

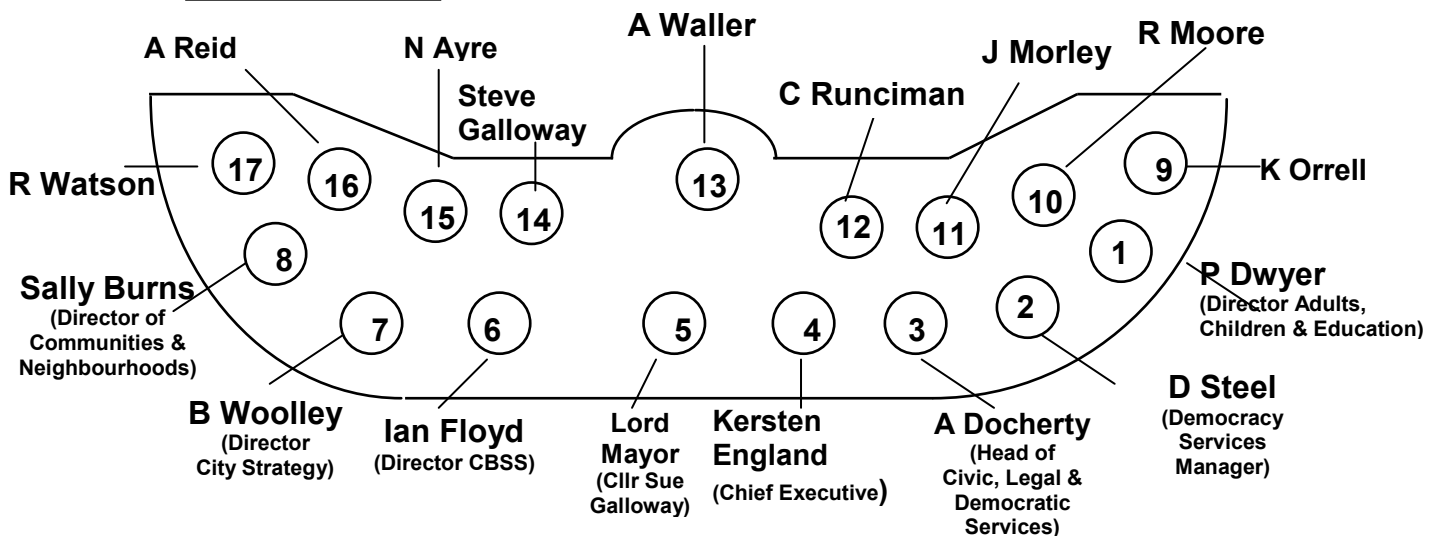
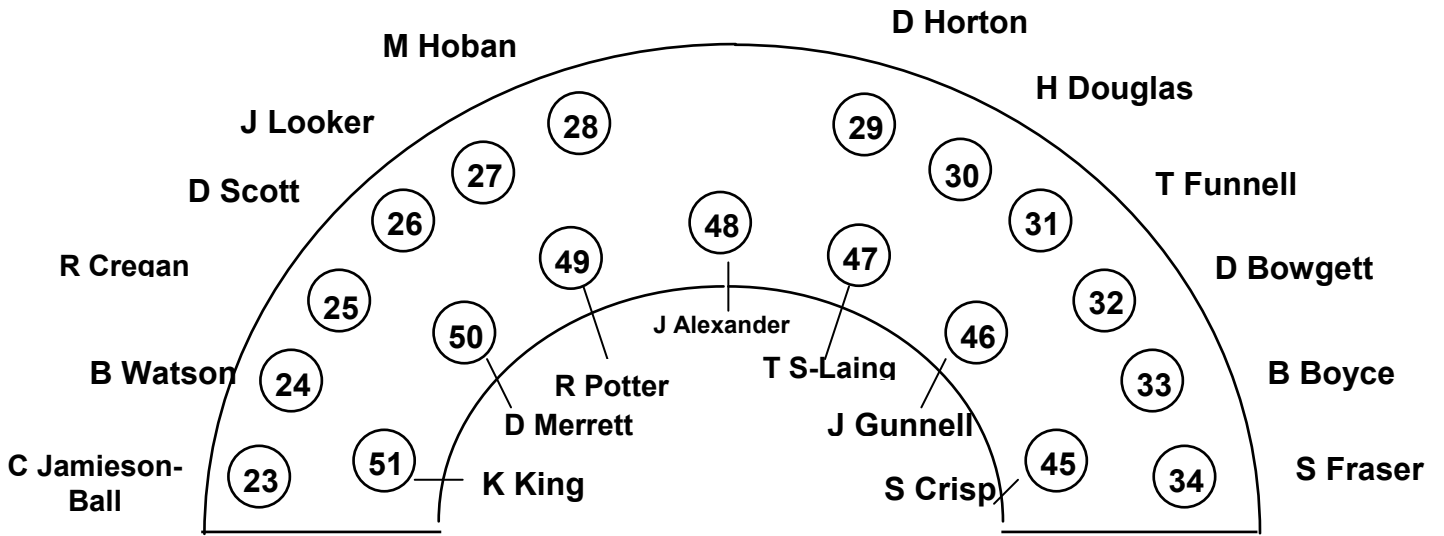
## CITY OF YORK COUNCIL SUMMONS

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, 7 April 2011 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 - 72)

To approve and sign the minutes of the Special and Ordinary Council meetings held on 9 December 2010 and the Budget Council meeting held on 24 February 2011.

### **3. Civic Announcements**

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

### **4. Public Participation**

At this point in the meeting, any member of the public who has registered to address the Council, or to ask a Member of the Council a question, on a matter directly relevant to the business of the Council or the City, may do so. The deadline for registering is **5:00pm on Wednesday 6 April 2011**.

### **5. Petitions** (Pages 73 - 78)

- a) To consider any petitions received from Members in accordance with Standing Order No.7. To date, notice has been received of one such petition, as follows:
  - A petition to be presented by Cllr Aspden on behalf of local residents calling for additional road markings on Selby Road, Fulford.
  
- b) To consider a petition submitted on-line and to the Council meeting on 24 February 2011, together with a briefing report from the Director of Adults, Children & Education. The petition relates to support for vulnerable people and has more than 1,000 signatories.

A note on the process for dealing with petitions will be circulated to Members before the meeting.

## 6. Report of Executive Leader and Executive Recommendations (Pages 79 - 126)

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	18 January 2011	Minute 148: <i>Revised Income Policy</i> <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CategoryId=102&amp;MId=5503&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CategoryId=102&amp;MId=5503&amp;Ver=4</a>
Executive	1 March 2011	Minute 173: <i>City of York Local Development Framework – Core Strategy Submission Draft (LDF)</i> <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CategoryId=102&amp;MId=5506&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CategoryId=102&amp;MId=5506&amp;Ver=4</a>
Executive	15 March 2011	Minute 182: <i>Draft Full City of York Local Transport Plan 2011 Onwards (LTP3)</i> <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CategoryId=102&amp;MId=5507&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CategoryId=102&amp;MId=5507&amp;Ver=4</a>

### **Note**

Details of the above items can be found on the Council's website with the agendas for the relevant Executive meetings, by clicking on the web links below each item.

Printed copies of the LDF and LTP3 draft documents have been circulated to all Members.

**7. Recommendations of the Audit & Governance Committee**  
(Pages 127 - 144)

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

Date of Meeting	Recommendations
6 December 2010	<i>Minute 53: Updated Council Response to the Epetitions Duty in the Local Democracy, Economic Development And Construction Act.</i> <u>Note</u> A revised version of the Petitions Scheme referred to in the minute is attached.
15 February 2011	<i>Minute 68: Transition to New Style Leader and Cabinet Model</i> <u>Note</u> A copy of the report referred to in the minute is attached.

**8. Scrutiny - Report of the Chair of the Scrutiny Management Committee** (Pages 145 - 148)

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

**9. Report of Executive Member** (Pages 149 - 152)

To receive a written report from the Executive Member for City Strategy, 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 8.2.1.

**10. 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)

- Quality Bus Partnership – meeting on 15 December 2010

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

**11. Appointments and Changes to Membership** (Pages 153 - 154)

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

**12. Notices of Motion**

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

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

None

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

(i) From Cllr Kirk

“Council notes the concerns raised by local residents and health professionals in regard to the Government's proposed reforms to the NHS contained in the Health and Social Care Bill and the petition collected by Defend Our NHS York.

Council is especially concerned by the introduction of a market based approach to the NHS and the impact this could have on decisions about local patient care. Council is also concerned that the proposals do little to improve on the current lack of local accountability for health care decisions.

Council supports the suggestions made in the amendments agreed at the recent Liberal Democrat conference, including ensuring elected local councillors have a strong role in making

services accountable to local people, and believes these changes should be incorporated into the Bill by the Government.

Council therefore asks the Chief Executive to write to the city's MPs asking them to support amendments to the Bill in order to address the concerns of residents and safeguard health services for local people."

(ii) From Cllr Alexander

"Council notes the Liberal Democrat Yorkshire Manifesto commitment to increase the number of police officers in Yorkshire and the Humber by 200. Instead North Yorkshire alone is set to lose 200 police officers due to Conservative Liberal Democrat funding cuts.

Council requests the Chief Executive to write to the Deputy Prime Minister to request him to halt planned police cuts."

(iii) From Cllr Wiseman

"Whereas:

There are 11 children's heart surgery units in the UK, but the NHS is proposing under its 'Safe and Sustainable' review to reduce this to 6 or 7 specialist hubs undertaking 400 operations per year;

and

The choice facing the NHS review team will be to retain either the Children's Heart Surgery Unit at Leeds General Infirmary or the unit at Newcastle to serve the north;

and

Leeds serves a major population catchments area of 14 million people in Yorkshire and the Humber, Lincolnshire and North Derbyshire, has the capacity to expand and has centralised the whole of its children's services operations on one site;

and



Leeds General Infirmary is at the forefront of work on inherited cardiac conditions and has an excellent record for providing safe, high quality children's heart surgery;

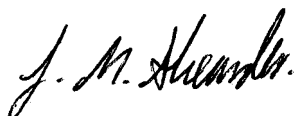
Council asks Members to join with local MPs and community groups to express all-party support for keeping open the Children's Heart Unit at Leeds General Infirmary and asks the Chief Executive to write to the Department of Health to ask for the retention of the Leeds Children's Heart Unit as the centre best placed to serve as the specialist hub for the needs of young cardiac patients in Yorkshire and the north of England."

