Conduct
 - take a general overview on all ethical issues and issues of probity
 - undertake assessments, appeals against assessments or conduct hearings into complaints received by it directly or into such matters as are referred to it by and in accordance with the procedural rules of the Standards Board for England
 - submit an Annual Report of the business undertaken by the Committee to Full Council
 - liaise as necessary with the Audit and Governance Committee on any matter that may be of common concern to both, principally in relation to any matter arising in relation to corporate governance.
 - maintain an oversight of complaints handling and Ombudsman investigations

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The Standards Committee

The functions of the Standards Committee are:

Delegated authority	Conditions
<p>To perform all functions given to Standards Committees by the Local Government Act 2000 as amended by the Local Government and Public Involvement in Health Act 2007 and any regulations made under those Acts, including:</p>	
<ul style="list-style-type: none"> a promoting and maintaining high standards of conduct by the Members and co-opted Members of the Council b assisting Members and co-opted Members of the Council to observe the code of conduct adopted by the Council under section 51 of the Act c advising the Council on the adoption or revision of a code of conduct d monitoring the operation of the Council's Code of Conduct e advising, training or arranging to train Members and co-opted Members of the Council on matters relating to the Council's Code of Conduct. f functions given by any regulations made under Section 66 of the Act (functions in connection with investigations carried out by the Monitoring Officer) and g the equivalent functions of those referred to above in respect of Local Councils and Local Councillors h the assessment of complaints in relation to Councillors and Local Councillors, and conducting appeals against those assessments i consideration of reports from the Standards Board or the Council's Monitoring Officer in relation to complaints about the conduct of Members and the holding of local hearings j Consideration of requests from Members for dispensations regarding the declaration of interests. 	

-
- k consideration of requests from Local Councils and/or Local Councillors for dispensation regarding declarations of interests.
 - l the granting of exemptions from politically restricted posts in accordance with the Local Government and Housing Act 1989 as amended by the Local Government and Public Involvement in Health Act 2007.

To provide advice to the Council on issues relating to Member/Officer relations.

Delegated authority	Conditions
<p>To provide advice to the Council on any employee Code of Conduct, including any statutory code issued under Section 82 of the Act.</p>	
<p>To ensure that a local investigation into the alleged misconduct of Members is undertaken when such matters are referred to the Standards Committee by the Standards Board for England or referred to the Monitoring Officer for investigation.</p>	<p>In accordance with the Standards Board for England procedures and any procedure agreed by the Standards Committee.</p>
<p>To provide advice to the Council and Local Councils in respect of any issues relating to Member conduct under the current legislation, regulations and the National Code of Conduct for Members .</p>	
<p>To provide advice to the Council and Local Councils of any issues arising out of Member misconduct and report on action which has or ought to be taken by the Council and/or Local Councils.</p>	
<p>To establish Panels consisting of at least 3 members of the Standards Committee to conduct an assessment of a complaint or an appeal against an assessment and a local hearing following receipt of a report from the Monitoring Officer or an Ethical Standards Officer.</p>	<p>Any such Panel shall consist of at least one member of the Council if the City of York, one Independent Member and, if the matter relates to a Parish Councillor, one Parish Representative. The Monitoring Officer in consultation with the Chair of the Standards Committee shall have authority to convene a Panel.</p>

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Appendix B

The Staffing Matters & Urgency Committee

The HR & Urgency Committee is a formally constituted, politically proportionate committee of council which may undertake all non-executive functions relating to HR matters and all non-executive functions in case of emergency.

Delegations to the Staffing Matters & Urgency Committee:

Delegated authority	Conditions
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Human Resources:- The committee is empowered to exercise all functions of Full Council concerning Staffing Matters, (other than those which by law are reserved to Full Council), including but not limited to matters under S.112 of the Local Govt. Act 1972.

For the avoidance of doubt this shall include the following:-

- To arrange for the conduct of or conduct the recruitment and selection process and to make recommendations to Full Council as to whom an offer of appointment to the said post(s) should be made in respect of the following vacant posts:-
 - Head of Paid Service
 - Directors
 - Monitoring Officer
 - S.151 Officer
- In conducting its recruitment functions the committee shall be empowered to establish recruitment sub-committees of no less than three elected Members.

Urgency:- The committee is empowered to authorise all non-executive functions, (other than those which must, by law, be exercised by Full Council), in circumstances of urgency where it is necessary to obtain a decision on any matter without delay.

In relation to any urgent matter, which involves the exercise of Executive functions, the Committee shall act in an advisory capacity to the Executive Leader or his or her substitute Executive Member, who shall have regard to the advice when exercising the relevant function.

Subject to legal requirements for taking an urgent Executive decision.

For the purposes of determining whether the Urgency Committee ought to exercise the above delegations a decision is regarded as urgent if it cannot reasonably be deferred to the next available Council, Executive or Committee

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for determination and any such delay is likely to seriously prejudice the Council's or the public's interests.

Appendix C

Executive Portfolios

Overview

Executive Member portfolios have been constructed to achieve a balance between financial responsibilities, strategic management responsibilities (as opposed to operational Directorate management roles) and the number and variety of Service Plan areas and issues covered by each portfolio.

Leader

The Leader will have authority over, lead, chair and make recommendations on corporate and strategic budgetary and financial issues to the Executive. The Leader will also have a personal portfolio consisting of an overview of the following departments/units of the organisation and will ensure the delivery of those services for which they are responsible.

Service plan areas	EMAP	Responsible Director
Policy & Development (including the Chief Executive's Office)	<i>City Strategy</i> ¹	Chief Executive
Civic, Democratic & Legal Services	City Strategy ¹	<i>Chief Executive</i>
Marketing & Communications	<i>City Strategy</i> ¹	Chief Executive ¹
Performance & Improvements (including Safer City ²)	<i>City Strategy</i> ¹	<i>Chief Executive</i> ¹
Human Resources	<i>City Strategy</i> ¹	<i>Chief Executive</i> ¹
Economic Development & Strategic Partnerships	City Strategy	City Strategy

¹ ***Please note the items shown in italics may change subject to final decisions being made as to which EMAP these parts of the organisation will report to***

² ***There is currently no separate Service Plan for Safer City/Community Safety so this item has been included here for completeness***

Executive Member for City Strategy

This portfolio is designed to reflect the strategic links between the regulation of the built environment and transport, to as to ensure the effective and joined up delivery of the services set out below. The portfolio holder will also be responsible for corporate and strategic issues considered by the Executive which arise from the work of the Directorate other than those corporate and strategic matters which are the responsibility of the Leader.

Service plan area	EMAP	Responsible Director
Planning	City Strategy	City Strategy
City Development & Transport	City Strategy	City Strategy
Waste Management Strategy (Client)	City Strategy	City Strategy
Resources and Business Management	City Strategy	City Strategy

Executive Member for Corporate Services³

This portfolio will oversee the work of the Resources Directorate and will ensure the delivery of those services for which the Directorate is responsible. The portfolio holder will have an overview of the following departments/units of the organisation and will ensure the delivery of those services for which they are responsible. The portfolio holder will also be responsible for corporate and strategic issues considered by the Executive which arise from the work of the Directorate other than those corporate and strategic matters which are the responsibility of the Leader.

Service plan area	EMAP	Responsible Director
Audit & Risk management	Corporate Services	Resources
Strategic Finance	Corporate Services	Resources
Business Management	Corporate Services	Resources
IT&T	Corporate Services	Resources
Public Services	Corporate Services	Resources
Property Services	Corporate Services	Resources

³ *Please note the scope of this portfolio may change subject to final decisions being made further to note 1 above*

Executive Member for Neighbourhood Services

This portfolio is designed so as to ensure the delivery of a range of related environmental issues. The portfolio holder will also be responsible for corporate and strategic issues considered by the Executive which arise from the work of the Directorate other than those corporate and strategic matters which are the responsibility of the Leader.

Functional area	EMAP	Responsible Director
Environmental Health & Trading Standards	Neighbourhoods	Neighbourhood Services

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Licensing & Regulation	Neighbourhoods	Neighbourhood Services
Neighbourhood Pride Unit	Neighbourhoods	Neighbourhood Services
Street Scene	Neighbourhoods	Neighbourhood Services
Cleansing Services	Neighbourhoods	Neighbourhood Services
Waste Collection Services	Neighbourhoods	Neighbourhood Services
Building Cleaning Services	Neighbourhoods	Neighbourhood Services
Highways Maintenance Services	Neighbourhoods	Neighbourhood Services
Business Support Services	Neighbourhoods	Neighbourhood Services
Street Environment	Neighbourhoods	Neighbourhood Services
Bereavement Services	Neighbourhoods	Neighbourhood Services

Executive Member for Housing and Adult Social Services

This portfolio is designed to ensure the delivery of the following services. The portfolio holder will also be responsible for corporate and strategic issues considered by the Executive which arise from the work of the Directorate other than those corporate and strategic matters which are the responsibility of the Leader.

Service plan area	EMAP	Responsible Director
Housing Landlord	Housing & Adult Social Services	Housing & Adult Social Services
Housing General	Housing & Adult Social Services	Housing & Adult Social Services
Corporate Services	Housing & Adult Social Services	Housing & Adult Social Services
Adults Learning Disability	Housing & Adult Social Services	Housing & Adult Social Services
Adults:- Older People and; People with physical disability and; People with sensory impairment.	Housing & Adult Social Services	Housing & Adult Social Services
Adults Mental Health	Housing & Adult Social Services	Housing & Adult Social Services

Executive Member for Leisure, Culture and Social Inclusion

This portfolio is designed to ensure the delivery of the following services. The portfolio holder will also be responsible for corporate and strategic issues

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considered by the Executive which arise from the work of the Directorate other than those corporate and strategic matters which are the responsibility of the Leader.