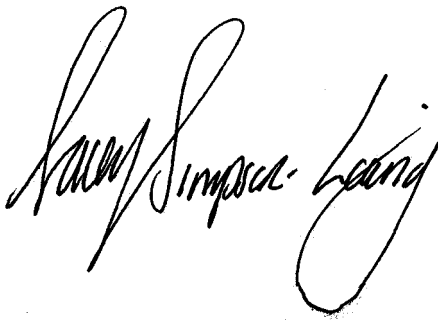
(iv) From Cllr Crisp

"Council notes the council has received a 13.3% funding cut this year yet the recent council budget passed by Conservative and Liberal Democrat councillors allowed the Communities and Neighbourhoods' recruitment agency budget of £2m to be cut by only 5%. The budget also included cuts to essential mental health services, an 80% cut to Holocaust Memorial Day funding and a £38k cut to Hull Road park resulting in it being left open 24 hours a day and staff reductions.

Council resolves to reverse the £38k cut to Hull Road park, allocate £20k to youth mental health work and reverse the 80% cut to Holocaust Memorial Day funding through increased savings in the Communities and Neighbourhoods' recruitment agency budget by £62k."

*[Signed by Cllrs Alexander, Merrett, Boyce, Simpson-Laing and B Watson]*





(v) From Cllr Waller

Council notes that:

1. Employment in York has been higher than the national and regional average for the whole of the last 8 years, and that York is now the 7<sup>th</sup> best performing council in the country in terms of driving down the numbers of young people not in jobs or training (NEETS).
2. In 2003 58.9% of pupils achieved 5 A\* to C grades at GCSE and that by 2010 that figure had risen to 80.5%. Council further notes that City of York Council has for the fourth year been rated as a four star authority for Children's Services, being only one of 9 authorities nationally to be awarded this top rating by Ofsted.
3. Independent inspectors have rated social care services for adults as 'performing well' and that the Discus Bungalows have been replaced with modern housing, and a new supported living complex, Auden House, of the quality of provision that older residents in the city should expect.
4. In 2003 York had 3 chronically neglected pools at the end of their useful lives and plans to close one and that £18m of investment has now been secured which has seen the new Energise pool built, Yearsley Pool refurbished and work set to begin soon on the city's first competition standard pool at York Sports Village.

5. The total number of visitors to York's libraries has increased by more than 180,000 between 2003 and 2009, thanks to the innovative partnerships which helped to deliver the Explore Centre model which will now be rolled out to all the city's libraries.
6. In 2003 recycling rates were just 12% and that they now stand at almost 45%, with the city also generating less waste overall.
7. In 2003 19% of areas had unacceptable levels of litter and that thanks to York Pride, which has helped to drive up street level cleanliness, the figure now stands at 6%.
8. In 2003 roads were deteriorating faster than they could be repaired with 17% of roads and 11% of footpaths classed as in poor condition. Thanks to investment that has fallen to 11% of roads and 3% of footpaths.
9. Crime in York has fallen by more than 50% since 2003 thanks to the creation of a strong working relationship with Neighbourhood Policing Teams and Safer York Partnership.
10. In 2003 there were 100 Killed and Seriously Injured traffic accidents and that by 2009 that figure had fallen to 60.

Council further notes that this has all been achieved with the lowest charge for council services in Yorkshire.

Council puts on record its appreciation to officers for the delivery of these achievements and the high quality of results for residents of York."

**13. 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 11.3(a):

- (i) To the Executive Leader, from Cllr Merrett  
“What would the Council’s liability be for air quality fines should the EU fine the UK Government and this be passed onto councils?”
- (ii) To the Executive Leader, from Cllr Sunderland  
“Can the Executive Leader give an update on progress with finding a funding solution for the Leeman Road Flood defence project?”
- (iii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Crisp  
“York has 14 libraries and the Leader of the Council has said publicly the Executive’s plans will maintain 14 libraries. A new library is suggested to be built with the new community stadium. Which library will this replace?”
- (iv) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Aspden  
“How many schools in York have achieved the ARTSMARK quality award and how does this compare to the national average?”
- (v) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Hyman  
Can the Executive Member give details of the numbers of visitors to the city’s various festivals over the past 8 years?”
- (vi) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Firth  
“Can the Executive Member give an update on the progress towards bringing the Mystery Plays back to Museum Gardens next year?”
- (vii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Orrell  
“Can the Executive Member give Council an update on the work that the Inclusive Arts team has done since it was created in 2009?”

- (viii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Hogg  
“Can the Executive Member comment on how participation in sport and active leisure has changed over the past five years and how this compares to national trends?”
- (ix) To the Executive Member for Health & Adult Social Services, from Cllr Fraser  
“Please explain why City of York Council is continuing to let private care providers run Adult Social Care Services in the City when at least one of them is deemed not to be working to the standards of the agreed contract. Will this provider be given a final date for when the services have to meet standards or the service brought back in house?”
- (x) To the Executive Member for Health & Adult Social Services, from Cllr Hyman  
“Can the Executive Member describe the Council’s investment in Telecare and the benefits the system brings?”
- (xi) To the Executive Member for Health & Adult Social Services, from Cllr Waudby  
“How many sheltered and extra care housing units were there in 2003 and how many are available now?”
- (xii) To the Executive Member for Health & Adult Social Services, from Cllr R Watson  
“Can the Executive Member explain the impact of the ‘every child a talker’ project and the benefits it has brought to young children in the city?”
- (xiii) To the Executive Member for Neighbourhoods & Housing, from Cllr Sunderland  
“How many applications have been received for the downsizing opportunities at Pately Place and Birch Park?”
- (xiv) To the Executive Member for Neighbourhoods & Housing, from Cllr Holvey  
“Can the Executive Member say what the rate of recycling for 2010/11 is expected to be along with the expected total amount of waste collected?”

- (xv) To the Executive Member for Children’s Services, from Cllr Waudby  
“Can the Executive Member give details of the results of the recent Ofsted inspection of The Glen?”
- (xvi) To the Executive Member for Children’s Services, from Cllr Aspden  
“Can the Executive Member give details of the work of the Change Champions and explain how their work will be incorporated into Council decision making?”
- (xvii) To the Executive Member for Corporate Services, from Cllr Firth  
“Will the Executive Member comment on the implementation of the Allpay service and whether or not it has been a success?”
- (xviii) To the Executive Member for Corporate Services, from Cllr R Watson  
“What proportion of new benefit registrations are now processed within 24 hours compared to 8 years ago and how has the time taken to process benefit claims changed since 2003?”

#### **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](mailto:fiona.young@york.gov.uk)

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

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

Contact details are set out above.

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**CITY OF YORK COUNCIL**

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th December, 2010, starting at 6.30 pm

**Present:** The Lord Mayor (Councillor Sue Galloway) in the Chair, and the following Councillors:

**ACOMB WARD**

Horton  
Simpson-Laing

**BISHOPTHORPE WARD**

Galvin

**CLIFTON WARD**

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  
R Watson

**HESLINGTON WARD****HEWORTH WARD**

Boyce  
Potter

**HEWORTH WITHOUT WARD**

Ayre

**HOLGATE WARD**

Alexander  
Bowgett  
Crisp

**HULL ROAD WARD**

Cregan  
Hoban

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  
Waudby

STRENSALL WARD

Kirk  
Wiseman

WESTFIELD WARD

Steve Galloway  
Waller

WHELDRAKE WARD

Vassie

Apologies for absence were received from Councillors Douglas, Funnell, Hogg and Jamieson-Ball

**44. HONORARY FREEMAN**

The Lord Mayor declared the object of the meeting, under Section 249 of the Local Government Act 1972, which was to confer the status of Honorary Freeman upon Mr Neal Guppy.

It was then moved by Cllr Waller and seconded by Cllr Gillies:

“That, pursuant to its powers under Section 249(1) of the Local Government Act 1972, the Council do confer the title of Honorary Freeman of the City of York upon:

**Mr Neal Guppy**, in formal recognition of the significant role he has played since the 1960s in the lives of York’s residents, particularly the young and less fortunate in society.”

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

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

Action Required

1. Arrange a date for presentation of the award

AP

Councillor Sue Galloway  
LORD MAYOR OF YORK

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

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**Present:** The Lord Mayor (Councillor Sue Galloway) in the Chair, and the following Councillors:

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**FISHERGATE WARD**

D'Agorne  
Taylor

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STRENSALL WARD

Kirk  
Wiseman

WESTFIELD WARD

Steve Galloway  
Waller

WHELDRAKE WARD

Vassie

Apologies for absence were received from Councillors Douglas, Funnell, Hogg  
and Jamieson-Ball

**45. 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. No interests were declared.

**46. PUBLIC PARTICIPATION**

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

**47. NEW EXECUTIVE ARRANGEMENTS**

Cllr Waller moved, and Cllr Runciman seconded, the recommendations set out in the report of the Monitoring Officer at pages 1-4 of the Council papers, as follows:

"That the following changes in the Council's governance arrangements, to come into operation on 8<sup>th</sup> May 2011, be approved:

- That the Council's Executive form should be the 'new style' Leader and Cabinet Executive (England).
- That the Council should have the power to remove the Leader by way of resolution by a simple majority.
- That the 'local choice' functions should be discharged as set out in the Constitution in force at the date of the election.
- That the councillor who holds the office of Leader of the City of York Council who is in office on 8<sup>th</sup> May 2011 should remain in office until the annual meeting of Council provided that he remains a councillor.
- That the scheme of responsibility for the City of York Council's executive functions listed in the Council's Constitution in force at the date of the election should remain in force until such time as the Leader appointed at the annual meeting directs otherwise
- That the Monitoring Officer be requested to bring forward the necessary amendments to the Constitution of the Council to a meeting of Council prior to the end of the Municipal Year."<sup>1</sup>

Cllr Alexander then moved, and Cllr Boyce seconded, an amendment to the above recommendations, as follows:

"At the end of the 4<sup>th</sup> bullet point, after '*remains a councillor*', insert:  
*'; subject to no new initiatives being started, no new expenditure being authorised by the Executive Leader and that there is recognition that former councillors cannot remain as Executive Members beyond the expiry of their term of office three days after the election. Should a new majority be formed from the May 2011 elections, their authority will be formally recognised at the earliest juncture.'*"

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

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

RESOLVED: That the recommendations contained in the report of the Monitoring Officer, as set out above, be approved.