Service plan area	EMAP	Responsible Director
Arts & Cultural services	Leisure & Culture	Learning, Culture & Childrens' Services
Libraries & Heritage Services	Leisure & Culture	Learning, Culture & Childrens' Services
Parks & Open Spaces	Leisure & Culture	Learning, Culture & Childrens' Services
Sport & Active Leisure	Leisure & Culture	Learning, Culture & Childrens' Services
ICT Client	Leisure & Culture	Learning, Culture & Childrens' Services
Directorate Financial Services	Leisure & Culture	Learning, Culture & Childrens' Services
Directorate HR Services	Leisure & Culture	Learning, Culture & Childrens' Services

Executive Member for Children and Young People's Services

This portfolio is designed to ensure the delivery of the following services. The portfolio holder will also be responsible for corporate and strategic issues considered by the Executive which arise from the work of the Directorate other than those corporate and strategic matters which are the responsibility of the Leader.

Functional area	EMAP	Responsible Director
Youth Offending Team	Children's Services	Learning, Culture & Children's Services
Early Years, Schools & Communities	Children's Services	Learning, Culture & Children's Services
Education Development Services	Children's Services	Learning, Culture & Children's Services
School Governance Service	Children's Services	Learning, Culture & Children's Services
Special Educational Needs	Children's Services	Learning, Culture & Children's Services
Adult Education	Children's Services	Learning, Culture & Children's Services

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Management Information Services	Children's Services	Learning, Culture & Children's Services
Access	Children's Services	Learning, Culture & Children's Services
ICT Client	Children's Services	Learning, Culture & Children's Services
Directorate Financial Services	Children's Services	Learning, Culture & Children's Services
Directorate HR Services	Children's Services	Learning, Culture & Children's Services
Education Planning & Resources	Children's Services	Learning, Culture & Children's Services
Young People's Service	Children's Services	Leisure, Learning & Children's Services

The Executive Member for Children and Young People's Services

In addition to the functions and responsibilities held in common with the other Executive Members detailed above, the Executive Member for Children and Young People's Services has the following delegated authorities as set out in the table below.

Delegated authority	Conditions
Corporate	
To bring to the Executive the following draft plans, strategies and policies: <ul style="list-style-type: none"> The Children and Young People's Plan The Youth Justice Plan 	
To approve the fees and charges for services provided on behalf of children and young people.	
Education	
To consult on school organisation matters including school closures, change of character, and new schools (including nurseries)	

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To approve the establishment of:

- A Standing Advisory Council for Religious Education (SACRE)
- A Local Admission Forum
- A Schools Forum

To approve the Local Authority scheme for Local Management of Schools (LMS) and the allocation formula.

Subject to consultation with the Schools Forum.

To act as the Admission Authority giving delegation to school governing bodies as necessary (Including publications of admission arrangements)

To fix term dates and holidays for all community schools.,

To remove delegation from school governing bodies

Subject to compliance with statutory powers.

To respond to proposals from school governing bodies to federate according to the provisions of the Education Act 2002 and the policy established by the Local Authority

Delegated authority

Conditions

To decide the arrangements for nomination of Local Authority representatives on school governing bodies and to make appointments to vacancies.

Children's Services

To exercise the Council's functions on behalf of children and young people as specified in the Children's Act 2004.

To determine the scheme for payment of allowances for adoption and fostering.

To approve the placement strategy for Looked After Children and Young People.

To receive the Annual Adoption Report.

To determine the Council's input to the Youth Offending Team

Young People's Service

To make decisions on all matters arising in connection with the powers and duties of Council under the various acts and regulations relating to the Young People's

Except where the decision has been delegated in accordance with this Constitution.

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Service and to enforce and administer
their provisions.

To liaise with voluntary and community
groups on issues relating to young people

The Executive Member for Leisure, Culture and Social Inclusion

In addition to the functions and responsibilities held in common with the other Executive Members detailed above, the Executive Member for Leisure, Culture and Social Inclusion has the following delegated authorities as set out in the table below.

Delegated authority	Conditions
Leisure and Culture	
Following transfer of the management of the Museums service to the York Museum and Gallery trust, to monitor and review the performance of the Trust and to take reports on that performance including issues which arise in connection with the agreement and other arrangements with the Trust and the funding of its activities	
To determine appeals against refusal of DRR	
To approve leisure events to be staged in the City in which the Council is participating if net cost exceeds £10,000 in each case and where such events are unplanned and not specified in the appropriate Service Plan.	Subject to budget provision
Social Inclusion	
To promote issues relating to equalities social inclusion and cohesion in the council and with all partners.	Subject to budget provision.
(N.B. The Executive Member for Leisure Culture and Social will ordinarily chair the Social Inclusion Working Group.)	

The Executive Member for Housing and Adult Social Services

In addition to the functions and responsibilities held in common with the other Executive Members detailed above, the Executive Member for Housing and

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Adult Social Services has the following delegated authorities as set out in the table below.

Delegated authority	Conditions
Housing Services	
To bring to the Executive the draft Housing Strategy.	
To authorise the acquisition of land and building for housing purposes, up to the value of £100,000	Subject to the advice given by the Head of Housing Services and the Chief Finance Officer
To authorise changes in the use of Council owned land and buildings	Where the change is within the housing programme area. Where the change in use affects the value by 10% or less. Subject to the advice given by the Head of Housing Services and the Chief Finance Officer
To authorise lease/rights/privileges of all Council owned housing land and/ or buildings to external bodies and to approve the terms and conditions (and variations thereto) governing such use	Where use by way of hire and for more than one calendar month. Where new leases tenancies, licenses, assignments and other agreements renewals and rent reviews have an annual rental or capital value of less than £100,000 subject to the advice of the Head of Housing Services and the Chief Finance Officer
To authorise the disposal of land and buildings appropriated for housing purposes.	Where the aggregate value of the property is less than £100,000 subject to the advice of the Head of Housing Services and the Chief Finance Officer
To approve variations to the:- <ul style="list-style-type: none"> • Jobbing repairs policy • Planned maintenance policy • Rent collection policy • Rent arrears recovery policies • Policies in respect of allocations of private sector housing grants • Estate management policies • Housing allocation policies • Housing association – nominations policy 	.
To write off irrecoverable housing and	Subject to and in accordance

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mortgage debts exceeding £2,000

with advice given by the Head of Housing Services and the Chief Finance Officer

Adult Social Services

To bring to the Executive draft plans, strategies and policies as required relating to:

- Older people
- People with learning disabilities
- People with long term health conditions
- People with mental health problems

To exercise the social services functions of the Council with regard to the provision of services for adults, including older people.

Except where the legislation requires that a decision must be made by the Council

To exercise the social services functions of the Council with regard to community care responsibilities, liaison with health and housing authorities and community based organisations and services.

Except where the legislation requires that a decision must be made by the Council

To develop joint working, including joint commissioning of services with the relevant health authorities and trusts for the provision of social and health care.

To receive reports from the Commission for Social Care Inspection (or successor bodies) on service inspections or performance reviews and to approve action plans in relation to their findings.

To approve variations to the

- Discretionary charging policy
- Eligibility Criteria (Fair Access to Care Services) policy
- Continuing Care policy.

Report of Executive Member for Corporate Services to Council
April 2008

Reflecting on the past year in the Resources Department, it can be seen that it has been a year of general success for the department with some notable achievements. The CPA Use of Resources score has improved from a 2 last year to a 3 this year with some notable improvements acknowledged within that assessment. Measures to address sickness levels within the department appear to be taking effect with a reduction in short term sickness amongst Resources staff. Finance staff have made a significant contribution towards the production of the 2008/09 budget and a financial strategy taking the authority up to 2010/11 has been agreed. A significant contribution by the directorate, in particular payroll, has been made to the job evaluation process currently being undertaken. Council Tax and Business Rates collection continues to improve.

Audit and Risk Management

One of the significant changes within Audit and Risk Management over the last year and in the future is the establishment of a shared service for the Audit and Fraud section with North Yorkshire County Council. Agreement was made in principle in the middle of 2007 to enter into an informal management arrangement with the County. At the March Corporate Services EMAP, it was recommended that work be carried out to develop the outline business case. The aim is to fully implement the chosen solution in April 2009- less than two years after the initial steps were taken. The end result should mean that both local authorities have a more robust and sustainable Audit and Fraud function with significant opportunity for business expansion and for staff development.

Good progress has also been made within the Procurement team. A Procurement Strategy was agreed in May 2007 together with a policy framework. A practitioner's guidebook has been prepared and circulated for use by Council officers. This work is essential in providing good value for money in the services and goods that the Council buys in as well as helping to ensure that the relevant financial regulations are adhered to. Plans are in place to build upon these improvements, but much has also already been achieved since starting from a low base a few years ago.

Other notable achievements in this section of the directorate include continued improvement within the Insurance team who have managed to deliver £300,000 of savings to the Council. Further work has been carried out to build on the success of the fraud team, with the fraud work of the council being held up as 'notable practice' by the District Auditor in the CPA Use of Resources assessment. Further measures have been taken to strengthen Risk Management practices across the council, with an increased number of users and training carried out on the Magique database. New corporate contracts for Legal services, planning consultancies and agency staffing have led to significant corporate savings, with the savings on arrangements for agency staffing amounting to around £125,000 a year.

Finally, the consistent improvement within the Audit and Risk Management section was demonstrated in the CPA Use of Resources assessment this year, when all except one of the relevant division scores were up from 1s and 2s in 2004/05 to 4s this year.

Public Services

As this report was being written the latest information for the turnaround time to process new benefits claims was awaited. The Benefits section has achieved one of the most impressive improvements in performance within the Council- being praised in the District Auditor's letter presented to Executive in March 2008. Processing times are expected to beat the targets for both new claims and changes of circumstances this year, representing the best ever performance of the authority benefiting many claimants.

Representation to the Government regarding the introduction of the Local Housing Allowance continues to be made. The significant changes to the way that many private tenants will receive their benefits are regrettable. The impact of setting a median of rent levels across York, Selby and Ryedale was shown in the recent EMAP report and it is clear that some York residents will lose out. Work is being carried out to ensure that the council can mitigate the impact for those affected as much as possible. The Discretionary Housing Payments (DHP) scheme does allow some additional payments to be made locally, however this is limited to £28,500 for 2008/09. Requests have been made to the Department for Work and Pensions for York to increase this figure as many authorities do not make use of the DHP scheme.