Action Required

1. Prepare a report to Council on 7 April on Constitutional amendments AD

Councillor Sue Galloway  
LORD MAYOR OF YORK

*[The meeting started at 6.35 pm and concluded at 6.45 pm]*



**CITY OF YORK COUNCIL**

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th December, 2010, starting at 6.40 pm

**Present:** The Lord Mayor (Councillor Sue Galloway) in the Chair, and the following Councillors:

**ACOMB WARD**

Horton  
Simpson-Laing

**BISHOPTHORPE WARD**

Galvin

**CLIFTON WARD**

King  
Scott

**DERWENT WARD**

Brooks

**DRINGHOUSES & WOODTHORPE WARD**

Holvey  
Reid  
Sunderland

**FISHERGATE WARD**

D'Agorne  
Taylor

**FULFORD WARD**

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Kirk  
Wiseman

WESTFIELD WARD

Steve Galloway  
Waller

WHELDRAKE WARD

Vassie

Apologies for absence were received from Councillors Douglas, Hogg and Jamieson-Ball

#### 48. 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 **personal and prejudicial** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Funnell	6, Executive Minute 127	Chair of St Nicholas Fields
Galvin	6, Executive Minute 114, recommendation (v)	Relative has an interest in the Trust
Gunnell	13, Motion (iv)	Member of the GMB, sister a care worker employed by City of York Council
King	13, Motion (iv)	Daughter a care worker employed by City of York Council (CYC) and a union representative
Kirk	13, Motion (iv)	Daughter employed by CYC
Looker	13, Motion (iv)	Two members of family employed by CYC
Merrett	6, Executive Minute 127	Employee of Amey
Scott	13, Motion (iv)	Member of a union, wife employed by CYC
Vassie	13, Motion (iv)	Partner a school teacher employed by CYC

The following **personal** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Alexander	13, Motion (iv)	Member of the GMB
Brooks	13, Motions (i) and (ii)	Member of the Association of Lecturers and Teachers
Crisp	13, Motion (iv)	Retired member of UNISON
D'Agorne	6, Executive Minute 127 13, Motions (i) and (ii)	Involved with York Residents Against Incineration Employee of York College, member of the UCU
Fraser	13, Motion (iv)	Member of the retired section of UNISON and the retired section of the Acts Section of the T&GWU Section of Unite.
S Galloway (Lord Mayor)	13, Motions (i) and (ii)	Member of the University Courts of Hull and York during year of office
Hyman	13, Motions (i) and (ii)	Daughter at university

Horton	13, Motion (iv)	Affected by Comprehensive Spending Review
Looker	13, Motions (i) and (ii)	Part-time employee of University of York St John
Merrett	13, Motions (i) and (ii) 13, Motion (iv)	Daughter may attend university in future Employed in a public sector industry
Potter	13, Motions (i) and (ii)	Daughter at Newcastle University
Runciman	13, Motions (i) and (ii)	Member of the University Court
Scott	13, Motions (i) and (ii)	Children may attend university in future
Simpson - Laing	13, Motion (iv)	Member of UNISON
Taylor	6, Executive Minute 127	Involved with York Residents Against Incineration

#### 49. MINUTES

RESOLVED: That the minutes of the Council meeting held on 7 October 2010 be approved and signed by the Chair as a correct record.

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

The Lord Mayor announced that the Council had received a trophy to mark its achievement of Charter Status; this was on display in the Council Chamber.

The Lord Mayor then invited Cllr Alexander to nominate the Lord Mayor Elect for the Municipal Year 2011/12. Cllr Alexander nominated, and Cllr Waller seconded, Cllr David Horton as the Lord Mayor Elect and this nomination was unanimously agreed. Cllr Horton replied that he would be honoured to accept this office and nominated Alan Dellar as Sheriff for the 2011/12 Municipal Year.

#### 51. PUBLIC PARTICIPATION

The Lord Mayor reported that nine members of the public had registered to speak at the meeting under the Council's Public Participation Scheme.

**Jonathan Lancaster** spoke in support of the notice of motion submitted by Cllr Aspden, in relation to tuition fees.

**Timothy Ndwena** spoke in support of the notice of motion on tuition fees submitted by Cllr Alexander.

**David Levene** spoke in support of the petition to be presented by Cllr Alexander, seeking the introduction of double yellow lines along the length of University Road.

**Brian Cooper** spoke in relation to the Executive recommendations for the award of the Long Term Waste Management Contract, on behalf of of Marton-cum-Grafton Parish Council and other parish councils in the Allerton Park area. He opposed the recommendations on the basis of the size of the proposed incinerator, the superiority of other forms of waste disposal and the financial risks of the contract.

**Richard Lane** spoke about the Waste Management Contract recommendations on behalf of York Residents Against Incineration. He opposed the recommendations on the basis that entering into a long term contract went against DEFRA advice and was incompatible with the fact that levels of residual waste were now falling.

**Guy Wallbanks** spoke about the Waste Management Contract recommendations on behalf of York & Ryedale Friends of the Earth. He opposed the recommendations on the basis that the issue of residual waste should be tackled by supporting reduction, re-use and repair rather than by incineration.

**Mr Boyle** also spoke in opposition to the Waste Management Contract recommendations, citing the financial risks to the Council of surplus incinerator capacity as a result of decreasing levels of residual waste.

**Mark Snee** spoke in relation to the Executive recommendation from 16 November seeking an increase to the capital programme to enable the purchase of premises on behalf of York Museums Trust. As an occupier of the said premises, he highlighted the effect the sale would have on his business and his employees and urged Members to reconsider the matter.

**Alexandra Hunt**, the manager of Safe and Sound Homes (previously known as York Night Stop), spoke about the work of her organisation, which had increased its caseload by 400% since 2008, and asked that it be included within the Council's Homeless Strategy and be considered for funding, given that it was helping to fulfil a statutory duty.

## 52. PETITIONS

Under Standing Order 7, petitions were presented by:

- (i) Cllr Alexander, on behalf of local residents, regarding Council action required on parking along University Road.<sup>1</sup>
- (ii) Cllr Aspden, on behalf of residents of Heslington Village, regarding parking on University Road.<sup>2</sup>
- (iii) Cllr Simpson-Laing, on behalf of residents seeking a 20 mph speed limit on Grayshon Drive.<sup>3</sup>

- (iv) Cllr Horton, on behalf of residents seeking a 20 mph speed limit on Melwood Grove.<sup>4</sup>
- (v) Cllr Horton, on behalf of residents seeking a 20 mph speed limit on Sherwood Grove.<sup>5</sup>
- (vi) Cllr Simpson-Laing, on behalf of residents requesting the re-installation of static bollards on Low Poppleton Lane.<sup>6</sup>
- (vii) Cllr Merrett, on behalf of residents seeking a 20 mph speed limit on Bishopthorpe Road and the surrounding residential streets.<sup>7</sup>
- (viii) Cllr D'Agorne, on behalf of residents calling for the introduction of a 20 mph zone in Alma Terrace and the surrounding streets.<sup>8</sup>
- (ix) Cllr D'Agorne, on behalf of York Residents Against Incineration, objecting to the Executive recommendations for the award of the Long Term Waste Management contract.<sup>9</sup>
- (x) Cllr D'Agorne, on behalf of the North Yorkshire Waste Action Group, objecting to the Executive recommendations for the award of the Long Term Waste Management contract.<sup>10</sup>
- (xi) Cllr D'Agorne, on behalf of the Don't Incinerate Steering Committee, objecting to the Executive recommendations for the award of the Long Term Waste Management contract.<sup>11</sup>

Action Required

1-8: Schedule items on Forward Plan for suitable meetings and keep relevant Members updated on progress SS

9-11: Respond to petitioners, if appropriate (item in question already dealt with by Council). SS

**53. REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS**

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

Cllr Waller then moved, and Cllr Runciman seconded, the following recommendation under Minute 86 of the Executive meeting held on 5 October 2010 (*Reference Report – National Service Planning Requirements for Environmental Health and Trading Standards*):

*“That Council approve the food law enforcement plan.”<sup>1</sup>*

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

RESOLVED: That the recommendation contained in Minute 86 of the Executive meeting on 5 October 2010 be approved.<sup>1</sup>

Cllr Waller then moved, and Cllr Runciman seconded, the following recommendations under Minute 103 of the Executive meeting held on 2 November 2010 (*Sustaining the More for York Programme and Creating the Office of the Chief Executive*):

- “(i) That the Venture Fund be re-profiled as set out in Annex 1 to the report [to Executive].*
- (ii) That approval be given to the ongoing use of £600k savings generated from More for York in 2011/12 to fund the More for York programme team as part of the Office of the Chief Executive.”<sup>2</sup>*

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

RESOLVED: That the recommendations contained in Minute 103 of the Executive meeting on 2 November 2010 be approved.<sup>2</sup>

Cllr Waller then moved, and Cllr Runciman seconded, the following recommendations under Minute 114 of the Executive meeting held on 16 November 2010:

*“That Council approve:*

- (i) The net adjustments of (£8.226m) in 2010/11, (£11.975m) in 2011/12, £13.286m in 2012/13 and £6.725m in 2013/14, as set out on a scheme by scheme basis in the report [to Executive] and contained in Annex A.*
- (ii) The use of an additional £66k of Prudential Borrowing for the funding of Self Issue Library machines, noting that this extends the scheme total to £104k in 2010/11.*
- (iii) The use of Prudential Borrowing to fund the Travellers’ Site Electricity Units at a cost of £250k over a two year period (£134k in 2010/11 and £116k in 2011/12), to be paid for from departmental budgets made available from the savings generated as a result of the installation of the new equipment.*
- (iv) The addition to the capital programme in 2010/11 of £1.766m in relation to the required works for the Crematorium, to be funded from Prudential Borrowing , to be repaid over a period of 15 years, noting that this cost may rise in line with VAT to £2.119m should ring fencing be applied.<sup>3</sup>*

With the consent of Council, Cllr Waller withdrew the following recommendation set out under the above minute and directed that it be referred to the Staffing & Urgency Committee meeting on 20 December 2010 for re-consideration in the light of the comments made under Public Participation:<sup>4</sup>

- ‘(v) The addition to the capital programme in 2010/11 of £525k in relation to the acquisition of premises on behalf of the York Museums Trust, subject to satisfactory terms being agreed, with the agreement of such*

*appropriate terms, conditions and repayment period being delegated to the Director of CBSS.'*

With the consent of Council, Cllr Waller also withdrew the recommendation set out under Minute 115 of the Executive meeting on 16 November in respect of the 2011-12 Budget Update 1 – Spending Review Implications, as it did not reflect the decisions made by the Executive on that item.