Since it was established in 2006 performance in the York Contact Centre has improved significantly. An example of just how much the Contact Centre has contributed to the improvement in service provided to York residents in the service areas it has incorporated, is provided by looking at the difference in data for the same days in March 2007 and March 2008 for the Council Tax service:

- Calls offered has reduced by 65% (from 7650 to 4650) – this is showing the dramatic reduction in failure demand – as calls are serviced at the first contact and the customer doesn't have to call back or chase services, we have achieved this reduction in excess of predicted targets;
- Calls abandoned have reduced from 2961 to 28 (this is calls not answered before the customer rang off or the call was terminated by the caller for some reason);
- This translates as abandoned calls % reduced from 38.7% to 0.6%;
- Average speed of answer reduced from 2.46 minutes to 0.08 seconds;
- % of calls answered within 20 seconds has increased by 38.1% (from 61.3 to 99.4%).

I have no doubt that this improvement would not have been achieved without a major review into the way services are provided.

Easy@york Project

The easy@york project is now moving from Phase 1 into Phase 2 following member approval for the services to be included. The first phase of the easy@york project has transformed the way some of the services the council provides, such as the Council Tax service as detailed previously in this report. Some indication of success is also seen in the following statistics:

- 18% increase in service requests over the first twelve months;
- 40,000 electronic payments in the first year – saving £64k in processing costs;
- Over 5,000 requests received since the self-serve e-forms were made available – last month self-service requests accounted for 16% of all of the requests received for the services for which such e-forms exist;
- 250,000 visits to the Planning Portal;
- Over 500 online planning applications;
- 70% of all Council Tax Service requests are fully automated with no work undertaken in the back Office;
- 90% of all jobs undertaken within SLA;
- 96% of all jobs done within 1 day of the SLA.

The second phase of easy@york is essential in the move to new council offices in Hungate, and will include the following services:

- Housing Management & Housing Repairs;
- Adult Social Services, Advice, Information & Referral;
- Corporate Recruitment and HR Processes;
- Improvement of Neighbourhood Services – Phase 1 services;
- Licensing ;
- Mobile Working for easy processes;
- Parking.

The easy@york team has now been restructured to provide three Project Streams and a revamped Project Office structure. This will help deliver the project on a timely basis ensuring that all the services coming into scope are well prepared. Since Simon Wiles is leaving the authority, Terry Collins has now been appointed as chair of the easy@york project board to ensure continuity within phase 2.

ITT

A large number of projects have been completed by the ITT section over the past year. A few highlights include:

- Playing a significant role within the first phase of a project to replace computer related services in the cities Libraries in order to turn them into customer focused facilities fit for the 21st Century. This included the transformation of Room 18 in the Central Library into a Lifelong Learning Centre;
- Successfully awarding the contract for the replacement Corporate Financial Management System following a protracted procurement process;
- Implementation of a long awaited new system for the Archaeology Service;

- Successful implementation of a system for LCCS that allows parents to make on-line requests for School Allocation;

As well as numerous other projects, the department has successfully delivered a number of behind the scenes infrastructure projects that underpin current and future Council wide service delivery.

Property Services

Numerous major projects have been undertaken by Property Services over the last year contributing to significant improvements in council services and setting the agenda on environmental sustainability in the Council. These include:

- The £1 million Yearsley Pool Refurbishment scheme. Completed on time, and well received by the public as well as delivering carbon and financial savings in terms of energy usage.
- Acomb Library project. The re-branded customer-friendly library-learning centre 'Explore' completed within budget and ahead of time. The centre has the first 'Changing Place' contributing to a fully accessible building and service as well as a biomass boiler.
- Danesgate school complex at Fulford Cross completed. Like the Acomb Library project it has embraced new environmental technology with the inclusion of a Biomass boiler running on Wood Pellet fuel.
- York High on site and the design for the Oaklands Sports Centre (including pool) well advanced. Temporary school extensions in place at Lowfields. York High and the Oaklands sports Centre scheme are also embracing environmental technologies.
- The new corporate property data-base has gone live.
- Major property disposals include Lidget Grove, the Bonding Warehouse, Hebden Rise and Osbaldwick Lane.
- And finally, Hungate, the designs for which were made public in March.

Staffing

It would, of course, be remiss not to mention the changes in senior staffing that have already taken place or are imminent within the department. Sian Hansom has now started in her position as Head of Finance, replacing Peter Steed. Temporary arrangements are in place for the position previously held by James Drury as Assistant Director for Public Services and these arrangements have ensured that these services continue to be run efficiently whilst a wider review of structures is carried out.

Recruitment is currently underway for the positions of Director of Resources and Assistant Director for Audit and Risk Management- the deadline for applications is tomorrow (April 11th). Although there will be considerable changes in personnel, I am confident that the effective performance of the Directorate will ensure that the posts are attractive to potential applicants. The fact that those who are leaving are making significant career moves, demonstrates that York has a track record of attracting high quality personnel.

I would like to take this opportunity to thank both Liz Ackroyd and Simon Wiles for their contribution to the work of the directorate and the authority and to wish them well in the future.