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

RESOLVED: That the recommendations contained in Minute 114 of the Executive meeting on 16 November 2010 (except for recommendation (v) under Minute 114) be approved.<sup>3</sup>

*Note: Cllr Galvin left the Chamber during consideration of the above recommendations, having declared a prejudicial interest in recommendation (v).*

Cllr Waller then moved, and Cllr Runciman seconded, the following recommendations under Minute 127 of the Executive meeting held on 30 November 2010 (*Award of Long Term Waste Management Service Contract 2*):

*“That Council agree to:*

- (i) support the award of the Waste Private Finance Initiative (PFI) by North Yorkshire County Council to AmeyCespa for the service operation period of 25 years, with an option to extend for up to 5 years;*
- (ii) commit to make sufficient budgetary provision (£750k per annum growth from 2011/12 to 2015/16 inclusive) for the contract for its term, and determine the limits of the affordability envelope within which financial close may be agreed, as set out in paragraph 193 of the report;*
- (iii) delegate authority to the Director of City Strategy (acting in consultation with the Director of Customer & Business Support Services and the Head of Civic, Democratic & Legal Services) to determine the final terms of the Waste Management Agreement between the County Council and City of York Council documents at commercial and financial close, as necessary, subject to the Agreement being within the affordability envelope agreed by Council;*
- (iv) delegate authority to the Director of City Strategy (acting in consultation with the Leader, the Director of Customer & Business Support Services and the Head of Civic, Democratic & Legal Services) to execute on behalf of the City Council the Waste Management Agreement with North Yorkshire County Council;*
- (v) authorise the Director of Customer & Business Support Services to issue the certificates under the Local Government (Contracts) Act 1997 to confirm the City Council's powers to enter into the contract referred to in the above paragraph;*



- (vi) *give an indemnity to the Director of Customer & Business Support Services against any claim that may arise out of or in connection with the issue of the certificates under the Local Government (Contracts) Act 1997;*
- (vii) *note that, if the above is agreed, the Executive will take all such decisions as may be required out of or in connection with the implementation of the decision to award the PFI contract to AmeyCespa, including agreeing that financial close may proceed within the limits of the affordability envelope set by the Council.”<sup>4</sup>*

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

“Delete all from (i) to (vii) and substitute:

- (i) *defer any decision upon awarding the Waste PFI Contract by NYCC to AmeyCespa, for the time being, since it would be imprudent to make any firm decision at this time on committing the Council to a 25 year management contract until central government’s national review of waste management is completed;*
- (ii) *request officers, in the meantime, to undertake a formal assessment of an alternative waste strategy, not involving incineration (jointly with North Yorkshire County Council, and to present a comparative financial assessment to Full Council prior to making a final decision on the proposed AmeyCespa contract or any alternative.”*

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

Cllr Vassie then moved, and Cllr D’Agorne seconded, another amendment to the recommendations, as follows:

“Delete all after ‘That Council’ and replace with:

- ‘(i) Agree in principle to the proposals to build the facility contained within the long term waste management contract, including both MBT and incineration.*
- (ii) Agree to delay the final decision on the contract for three months in order to:*
  - a) allow the Council to re-consider the proposed location of the proposed plant, with a view to ensuring that the plant be sited near a rail network, to enable the plant to continue operating in an environmentally sustainable way as recycling increases and packaging reduces in future years; and*
  - b) look to best practice around the UK and Europe regarding the siting of such plants close to conurbations where they can provide district heating to tens of thousands of homes and public buildings.”*

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

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

RESOLVED: That the recommendations contained in Minute 127 of the Executive meeting on 30 November 2010 be approved. <sup>4</sup>

Note:

- *Cllrs Funnell and Merrett left the Chamber during consideration of the above recommendations, having declared prejudicial interests therein.*
- *Cllrs D'Agorne and Taylor requested that their votes against the above recommendations be recorded.*

Action Required

- |  |    |
|--|----|
| 1. Implement the food law enforcement plan   | CR |
| 2. Make the agreed changes to the Venture Fund and More for York budget                        | KB |
| 3. Make the agreed changes to the capital programme  | KB |
| 4. Refer this matter to the Staffing & Urgency Committee on 20/12/10                           | FY |
| 5. Take action to implement the award of the Waste Management contract to AmeyCespa, as agreed | BW |

**54. RECOMMENDATIONS OF THE AUDIT & GOVERNANCE COMMITTEE - ANNUAL REPORT**

As Chair of the Audit & Governance Committee, Cllr Brian Watson moved, and Cllr Brooks seconded, receipt of the Committee's Annual Report, as recommended in Minute 38 of the meeting of that Committee held on 29 September 2010.

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

RESOLVED: That the Annual Report of the Audit & Governance Committee for the year to 30 September 2010 be received.

**55. RECOMMENDATIONS OF THE GAMBLING & LICENSING ACTS COMMITTEE**

As Chair of the Gambling & Licensing Acts Committee, Cllr Merrett moved, and Cllr Wiseman seconded, the recommendation contained in Minute 14 of the meeting of that Committee held on 19 November 2010, as follows:

*"That Council resolve to approve the draft Statement of Licensing Policy, with the amendments suggested by the Gambling & Licensing Acts Committee."*<sup>1</sup>

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

RESOLVED: That the recommendation contained in Minute 14 of the Gambling & Licensing Acts Committee meeting held on 19 November 2010 be approved. <sup>1</sup>

Action Required

1. Publish the approved Statement of Licensing Policy

SW

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

A written report was received from Cllr John Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council, on 7 October 2010.

Cllr Galvin then moved, and Cllr Merrett seconded, the recommendation contained in paragraph 17 of the report regarding the appointment of the Head of Democratic Services to the post of Statutory Scrutiny Officer.

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

RESOLVED: That the recommendation in the report of the Monitoring Officer be approved and that the Head of Democratic Services be appointed as Statutory Scrutiny Officer.

**57. REPORT OF EXECUTIVE MEMBER**

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

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

(i) From Cllr King

"We were told last year that the inclement weather was a one off and that the Council learned from this experience. Would the Executive Member tell us what these lessons were and how successfully they have been implemented?"

***The Executive Member replied:***

*"I think that it was more a question of hoping that last year's inclement weather was a one off rather than saying that it was.*

*The revised Winter Maintenance Manual was widely consulted upon with attendance by officers at all the ward meetings over the summer. Within those presentations, it was identified that York's resilience was over and above the recommendations of the government, which, across the UK, was set based on typical winter weather experienced over the last 10 years.*

*The key improvement identified as part of the experience of January 2010 was that levels of salt stocks would be increased to maximum capacity for the salt barn, a total of 3,000 tonnes. Since then, the*

government have published their resilience report, following the last winter. In this, they recommend that salt stocks, at the start of winter should be 48 gritting runs. For York this would be 2,400 tonnes, so here again we have exceeded the recommendations.

In the event of extreme weather in the future, York has established a Winter Maintenance Group, which would co-ordinate decisions and release information for all services across the council. A significant number of compliments have been received on the frequency and quality of information this year.”

(ii) From Cllr Orrell

“Can the Executive Member provide a list of the number of centrally funded grit bins in each ward?”

***The Executive Member replied:***

*“Members will be aware that salt bins are funded in a number of ways - centrally by the Highways department and by Parish Councils, Ward Committees and Residents Associations. When the bin locations were reviewed the centrally funded ones were only retained where they had been used in the previous winters and/or where there was a significant gradient and high footfall.*

*By Ward these are:-*

*Acomb – 9*

*Bishopthorpe – 3*

*Clifton – 2*

*Derwent – 2*

*Dringhouses and Woodthorpe – 3*

*Fishergate – 5*

*Fulford – 4*

*Guildhall – 3*

*Haxby and Wigginton – 3*

*Heslington – 1*

*Heworth – 3*

*Heworth W/O – 1*

*Holgate – 11*

*Hull Rd – 3*

*Huntington and New Easwick – 8*

*Micklegate – 10*

*Osbalwick – 4*

*Rural West – 4*

*Skelton, Rawcliffe & Clifton W/O – 4*

*Strensall – 6*

*Westfield – 9*

*Wheldrake – 6*

*Many Ward Committees have chosen to fund bins where residents have requested them. You can see by this list that the number quoted recently by Cllr Alexander in my own ward is as a result of Ward Committee and Residents Association funded bins. I have only 3 centrally funded bins compared to the 11 in Cllr Alexander’s ward and therefore for him to accuse me of gerrymandering is very wide of the mark.”*

(iii) From Cllr King

“What contingency plans are in place to address possible floods from settled snow and ice melting?”

***The Executive Member replied:***

*“Flooding is likely in the event of a rapid thaw. The weather monitoring process not only identifies the likelihood of frost and snow, as reported to members in their updates, it also monitors the increased temperature and the rate of thaw. The Environment Agency calculations are based on 12 inches of snow equals 1 inch of rain. Therefore there does not appear to be a threat to York. However, we do have 40,000 sandbags in stock and 3,000 tonnes of sand on ‘call off’ with suppliers.”*

(iv) From Cllr Hyman

“Can the Executive Member tell Council when this Council expects to meet the Decent Homes target to have no non Decent Homes?”

***The Executive Member replied:***

*“I am pleased to be able to report that as at the 1<sup>st</sup> December 2010 we had just 36 homes that were non-decent as per the government guidelines. All these homes are planned for works during November and December and as such we will meet the decent homes target of the 31<sup>st</sup> December 2010. I hope that Council will agree with me that is a great achievement and our Officers should be congratulated on achieving this success.*

*I would also like to stress that the current bad weather has not affected the Tenants Choice contractors and works are progressing.”*

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

(v) From Cllr Simpson-Laing

“Can the Executive Member tell us if she agrees with the recent Conservative Liberal Democrat Government's announcements regarding changes in rent and housing benefit?”

***Reply:***

*The principle behind the proposed changes in housing benefit is to ensure that we do not subsidise people to live in the private sector on rents that other ordinary working families could not afford.*

*Given that the very same statement appeared in Labour's general election manifesto, I can assume that they agree with that principle as well.*

*The government have recently published a consultation on the proposed changes to Council House rent. A report will be brought to Executive in January setting out our response to the proposals.*

(vi) From Cllr R Watson

“Would the Executive Member for Neighbourhoods/Housing please indicate the income received for littering and dog fouling penalty notices issued in each of the last 8 years?”

**Reply:**

*We first started issuing Fixed Penalty Notices for Litter and receiving income in the financial year 2004/05. The dog warden service started issuing Fixed Penalty Notices for dog fouling in June 2007.*

*The amounts received for littering have varied each year from £1500 in 04/05 down to £100 in 06/07 and up to £2500 in 09/10. There has been a steady rise in income received for dog fouling from £100 in 07/08 to £1500 in 09/10.*

*In the current financial year to date (2010/11) the litter fines paid amount stands at £3,725 and dog fouling notices amount to £150. Income this year is expected to be higher but until the money is actually received it would not be correct to say it has been received.*

*I would stress that the income received does not equate to the number of FPNs issued as some fines are paid in instalments and some are not paid in the financial year that they are issued.*

*I am happy to circulate a table giving the information for each of the relevant full financial years.*

*Annual Income from Littering and Dog Fouling Fixed Penalty Notices – Full financial years*

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
	£ 000	£ 000	£ 000	£ 000	£ 000	£ 000
Littering	1.5	0.6	0.1	2.1	1.9	2.5
Dog Fouling	n/a	n/a	n/a	0.1	0.8	1.5

(vii) From Cllr Merrett

“With regard to the allotment competition, tenants home grown and Edible York initiative, would the Executive Member advise on the reasons for the delays in bringing forward additional allotment sites to address the shortage of allotments in the Micklegate, Dringhouses area and other parts of the city with substantial waiting lists for allotments that have developed in recent years?”

**Reply:**

*Allotments are part of the Leisure, Culture and Social Inclusion portfolio. I will ask the Executive Member to contact you with a response to the issue you raise.*

(viii) From Cllr Firth

“Would the Executive Member for Neighbourhoods/Housing please indicate how many people were accepted as homeless in the City in each of the last 6 years and the numbers in temporary accommodation at the end of each year?”

**Reply:**

*We have seen a steady decline in the numbers of people both accepted as homeless and the numbers in temporary accommodation at the end of each year.*

460 people were accepted as homeless in 2003/04 compared to 130 in 2009/10 although there was an increase of 44 in 2007/08 over the previous year.

At the end of 2003/04 there were 242 people in temporary accommodation and at the 31<sup>st</sup> March this year there were just 79. I am happy to circulate the full figures.

Even one person homeless is one too many but the huge increase is due to the proactive work that the Homeless team does, day in day out, to ensure that the minimum number of people find themselves in need of temporary accommodation.

<u>Year</u>	<u>Accepted</u>	<u>No's in Temp</u>
2003/4	460	242 (31 <sup>st</sup> Dec 2004)
2004/5	424	259 (31 <sup>st</sup> March 2005)
2005/6	433	233 (31 <sup>st</sup> March 2006)
2006/7	214	207 (31 <sup>st</sup> March 2007)
2007/8	258	209 (31 <sup>st</sup> March 2008)
2008/9	208	167 (31 <sup>st</sup> March 2009)
2009/10	130	79 (31 <sup>st</sup> March 2010)

(ix) From Cllr Merrett

"With regard to the special vehicle purchased to treat main cycle tracks, would the Executive Member outline how much it has been used, and how successful it has been and what proportion of the cycle network has been treated?"

**Reply:**

*This year with the help of Cycling City we purchased 1 "Eromech" machine. This was bought specifically to work on the cycle routes as it has a large brush on the front, which will not damage the central line.*

*It proved successful at the beginning of the gritting season, before the heavy snow fall but for the past week the cycle routes were too deep in snow for any cyclist to use so we have utilised the Euromech on some footpaths thus prioritising and making best use of our resources.*

*We will be working the cycle routes with a mini tractor and snow plough that can clear each side of the white line in two passes and then brushing them, where possible, with the Euromech before applying a 50/50 salt sand mix.*

*Cycle routes are categorised 1, 2 & 3. However, these categories do not relate to when routes are cleared but to the order in which we stop clearing them when conditions dictate.*

*Cycle track clearing and treatment is an ongoing daily event when the weather conditions permit. All the off road cycle tracks were treated twice prior to the start of the snow event. Work continued on them during the snow falls and about 50% were cleared back to tarmac but staff were fighting a losing battle. As fast as they cleared them they were getting covered again so they pulled off on Thursday night. Work restarted on them on Monday and they have been treated continually since then and expect to carry on treating them for the rest of the week. Some of the shared routes have been back to tarmac for the last couple of days so staff are hopeful, but not certain, that they should all be passable by the weekend.*

(x) From Cllr Vassie

“Would the Executive Member for Neighbourhoods/Housing please indicate what proportion of York’s waste has been a) recycled, b) composted and c) land filled during each of the years since 2003?”

**Reply:**

*We have risen from just 15.43% of household waste recycled in 2003/2004 and 84.58% landfilled to 43.25% recycled in 2009/20 and 56.75% landfilled. What is even more startling is that in 2003/04 we sent 83.400 tonnes of our household waste to landfill and last year it was down to 52.060 tonnes. A huge increase and one that our residents should be proud of.*

*Lord Mayor, I have a complete table for the years in question, which I will circulate.*

Household Waste - Recycling, Composting & Landfill

Household Waste (%)	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
Recycling	10.70%	12.88%	16.50%	23.30%	25.98%	26.43%	24.99%
Composting	4.73%	4.89%	7.57%	16.63%	17.38%	18.70%	18.26%
Landfill	84.58%	82.23%	75.92%	60.07%	56.63%	54.87%	56.75%
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Household Waste (Tonnes)	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
Recycling	10,550	12,970	16,100	23,440	25,530	25,560	22,920
Composting	4,660	4,920	7,390	16,730	17,080	18,090	16,750
Landfill	83,400	82,780	74,070	60,430	55,640	53,070	52,060
Total	98,610	100,670	97,560	100,600	98,250	96,720	91,730

(xi) From Cllr Merrett

“Whilst recognising the excellent monitoring and information work undertaken by Council staff on York’s air quality, would the Executive Member confirm when York will actually meet the statutory legal limits for Nitrogen Dioxide emissions under the administrations plans?”

**Reply:**

*The environmental protection unit (EPU) has been monitoring air quality in York since 1998.*

*Deteriorating air quality led to an Air Quality Management Area being declared in 2002 to cover the city centre. Measures in the Air Quality Action Plans and Local Transport Plans initially appeared to improve or at least stabilise air quality,*

*For the purpose of monitoring the impact of York’s Local Transport Plan (LTP) a local air quality indicator has been established. This indicator measures the mean of 40 annual average results obtained from 40 diffusion tubes located within York’s city centre AQMA. The results for this indicator are shown below :*

*2002 - 46 ug/m<sup>2</sup>*

*2003 - 41 ug/m<sup>3</sup>*

*2004 - 35 ug/m<sup>3</sup>*



2005 - 33 ug/m3  
 2006 - 37 ug/m3  
 2007 - 38 ug/m3  
 2008 - 40 ug/m3  
 2009 - 45 ug/m3

As can be seen from the figures above, nitrogen dioxide concentrations across the city were in general decline between 2002 and 2005. However air quality has deteriorated since 2005 and a 2nd AQMA was declared in Fulford in April of this year. City of York Council is currently considering these results in relation to the preparation of its third Local Transport Plan (LTP3) and associated revisions to the Air Quality Action Plan (AQAP).

It is considered that further modal shift measures (increased walking, cycling, bus travel ) alone are insufficient to meet the air quality objectives. Therefore City of York Council is also currently developing a Low Emission Strategy (LES) for the city. A Low Emission Strategy provides a package of measures aimed at accelerating the uptake of low emission fuels and technologies within a specified area. The aim is to reduce emissions of both local and global pollutants in a clearly defined and measurable way. The report will be considered by the executive on 1st February and will be closely linked to the AQAP and the Local Transport Plan

(xii) From Cllr Sunderland

“Would the Executive Member for Neighbourhoods/Housing please indicate the end of year rent arrears totals for Council tenants in York for each year since 2002?”

**Reply:**

In 2003/04 we inherited housing rent arrears of £1,436,564, a figure that was over £36k more than the previous year.

Since then we have seen a steady decrease, down to £471,598 last year. This is as a result of improved management practices and support given to those tenants who, for whatever reason, find themselves in financial difficulties must be better for our tenants.

<u>Year</u>	<u>Current Rent Arrears</u>
2001/2	£1,073,051
2002/3	£1,436,564
2003/4	£1,352,263
2004/5	£1,020,386
2005/6	£ 794,524
2006/7	£ 655,813
2007/8	£ 593,635
2008/9	£ 581,034
2009/10	£ 471,598

**58. ACTIVITIES OF OUTSIDE BODIES**

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

- NHS Foundation Trust – minutes of meeting on 21 April 2010
- Without Walls Partnership – minutes of meeting on 17 September 2010.

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

**59. APPOINTMENTS AND CHANGES TO MEMBERSHIP**

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

**60. NOTICES OF MOTION**

(i) Tuition Fees (1)

It was moved by Cllr Aspden and seconded by Cllr Holvey that:

“Council notes that our universities must be fully funded if they are to continue to provide high quality education to students.

Council believes it was a mistake for the Labour government to introduce tuition fees in 1998, despite a manifesto commitment not to, and furthermore believes it was a mistake for the Labour government to introduce £3,000 per year top up fees in 2004.

Council believes that the government’s proposals improve on the system introduced by the Labour government in a number of ways, including:

- Increasing the repayment threshold from £15,000 to £21,000
- Ending up-front fees for part-time students
- More generous grants for lowest income students
- Ensuring all students will repay less per month than they currently pay

However, Council believes that instead of increasing top-up fees, all tuition fees should be phased out, so that students are not penalised with thousands of pounds worth of debt for entering into higher education.

Council directs that a copy of this motion is sent to both local MPs, asking them to vote against the coming increases, with a copy to both the University of York and York St John University management boards and the Student Union presidents.”

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

RESOLVED: That the above notice of motion not be approved.

(ii) Tuition Fees (2)

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

“Despite their respective manifesto pledges to scrap university tuition fees and increase university places, the Liberal Democrat / Tory coalition government has increased fees to up to £9k per annum and cut university places.

Despite Michael Gove’s commitment to keep the Education Maintenance Allowance, the government has announced that it is to be abolished.

Council believes that:

- Education is the main vehicle for social mobility and that talented and hardworking people should have the right to go into further and higher education based on ability and not on their financial position;
- Scrapping the EMA will not help maintain the existing level, or increase the numbers, of young people going into further education;
- Increasing tuition fees will not help maintain the existing level, or increase the numbers, of young people going into further education;
- Students contribute large amounts to York through spending in the local economy, working in often low-paid jobs and carrying out voluntary work;
- The Conservatives have betrayed voters in further education by promising to scrap tuition fees in opposition and increasing them in office.

Council resolves:

- That the Chief Executive be requested to invite staff and student representatives of York College, Askham Bryan, York St John University and the University of York to an open meeting with Group Leaders to discuss future access to post-16 education; and
- That the Chief Executive be requested to write to Hugh Bayley MP and Julian Sturdy MP requesting that they vote against any lifting of the tuition fees cap at this difficult financial time.”

At this point in the meeting, the guillotine fell and the remaining motions and amendments were moved, seconded and voted on without debate.

Cllr Aspden moved, and Cllr Holvey seconded, an amendment to the above motion, as follows:

“Delete paragraphs 1 and 2, and delete bullet point number 5 under ‘Council believes that’ in paragraph 3.”

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

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

“Delete the first paragraph and replace with:

*‘The Lib Dem/Tory coalition government decision to raise the cap on tuition fees to £9,000 pa, combined with the cuts to university funding, severely threaten the principle of universal access to higher education and will threaten pure research and academic independence.’*

In the third paragraph:

- replace *‘further education’* with *‘higher education’* in the 3<sup>rd</sup> bullet point;

delete the 5th bullet point.

In the fourth paragraph:

in the 1<sup>st</sup> bullet point, after *‘staff’*, insert *‘trade union’* and after *‘discuss’*, insert *‘local FE and HE funding and’*;

in the 2<sup>nd</sup> bullet point, delete *‘at this difficult financial time’* and insert *‘and press for the phasing out of tuition fees’.*”

With Council’s consent, Cllr Alexander agreed to accept the above amendment.