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STANDARDS COMMITTEE**14th March 2008**

Report of the Interim Head of Civic, Democratic and Legal Services

THE ANNUAL REPORT OF THE STANDARDS COMMITTEE**Summary**

1. This report sets out a review of the work carried out by the Standards Committee of City of York Council during the municipal year 2007/08.

Background

2. **Meetings** – The Standards Committee has met formally on six occasions during the municipal year 2007/08 namely 8th June 2007, 10th August 2007, 28th September 2007, 9th November 2007, 25th January and 14th March 2008.
3. **Membership** – The Committee currently consists of 5 members – Councillors M Kirk, D Horton and B Hudson, one Parish Councillor representative, Councillor D Crawford (with Councillor B Mellors as substitute who also regularly attends the meetings) and one independent member Mrs C Bainton (Chairman). The other independent member, Mrs R Leaman, resigned from the Committee in January 2008 due to other commitments. The Committee recorded their appreciation for her contribution to the work of the Committee and an exercise is currently taking place to recruit a replacement.
4. **Work Programme** – The Standards Committee has an approved work programme which is reviewed at each meeting, to assess progress. Where necessary the work programme is amended during the course of the year.
5. **The Revised Code of Conduct** – The revised Code of Conduct for Members was considered by the Committee at its June meeting and recommended for adoption by the Council. It was adopted with effect from 1st August 2007. The Code was also adopted by all the Parish Councils in York. The necessary public notices were given and the Standards Board for England advised of the adoption.
6. **Training** – A training session for members on the revised Code of Conduct was given by the Monitoring Officer in October. It was attended by 15 York City Councillors and a significant number of Parish Councillors.
7. **Local Government and Public Involvement in Health Act 2007** – This legislation introduces important changes in the role of the Standards Committee. The most significant is the fact that the Standards Committee will

assume responsibility for the assessment of complaints about councillors and deciding whether they should be investigated. It is expected that this new role will take effect on 1st April 2008. The Committee has considered the implications of this role for its structure and organisation. Importantly the Committee will need to expand in size in order to discharge its new functions and set up sub-committees. Constitutional changes are being recommended to Council to enlarge the Committee to 11 members, consisting of 4 councillors, 3 Parish Representatives and 4 independent members. A recruitment exercise is being undertaken to find these additional members.

8. The Act also introduced a requirement that the Chairman of the Standards Committee is an independent member. That is already the situation in York. Consultation is currently taking place on regulations dealing with the detailed operation of the new system. The Standards Committee has made a response to Government on the consultation paper.
9. **6th Annual Assembly of Standards Committees** – The Committee was represented at the Assembly in Birmingham in October by the Chairman, Christine Bainton. The Monitoring Officer was also present.
10. **Ethical Governance Audit** – The Committee received reports at its meetings in November and January on the outcome of the Ethical Governance Audit carried out by the Audit Commission. The first part of the audit assessed the policies and practices of the Council against statutory requirements and best practice in relation to ethical issues. The second part examined the awareness of ethical governance issues amongst members and officers. The Council's arrangements to deliver high standards were found to be satisfactory. Members were found to have a strong level of awareness and understanding of the Code of Conduct and its impact on their behaviour and actions. An action plan has been agreed by the Standards Committee to address issues raised by the audit. Further work is also to be undertaken with officers and members to further explore the issues around member/officer relations identified in the report.
11. **Complaints** – The Monitoring Officer has been notified of one complaint against a member of the City of York Council. However the Standards Board decided it did not disclose a breach of the Code of Conduct and consequently was not referred for investigation. This is a reduction of 4 in the number of complaints over the previous year. In addition there have been investigations into the conduct of two members of Nether Poppleton Parish Council and one member of Upper Poppleton Parish Council by an Ethical Standards Officer. All cases related to alleged failures to declare an interest. In all cases the conclusion was that there had not been a failure to comply with the Code. In another similar case involving a member of Nether Poppleton Parish Council the Standards Board decided not to investigate. All these parish council cases originated from the same complainant.
12. **Dispensations** – The Committee dealt with its first application to grant a dispensation to permit members of Bishopthorpe Parish council to speak and vote on a matter in which they all had a prejudicial interest. All members of the Council were trustees of the village hall and needed the dispensation so

that they could deal with matters relating to the village hall when they would all have an interest. The dispensation was granted for a period of 4 years at the Standards Committee meeting held on 28th September 2007.

Consultation

13. The Standards Committee continues to consult with Parish Councils through their representatives on the Committee.

Options

14. Not applicable

Analysis

15. Not applicable

Corporate Priorities

16. The effectiveness of the standards Committee is a core part of the Council's ethical governance arrangements and as such contributes to improving leadership in the organisation.

Implications

17. There are no specific financial, HR, equalities, crime and disorder, IT, property or other implications arising out of this report. It is a constitutional requirement that the Standards Committee submits an annual report to the Council.

Risk Management

18. There are no known risks associated with this report.

Recommendations

19. The Standards Committee are asked to agree the contents of this report and submit it, with any amendments to the Council for its consideration

Reason:

To fulfil the constitutional requirement for an annual report to Council from the Standards Committee.