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

“The Lib Dem / Tory coalition government decision to raise the cap on tuition fees to £9,000 pa, combined with the cuts to university funding, severely threaten the principle of universal access to higher education and will threaten pure research and academic independence.

Despite Michael Gove’s commitment to keep the Education Maintenance Allowance, the government has announced that it is to be abolished.

Council believes that:

- Education is the main vehicle for social mobility and that talented and hardworking people should have the right to go into further and higher education based on ability and not on their financial position;
- Scrapping the EMA will not help maintain the existing level, or increase the numbers, of young people going into higher education;
- Increasing tuition fees will not help maintain the existing level, or increase the numbers, of young people going into higher education;
- Students contribute large amounts to York through spending in the local economy, working in often low-paid jobs and carrying out voluntary work.

Council resolves:

- That the Chief Executive be requested to invite staff, trade union and student representatives of York College, Askham Bryan, York St John University and the University of York to an open meeting with Group Leaders to discuss local FE and HE funding and future access to post-16 education;<sup>1</sup> and

- That the Chief Executive be requested to write to Hugh Bayley MP and Julian Sturdy MP requesting that they vote against any lifting of the tuition fees cap and press for the phasing out of tuition fees.”<sup>2</sup>

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

RESOLVED: That the above notice of motion, as amended, be approved.<sup>1-2</sup>

(iii) Affordable Housing

It was moved by Cllr Gillies, and seconded by Cllr Watt, that

“Council notes that the Executive is due to consider a report on affordable housing at its meeting scheduled for the 14<sup>th</sup> December. Council urges the Executive to take action to address the very low number of new building starts on homes in the City over the last 18 months.

In particular, the Council would wish the Executive to consider to what extent the present policy relating to Affordable Housing has failed to produce a solution to York’s need for Social, Starter and Family housing, as Council believes that existing policies may be too restrictive and unworkable in the present financial climate.

Acknowledging that work is taking place to address the situation through the Local Development Framework Document, Council believes that we must be proactive in order to stimulate house building of any kind, regardless of ideology, and therefore the City should work with developers and others to ease this logjam whilst demand for affordable properties continues to rise.

Therefore the Council calls on the Executive to consider:<sup>3</sup>

1. A temporary two-year substantial reduction in the percentage affordable homes requirement to stimulate the “Affordable” element of the house building market.
2. An end to ‘Pepper-potting’.

Council recognises that any new policy would allow developers to seek variations to existing permissions. Council believes that a temporary change to planning policies will provide a platform which will challenge developers, and others, to provide the homes that are needed in the City, while providing additional employment in the building industry.”

Cllr Simpson-Laing then moved, and Cllr Merrett seconded, an amendment to the above motion, as follows:

“At the end of the first paragraph, after *‘the last 18 months’*, add *‘as a result of the economic downturn.’*”

In the second paragraph, delete all after *‘in particular’* and insert: *‘recognises the downturn in house building is primarily due to:*

- *reduced consumer confidence given the wider economic uncertainties and falling house prices;*
- *the difficulties in obtaining mortgages, particularly for first time buyers, with both higher interest rates and large deposit requirements and rationing of mortgages by lenders*

In the third paragraph:

- delete *'of any kind, regardless of ideology';*
- delete *'others'* and insert *'mortgage lenders';*
- delete *'this logjam whilst demand for affordable properties continues to rise'* and insert *the current housing market difficulties'.*

In the fourth paragraph, delete *'consider'*, delete points 1 and 2, and insert:

- *'consider a limited temporary reduction, along the lines of the alternative option outlined in the 14<sup>th</sup> December Executive paper, in the percentage of affordable homes required for homes completed over the next two years;*
- *investigate what measures the Council can take with lenders and builders to help first time buyers overcome the financial and confidence barriers to purchase in the current market.'*

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

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

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

(iv) Public Spending Cuts

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

“Council notes:

- That since last year both the Prime Minister and the Executive Leader have sought to convince the public that cuts are deliverable without compulsory redundancies;
- Council finance officers' recent confirmation that compulsory redundancies in the Council are unavoidable;
- The Liberal Democrats' u-turn on the economic impact of wholesale public spending cuts, from before May to after the General Election;
- The Conservative / Liberal Democrat Government's Emergency Budget and Comprehensive Spending Review;
- The projected loss of 200 posts before the CSR and, following the announcement of a 28% cut in the Council's funding until 2014/15, a further 400+ projected after the CSR;
- The Conservative / Liberal Democrat Government reversing the duty to consider the socio-economic impact of cuts under the Equality Act 2010;
- That bankers created the global economic crisis, not council staff or ordinary working people.

Council believes:

- That both the Conservatives' and the Liberal Democrats' national party leaders have betrayed voters by making wildly inaccurate predictions about job losses and by changing economic policy in order to take the reigns of power respectively;
- That swingeing cuts to public services are being made for ideological reasons and threaten Britain's fragile economic recovery; and
- That the Liberal Democrats' wasteful spending with resident's money locally has resulted in the need for more job cuts than would otherwise have been necessary.

Council resolves:

- That the Council Leader be called on to publicly apologise to staff for his inaccurate comments and for his party's role both nationally and locally in the need to cut 600+ posts in the Council;
- That the Chief Executive write to the Prime Minister expressing Council's disappointment at his misleading the public on the issue of compulsory redundancies, both front-line and elsewhere; and
- That all budget reports placed before Members should as soon as reasonably practicable include an assessment of the socio-economic impact of the various options within the report."

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

RESOLVED: That the above notice of motion not be approved.

Note:

*Cllrs Gunnell, King, Kirk, Looker, Scott and Vassie all left the Chamber during consideration of the above motion, having declared prejudicial interests therein.*

(v) Access York Scheme

It was moved by Cllr Steve Galloway, and seconded by Cllr Reid, that:

"Council notes the decision by the Government to place the Access York (Phase 1) scheme on the list of 'development' schemes to bid for a share of £600m of funding to be allocated by the end of 2011.

Council believes the Access York scheme is vital for reducing congestion in the City.

Council believes it is important to show public support for the scheme in order to secure a positive decision from the Government and therefore welcomes the 'Get York Moving' campaign by the Press.

Council encourages residents and businesses to support the 'Get York Moving' campaign to send a clear message of support to the Government for the Access York scheme and asks the Chief Executive to write to the Transport Secretary to invite him to York to see the benefits that the scheme could provide for the City."<sup>4</sup>

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

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

Action Required

- |  |    |
|--|----|
| 1. Invite staff, TU and student reps to a meeting with Group Leaders                     | KE |
| 2. Write to MPs in the terms agreed  | KE |
| 3. Ensure these points are taken into account by the Executive when considering the AHVS | RW |
| 4. Write to the Transport Secretary in the terms agreed                                  | KE |

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

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

(i) To the Executive Leader, from Cllr Alexander:

“The new Council HQ was originally predicted to save £29m. The current estimate is £17m - please could the Executive Leader explain the drop?”

**Reply:**

*I would hope that Cllr Alexander will consult the Executive Papers of 22<sup>nd</sup> November 2005 which detailed in paragraph 82 ‘There is a net saving to the council of £17.4 million in cash terms against existing budgets over the period [30 years]*

*The figure of £29 million relates to savings including the additional liabilities for which there are no budgets. (Items such as lease renewal costs, dilapidations, repairs backlogs, and increases in the lease rentals)*

*We are continuing to report (as per Executive 2<sup>nd</sup> Nov 2010) a cash saving of £17 million on existing budgets but over 25 years rather than 30 years which is an improvement on the previous cash saving reported in 2005.*

(ii) To the Executive Leader, from Cllr Firth:

“Can the Executive Leader explain what work is being done to ensure that the construction of the new Council HQ utilises local labour as much as possible?”

**Reply:**

*“I have met with the developers for the Headquarters to examine how local businesses and local employment can benefit from this development at a critical time for the construction industry. They are keen to run a ‘Doing business with the HQ’ session in the Guildhall to*



*make connections with local companies, and work is ongoing with the Higher York (Jessica Grant) and the progression of the Construction Academy to link local labour and training to the work needed during construction. I will be happy to keep the council informed of progress with this objective."*

(iii) To the Executive Leader, from Cllr Orrell:

"Will the Executive Leader agree to provide more Council owned space for Edible York to use?"

**Reply:**

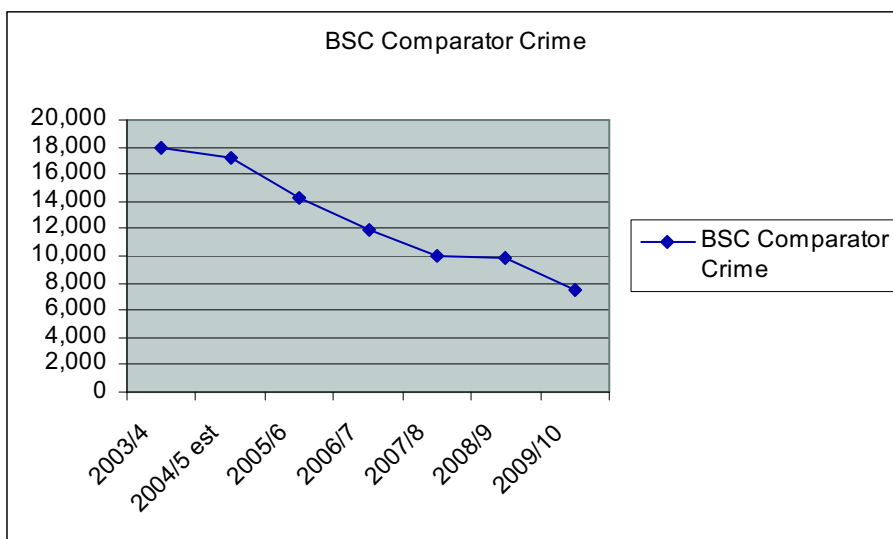
*At the launch of Edible York at a packed meeting at the Friends Meeting House on 19<sup>th</sup> November I was very pleased to be able to give a commitment that the council would examine what plots of publicly accessible land could be designated for this work. There has been a very successful trial at a piece of land close to the Barbican, and there is opportunity to develop this across the city which will help to promote home grown food, the connection with healthy eating, and reduce the city's environmental footprint. I have already asked the Chief Executive and Director of Communities and Neighbourhoods to come forward with sites that would be suitable for this use, and to ensure that any legal and insurance issues are dealt with.*

(iv) To the Executive Leader, from Cllr R Watson:

"Would the Leader of the Council indicate the total number of crimes committed in the City in each year since 2003?"

**Reply:**

	2003/4	2004/5 est	2005/6	2006/7	2007/8	2008/9	2009/10
BSC Comparator Crime	17,948	17,200	14,270	11,876	10,010	9,906	7,547
% change on previous year		-4%	-20%	-17%	-16%	-1%	-24%
Total Crime	23,065	23,148	22,787	20,951	18,924	17,949	14,481
% change on previous year		0%	-1%	-8%	-10%	-5%	-19%



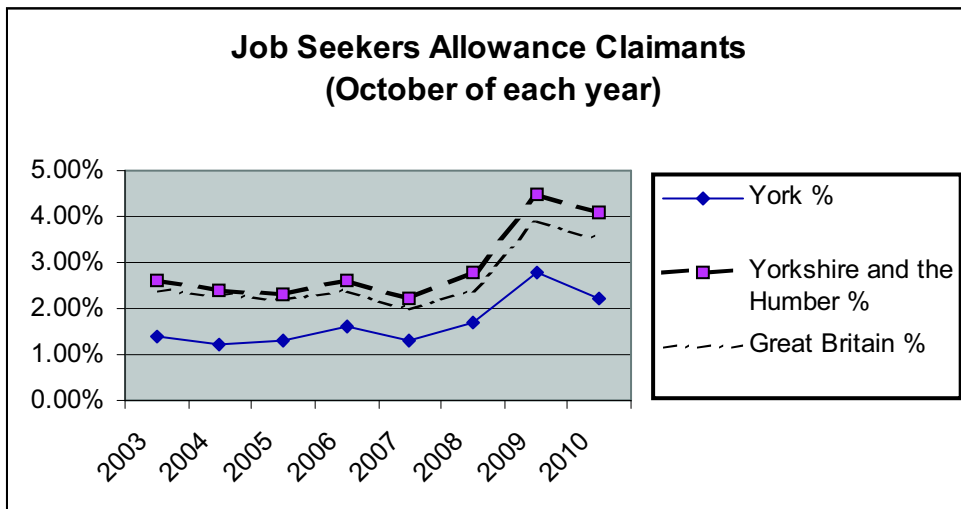
(v) To the Executive Leader, from Cllr Jamieson-Ball:

“Would the Leader of the Council indicate how York unemployment levels have compared with the regional and national average at the end of each of the last 8 years?”

**Reply:**

Job Seekers Allowance Claimants

Date	York	York %	Yorkshire and the Humber %	Great Britain %
Oct-03	1,702	1.40%	2.60%	2.40%
Oct-04	1,516	1.20%	2.40%	2.30%
Oct-05	1,679	1.30%	2.30%	2.20%
Oct-06	2,060	1.60%	2.60%	2.40%
Oct-07	1,741	1.30%	2.20%	2%
Oct-08	2,198	1.70%	2.80%	2.40%
Oct-09	3,820	2.80%	4.50%	3.90%
Oct-10	3,281	2.20%	4.10%	3.50%



- (vi) To the Executive Member for City Strategy, from Cllr Simpson-Laing:  
 “Will the Executive Member for City Strategy please inform Council of the total number of staff hours that have been spent on the “rising bollard” on Low Poppleton Lane since its installation and the resulting financial cost?”

**Reply:**

*Less than 1 hour (it was very uncomfortable)*

*If the question is aimed at finding out how many man-hours have been spent addressing faults on the rising bollard the questioner will know that the Council does not operate an administrative staff time recording system. However officers estimate that about 175 hours may have been spent which would equate to a cost of £6320. This is for site visits and work on the system and also in liaising with local people who report the faults.*

*Looking forward, the detection system has now been revised and there have been no site visits for faults since this happened about two weeks*

ago. The installers are currently looking at other potential weaknesses in the system and are not charging for their time.

- (vii) To the Executive Member for City Strategy, from Cllr D'Agorne:  
 "Would the Executive Member please state what salt stocks are left for the rest of winter and what action is being taken to address public concern about clearance of snow and ice from footpaths and cycle lanes / tracks?"

**Reply:**

*This question should be directed to the Executive member for Neighbourhoods. However daily briefings have been issued by officers to all members during the recent period of bad weather.*

- (viii) To the Executive Member for City Strategy, from Cllr Hogg:  
 "Would the Executive Member for City Strategy indicate how many KSI traffic accidents have been recorded in each of the last 8 years in the City?"

**Reply:**

Killed and Serious Injured, in York from 2001. Total of 9 years of data.

KSI	94/98 baseline	2001	2002	2003	2004	2005	2006	2007	2008	2009
Pedestrians		19	33	10	20	11	17	19	20	10
Pedal Cyclists		21	9	9	11	11	13	8	17	11
Motorcyclists		24	32	21	22	22	30	28	22	11
Car Occupants		44	43	53	50	51	91	33	36	25
Other		11	3	7	11	6	9	5	0	3
TOTAL	137	119	120	100	114	101	160	93	95	60

- (ix) To the Executive Member for City Strategy, from Cllr Sunderland:  
 "Would the Executive Member for City Strategy indicate:  
 a) how many bus passenger journeys and  
 b) how many park and ride journeys were made in each of the last 8 years?"

**Reply:**

All Bus & Park & Ride - Passengers

Year	Park & Ride actuals	Total bus patronage actuals
2002/03	1,847,228	11,241,605
2003/04	1,926,196	11,942,000
2004/05	2,376,242	14,474,577

2005/06	2,684,156	14,493,549
2006/07	3,137,467	15,144,371
2007/08	2,857,301	14,853,143
2008/09	2,982,622	15,334,448
2009/10	2,801,007	14,774,792

(x) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Merrett:

“Would the Executive Member for Leisure, Culture and Social Inclusion please indicate how much of last year’s Ward Committee carry forwards, itemised by Ward, have now been delivered? Where they have failed to be delivered please could an explanation be given?”

**Reply:**

*31 of the 55 schemes carried forward schemes have now been delivered, as shown in the table below. The remaining 24 schemes are ongoing commissioned schemes not yet complete. No schemes have so far failed to be delivered.*

Ward Committee	Scheme desc	Reason for carry forward	Update as of 02.12.10
Acomb	Carr Vikings additional grant	Available funds identified due to underspend in other schemes, grant agreement paperwork not received in time to process in 09/10.	Scheme complete and paid
Bishopthorpe & Wheldrake	Ferry Lane street light	Invoice not received in 2009/10 but work ordered in Jan 2010. Column installed in 09/10 awaiting connection invoice.	Scheme complete and paid
Bishopthorpe & Wheldrake	Vicarage Lane salt bin	Late Request for salt bin as a direct result of severe weather conditions as a result fo public consultation by Neighbourhood Services at February ward committees. Therefore carry forward request to install in 2010/11	Scheme complete awaiting recharge
Bishopthorpe & Wheldrake	St Matthews Close salt bin	Late Request for salt bin as a direct result of severe weather conditions as a result fo public consultation by Neighbourhood Services at February ward committees. Therefore carry forward request to install in 2010/11	Scheme complete awaiting recharge
Clifton	Grosvenor Road street lighting connection fee	Invoice not received in 2009/10 Columns installed in 09/10 awaiting connection invoice.	Scheme complete and paid
Clifton	Purchase and distribute carbon monoxide alarms	Goods ordered but not received by end of financial year 09/10.	Scheme complete - invoiced in two parts, first and largest part paid.
Clifton	Greenwaste collection March	Goods ordered but not received by end of financial year 09/10. Amount too small for reserve creditors.	Scheme complete and paid
Derwent, Heworth Without & Osbaldwick	church road street lighting connection fee	Invoice not received in 2009/10 Columns installed in 09/10 awaiting connection invoice.	Scheme complete and paid

Ward Committee	Scheme desc	Reason for carry forward	Update as of 02.12.10
Dringhouses & Woodthorpe	CCTV Wains Grove shops	Match funding for with Target hardening Scheme total cost of scheme £7,287	Scheme complete and paid.
Fishergate	Prizes for Fishergate in Bloom	Invoices/receipts not received in time for payment in 09/10 and amount too small for reserve creditor.	Scheme Completed - arranging transfer of funds.
Fishergate	Millennium Bridge football pitch	Commissioned in 09/10 delay in installation due to adverse weather conditions. Work commenced April 10.	Scheme Completed - Funds transferred
Fishergate	Greenwaste collection March	0	Scheme complete and paid.
Heslington Fulford	& grant to Fulford Preschool	Grant agreed from community chest for schemes arising throughout the financial year 09/10 fund in 09/10 grant agreement form received towards year end and grant cheque raised on 23.03.10	Scheme completed - funds transferred.
Heslington Fulford	& grant to Fulford Parish Council	Grant agreed from community chest for schemes arising throughout the financial year 09/10 fund in 09/10. Outstanding paperwork from grant recipient	Scheme completed. Full amount not required, jointly funded with parish council. Balance of £285.56 reallocated to Fordlands Crescent Street Lighting scheme. Design and costings done now at public consultation stage.
Haxby Wigginton	& Orchard Paddock	Revenue carry forward request for connection fee.	Scheme complete and paid.
Haxby Wigginton	& VA sign connection	Installation of signs in 09/10 but connection by external company not programmed until early 10/11	Scheme complete.
Haxby Wigginton	& York Playspace mobile play sessions	Administrative error led to no sessions being delivered by the commissioned organisation in the ward during the financial year 09/10. Carry forward at request of councillors.	Added into the current years provision play sessions delivered. Complete first installment paid, second installment invoice currently being processed.
Holgate	Back Park Playbuilder contr	Contribution to enhance playbuilder project with sympathetic planting via grant to Friends Group.	Scheme completed - funds transferred.
Hull Road	Bollards installation (melrosegate, Tuke Ave)	3 locations identified. Original budget allocation allowed for 1 location to be actioned, additional budget identified later in year so other locations commissioned but could not be installed in 09/10.	Scheme complete, funds not required as scheme paid for in March 09.
Hull Road	Street lighting design	Street lighting design commissioned - invoice not received in time for year end and too small amount for reserve creditor.	Scheme Complete - Funds Transfer

Ward Committee	Scheme desc	Reason for carry forward	Update as of 02.12.10
Hull Road	Ambleside Ave street lighting column	Scheme commissioned and design received 09/10 insufficient budget to commission installation, Additional budget identified later in 09/10 due to underspends with other schemes but unable to install within financial year.	Scheme Complete - Funds Transfer
Hull Road	Hull Road Park fitness trail	Delays with installation from external company due to be installed in time for Summer 2010.	Scheme complete at cost of £1,655. Balance of funds reallocated to improvement scheme programme at Hull Road Park
Hull Road	Hull Road Park picnic table install	Relocated existing picnic table from Leaside Park. Ready to go on site in conjunction with fitness trail scheme.	Scheme completed. Funds transferred.
Heworth	Contribution to Playbuilder	Scheme to enhance Playbuilder Scheme proposed on Monk Stray, Ongoing public consultation.	Contribution not needed, Funds reallocated to Bike Project at 68 Centre.
Huntington & New Earswick	Broome Close s/l connection	Invoice not received in 2009/10 Columns installed in 09/10 awaiting connection invoice.	Scheme complete and paid
Huntington & New Earswick	Chiltern s/l connection	Invoice not received in 2009/10 Columns installed in 09/10 awaiting connection invoice.	Scheme complete and paid
Rural West	Street lighting - Northfield Lane	Carry forward request to consult on and install scheme as joint project between ward committee and SES	Project complete no ward committee funding required
Strensall	Alleyway Pasture Close - Streetlighting	Request received late in 09/10 carry forward to cover design cost	Awaiting update on payment.
Westfield	The Knoll parking project.	Scheme installed at end of financial year, carry forward request to cover final costs of scheme.	Scheme Completed and paid
Westfield	The Green street lighting	Scheme identified and Agreed in the later part of 09/10 design ordered and received. Invoice not received by end of financial year.	Scheme Completed
Westfield	Chesney Fields equipment repaint	Scheme to repaint existing equipment as part of larger playbuilder scheme on site. Carry forward request as work done in financial year 10/11 to coincide with playbuilder.	Scheme Completed and paid

(xi) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr B Watson:

“Will the Executive Member for Leisure, Culture and Social Inclusion please inform Council what is proposed to happen to the former Manor School when Global's lease runs out in 2011?”