Contact Details

Author:

Author's name

Colin Langley
Interim Head of Civic,
Democratic and Legal Services
Chief Executive's Department
Tel No. 551004

Chief Officer Responsible for the report:

Colin Langley
Interim Head of Civic Democratic and Legal
Services

Report Approved *tick*

Date 27th February 2008

Specialist Implications Officer(s) *List information for all*

None

Wards Affected: *List wards or tick box to indicate all*

All *tick*

For further information please contact the author of the report

Background Papers:

None



Full Council 10 April 2008

Report of the Head of Civic, Democratic and Legal Services

Standards Committee – Recommendation in respect of Members' Allowances Scheme.

Summary

1. This report presents the recommendation of the Standards Committee in respect of an alteration to the Members' Allowances Scheme.

Background

2. At its meeting on 14 March 2008, the Standards Committee considered a report which asked them to recommend to Council certain changes to the composition and constitution of the Committee, in order to meet the provisions of the Local Government and Public Involvement in Health Act 2007 and associated requirements.
3. Details of the Standards Committee's recommendations in relation to the above report are set out in the Part B minutes attached as Annex A to this report. Recommendations (i) to (iv) in those minutes have been incorporated into a wider report on changes to the Council's Constitution and are dealt with in the recommendations of the Executive, at item 7 on this agenda. Recommendation (v) remains to be considered by Council and is dealt with in this report.
4. The recommendation in question relates to a proposed alternation to the Members' Allowances Scheme, as follows:
 - (v) That provision be included in the Members' Allowances Scheme to withdraw members' allowances during the period a Member is suspended from office as a result of the finding of the Adjudication Panel for England or the Standards Committee that the Member had failed to comply with the Members' Code of Conduct.

Consultation

5. No consultation has taken place on the recommendation, which has been referred directly from the Standards Committee. Any relevant consultation on the report considered by the Committee was carried out in advance of their meeting.

Options

7. Council can choose to approve or not to approve the Standards Committee's recommendation.

Analysis

8. The approval and amendment of the Members' Allowances Scheme is a function reserved to full Council under the Constitution. Council is therefore obliged to consider the recommendation of the Standards Committee in respect of this matter.

Implications

9. There are no known implications in relation to the following in terms of dealing with the specific matter before Members, namely to consider the recommendation of the Standards Committee:
 - Financial
 - Human Resources (HR)
 - Equalities
 - Legal
 - Crime and Disorder
 - Property
 - Other

Risk Management

10. In compliance with the Council's risk management strategy, there are no known risks associated with the recommendations in this report.

Recommendations

11. I recommend that Full Council endorses the recommendation of the Standards Committee referred to in paragraph 4 above.

Reason:

In compliance with the requirements of the Council's Constitution.

Contact details:

Author:

Quentin Baker
Head of Civic, Democratic and Legal
Services
01904 551004

Chief Officer Responsible for the report:

Quentin Baker
Head of Civic, Democratic and Legal Services

Report Approved

Date 2/4/08

Specialist Implications Officer(s) None

Wards Affected:

All

For further information please contact the author of the report

Annexes

Annex A - Part B minutes of Standards Committee meeting on 14 March 2008

Background Papers

Report to Standards Committee on 14 March 2008, entitled *Standards Committee – Constitutional Changes* (available on the Council's website)

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MEETING	STANDARDS COMMITTEE
DATE	14 MARCH 2008
PRESENT	MRS BAINTON (INDEPENDENT MEMBER, IN THE CHAIR), KIRK, HORTON (VICE-CHAIR), HUDSON AND CRAWFORD (PARISH COUNCIL MEMBER)
IN ATTENDANCE	COUNCILLOR MELLORS (PARISH COUNCIL SUBSTITUTE MEMBER)

PART B - MATTERS REFERRED TO COUNCIL

37. STANDARDS COMMITTEE - CONSTITUTIONAL CHANGES

Members considered a report which asked them to recommend to Council certain changes to the constitution and composition of the Standards Committee, in order to meet the provisions of the Local Government and Public Involvement in Health Act 2007 (the Act) and associated requirements.

As reported at the last meeting, the provisions requiring the Committee to undertake the role of carrying out initial assessments of complaints were expected to come into effect from 1 April 2008. To enable it to perform this role, it was proposed to increase the size of the Committee to 11, comprising 4 City councillors, 4 independent members and 3 parish councillors. An advertisement had been placed in the local press for independent members but to date only one response had been received. It was suggested that the deadline for applications be extended, pending a targeted 'recruitment' process focused upon groups such as the local magistracy, church organisations and York CVS. With regard to parish councillor members, it was proposed that Cllr Mellors, the current substitute, be appointed to full membership. A further nomination had been sought from the Yorkshire Local Councils Association but this had not yet been received.

Further changes were required to enable the Committee to set up sub-committees in order to carry out assessments, re-assessments and hearings under the Act. It was also proposed to amend the terms of reference to give effect to the Ethical Governance Audit's recommendation that the Committee be given an oversight role in respect of complaints handling and Ombudsman investigations. Finally, it was suggested that the Council's Members' Allowances Scheme be revised to enable payment of allowances to be withdrawn from a member suspended from office due to failure to comply with the Code of Conduct. Details of the amendments to the Constitution required to give effect to these changes were set out in Annexes A and B to the report.

RECOMMENDED: (i) That Councillor Brian Mellors (substitute Parish Representative) be made a full member of the

Standards Committee, together with the representative selected by the Yorkshire Local Councils Association.

(ii) That Council seek a nomination from the Green Party Group for membership of the Standards Committee.

(iii) That Council adopt the revised Article 8 of the Constitution, as set out at Annex A to these minutes.

(iv) That Council adopt the revised functions of the Standards Committee as set out at Annex B.

(v) That provision be included in the Members' Allowances Scheme to withdraw members' allowances during the period a Member is suspended from office as a result of the finding of the Adjudication Panel for England or the Standards Committee that the Member had failed to comply with the Members' Code of Conduct.

REASON: To enable the Standards Committee to comply with the provisions of the Local Government and Public Involvement in Health Act 2007 and to give effect to the recommendations of the Ethical Governance Audit and the Monitoring Officer.

Action Required

1. Refer Part B minute to Council.

GR

C Bainton, Chair

[The meeting started at 3.00 pm and finished at 3.25 pm].

Scrutiny Report to Council

Report of Chair, Scrutiny Management Committee

Since the last report to Council, there has been two meetings of Scrutiny Management Committee (SMC).

In January we received interim update reports from Health Scrutiny Committee and the Traffic Congestion Ad-hoc Scrutiny Committee. We also received a report which summarised the expenditure against the budget available specifically for supporting scrutiny reviews in 2007/8, and as a result we recommended to Council that a budget of £20k be set for supporting scrutiny reviews in 2008/09, in line with the 2002/03 funding levels.

In February we received an interim report from Education Scrutiny Committee detailing their work to date on their review of School Governors, the final report from the Highways Maintenance Ad-hoc Scrutiny Committee and a further report from the Traffic Congestion Ad-hoc Scrutiny Committee requesting additional funding for their review. As a result of this request, we are submitting a report to the Executive in order that we can finance the ongoing work of the Traffic Congestion review.

Education Scrutiny Committee

The review of School Governors is ongoing. The results from a survey of individual school governor are now known and have been fed into the Governor Development & Support Service database to ensure their records are up-to-date. An exit questionnaire has been agreed for Governors standing down and this has been issued to all those who have left the role in the last three years. The Governor Development and Support Service team will use the information gained from the individual governor survey and any returned exit questionnaires to highlight any issues within governing bodies, or with the training / level of support provided.

The Committee has also issued their latest interim report for consideration at the next full governors' meeting of each school, together with a further questionnaire requesting information on the level and type of support given to new community (and parent) governors and the methods used for increasing community involvement with Governing Bodies / schools. The Committee intend sharing the results and any ideas etc with all governing bodies at the end of the review.

Health Scrutiny Committee

In January the Health Scrutiny Committee and officers from the Council hosted an event for people and organisations in York who are interested in 'LINKs' - a network of organisations and individuals whose role will be to promote and support the involvement of local people in the commissioning and delivery of health and social care. The event was requested by local organisations and officers were able to respond positively to that request as well as using resources

efficiently and effectively by collaborating with North Yorkshire CC and building on the work they have already undertaken.

In February a workshop was held at which Dr Peter Brambleby, the Director of Public Health, gave a presentation on clinical guidelines for treatments and how they are managing the enlarged provision of services in the community. The workshop format enabled patients and community groups to engage in the dialogue and share their knowledge and expertise with Dr Brambleby.

Work is also underway on the Annual Healthcheck required by the Healthcare Commission and the Chair of the Health Scrutiny Committee is meeting with PPI Forums to hear their comments. It is recognised that although we do not have the resources or expertise to comment on all standards assessed in the Annual Healthcheck, we are hoping to ensure that Trusts are fulfilling their legal obligations to consult with patients and service users in a significant way as services are changed and developed.

Ad-Hoc Scrutiny Committees

Barbican

The committee recently held an informal seminar with council officers and a decision was taken to meet the people from the 'Barbican Action Group' (who were concerned with saving the pool and leisure facilities) and the 'Save Our Barbican' Group (concerned with the number of houses on the site and traffic congestion) informally to hear their views. The Committee have agreed the format for the meeting and work is ongoing to contact the members of these groups and agree a convenient date for the meeting.

Highways

The final report for this review was present to SMC in February and is scheduled to go to the Executive on 22 April 2008.

Traffic Congestion

An interim report was presented to SMC at the end of January detailing the work completed to date. As a result, the timeframe for the review was extended and SMC agreed to put in a request to the Executive for additional funding in order that the review can carry out a survey of all York residents.

The survey will raise awareness of the broad strategic options available to the city to tackle congestion, seek residents views on these options and the results will inform the recommendations arising from the review.

**Approved by Councillor Paul Blanchard
Vice- Chair of Scrutiny Management Committee**

**To be presented by Councillor John Galvin
Chair of Scrutiny Management Committee**

April 2008

Membership of Committees, Working Groups and Outside Bodies

Children's Services Advisory Panel

To appoint Dr Alison Birkinshaw as a non-statutory Co-opted Member of the Panel (Further Education Representative), in place of Mr Mike Galloway.

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