**Reply:**

*Property Services is not part of the Leisure, Culture and Social Inclusion portfolio. This question should be directed to the Executive Member for City Strategy*

- (xii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Hogg:  
 “Would the Executive Member for Leisure, Culture & Social Inclusion indicate how many visits were made to each of our libraries each year since 2003?”

**Reply:**

*Visits to York Libraries have shown a steady increase since 2003 from 751,133 to 934,635 in 2009/10. In that time there has been both investment in the service and significant improvement in the services offered. There has been one new library at Fulford as part of the PFI scheme with St Oswalds Primary School. Three new Explore Centres have opened. The Explore Centre concept is a partnership with Adult Education and has levered in approximately 1.5 million pounds of external funding to create nationally acclaimed facilities at Acomb, New Earswick and recently York which is a public/private partnership with Aviva (recognised by the Minister for Culture and the Creative Industries as best practice). At York we have been able to increase opening hours to Sundays within budget through the installation of self issue machines.*

*Explore Acomb has become the hub of its community with visits increased nearly threefold. Explore New Earswick is working in partnership with the Children's Centre and the Primary School to promote reading and literacy with families - every child in the school borrows books on a weekly basis.*

*Since 2003 staff have actively engaged with their communities to ensure they reflect local need. The Big City Read is now a regular part of York life and engages thousands of people in reading and sharing their experiences every summer. Libraries are running weekly storytimes and rhymetimes, financial capability workshops, reading groups, author events and adult learning classes - they are helping people to get online and providing free access to the internet as well as free access to the world's knowledge and ideas through bookstock and online resources. They are safe, neutral spaces where communities come together. We expect to see the increase in visitors continue with our target for York of 1 Million visits a year - putting York in the top 5 high performing library services.*

*The table below shows visits to each library since 2003. Note the total for 2009/10 is lower due to the York Explore being closed for refurbishment from November 2009 to May 2010.*

*Since the reopening of York Explore visitor numbers have been up by around 20%.*

	03/04	04/05	05/06	06/07	07/08	08/09	09/10
<b>Acomb</b>	57,977	58,252	57,962	54,908	29,159	118,681	126,421
<b>Bishopthorpe</b>	13,936	15,315	16,131	28,679	23,448	23,675	24,610
<b>Clifton</b>	21,424	33,326	35,116	32,300	33,770	32,079	38,816
<b>Copmanthorpe</b>	14,352	21,961	21,246	21,564	20,642	22,446	22,985
<b>Dringhouses</b>	25,220	31,055	30,409	29,305	35,007	29,953	29,894
<b>Dunnington</b>	9,724	16,129	16,322	16,255	15,420	16,363	16,569
<b>Fulford</b>	7,670	8,387	11,287	26,328	26,008	24,549	23,922
<b>Haxby</b>	34,762	48,897	49,461	49,052	49,243	50,020	48,608
<b>Huntington</b>	19,474	20,989	23,098	22,246	23,230	25,380	28,316

<b>Mobile Library</b>	9,672	11,408	16,209	16,166	10,416	16,356	16,533
<b>New Earswick</b>	12,896	14,240	20,682	17,725	15,248	24,337	27,706
<b>Poppleton</b>	15,756	25,947	28,283	29,208	31,409	29,919	30,721
<b>Strensall</b>	17,290	14,112	16,155	16,756	17,066	16,963	19,366
<b>Tang Hall</b>	31,486	56,697	56,950	56,940	52,389	58,963	66,933
<b>York</b>	459,494	470,712	481,719	458,033	425,869	444,961	269,537
<b>Total</b>	751,133	847,427	881,030	875,465	808,324	934,645	790,937

(xiii) To the Executive Member for Neighbourhood Services, from Cllr D'Agorne:

"What provision is being made for residents in flats and terraced houses to have smaller recycling boxes or communal facilities for recycling?"

**Reply:**

*Cllr D'Agorne will no doubt recall that the reason we started the roll out in The Groves area was because there was a good range of properties, including flats and terraced houses, which gave us the chance to gauge residents reactions to the collection schemes. Storage of boxes in terraced houses was not identified as a particular problem. The vast majority of properties where we have recently introduced the service have found space to store their boxes, either inside or outside and we have tailored the solution to fit individual blocks of flats.*

*We already provide communal facilities to flats where there is sufficient space to allow the safe storage and collection of recycling and refuse bins and where the landlord or housing association has given its permission (not always the case). Where communal bins are in place, residents use plastic bags (provided by us) to store and transport their recyclables to the bins.*

*We do have boxes with dividers but these are better suited to those with mobility problems.*

*Just because a house is small does not mean that people are producing less recycling and the capacity of one divided box or smaller boxes may not be enough to cope with the materials produced by the household. We do need to balance the capacity of the boxes with the amount of materials being produced and providing smaller boxes might mean some homes need more boxes which will still cause storage issues.*

*Officers have been dealing with individual issues as they arise so if residents raise specific problems with you then I would advise you to contact the Waste Team.*

(xiv) To the Executive Member for Health & Adult Social Services, from Cllr Hyman:

"Is the Executive Member for Health & Adult Social Services able to give details of the CQC Assessment of Performance in Adult Social Care for 2009/10?"

**Reply:**

*The recent CQC inspection report has rated the Council's Adult Social Services as 'Performing Well' . The report itself identified work to involve customers and their carers in shaping services and getting*



*involved in community life as being 'Excellent'. I recently attended the launch of the independent living network which was one of the developments praised by the report.*

*Every area covered by the inspection either maintained or improved its performance from last year and the report highlighted improvements in 'Improving Health and Wellbeing for citizens', 'Improving Choice and Control for Service Users'; and service users/carers 'Making a Positive Contribution'.*

*Staff have worked hard to find further improvements to the service and they deserve a great deal of credit. Given the background of increased demand that the service is operating under it is impressive that we have been able to maintain high quality levels of service.*

*I would like to recognise the effort of everyone who has contributed to this excellent result including all the Adult Social Care staff who have worked so hard and our partners too numerous to mention who have made this result possible. I am sure we will together continue to look for ways in which we can improve our performance even further.*

- (xv) To the Executive Member for Children & Young People's Services, from Cllr Kirk:

"Can the Executive Member tell Council about the outcome of the recent inspection of the Youth Offending Team?"

**Reply:**

*Inspectors recognised that York's Youth Offending Team work very hard with young people in the city to help them avoid further offending behaviour and to make them contributing members of society.*

*The inspectors praised the partnership working of the team and confirmed that their performance is one of the best in the country.*

*The report graded the service on three key areas, which were focused around the work done to protect the young person, work to prevent re-offending and work to protect the public. York outscored the national average in each of the three areas, achieving a rating of 85% in safeguarding (national average 67%), 81% in work to protect the public (national average 62%) and 80% in work to reduce re-offending (national average 60%).*

*All three areas are crucial, but it is particularly difficult to achieve such a high safeguarding rating. The whole team under the leadership of their Manager, Simon Page, are to be congratulated on this significant achievement.*

- (xvi) To the Executive Member for Children & Young People's Services, from Cllr Waudby:

"Can the Executive Member explain the discrepancy between the figure for A-Level results calculated locally and the figure released by the Department for Education in October, which was reported in the local media?"

**Reply:**

*The Department of Education (DfE) has confirmed that the A level data release in October did show an incorrect figure for York as a result of an error with the results for Askham Bryan College. The York result*

*for the indicator - % of candidates achieving 2 or more passes of A Level equivalent - should be 96.2%, not 90.6%. The 96.2% result means that York is in the top 16% of LAs and is above the national result of 93.2% and the Yorkshire and Humber result of 92.2%.*

*The DfE will re-release the A level results for all LAs in January and the revised figure for York will be incorporated in this release.*

- (xvii) To the Executive Member for Children & Young People’s Services, from Cllr Aspden:

“Would the Executive Member for Children’s Services tell us how many children have received 5 A-C exam grades in each year since 2003?”

**Reply:**

*The table below shows the steadily increasing numbers of York’s young people who achieve 5 A\* to C grades in their GCSE exams. This is the result of strong leadership, both from the Department and by Head Teachers in the schools, as well as the teachers, the young people and their parents. It plays a significant part in making York the Outstanding LA Children’s Services Department that it is.*

Year	Total NOR	Nos achieving 5+ A*-C	% achieving 5+ A*-C
2003	1760	1037	58.90%
2004	1809	1024	56.60%
2005	1837	1113	60.60%
2006	1904	1182	62.10%
2007	1949	1316	67.50%
2008	1893	1297	68.50%
2009	1713	1253	73.10%
2010	1761	1418	80.50%

- (xviii) To the Executive Member for Corporate Services, from Cllr Firth:

“Can the Executive Member give the Council details of the contents of this year’s annual audit letter?”

**Reply:**

*The Audit Commission has recently issued the Annual Audit Letter (AAL) to the Council which provides an independent opinion on the Council’s Annual Statement of Accounts and an assessment of the arrangements to achieve value for money in the use of resources. The letter relates to arrangements in place for the financial year 2009/10.*

*In terms of the Statement of Accounts, the AAL notes the continued improvements in the quality of both the financial statements and the supporting working papers. Issues relating specifically to the Fixed Asset Register have become a primary focus for improvement in the current financial year, together with the implementation of the*

*significant changes required as a result of the move towards International Financial Reporting Standards.*

*The AAL confirmed that the Council has satisfactory arrangements to secure economy, efficiency and effectiveness in its use of resources (Value For Money). Specifically the Audit Commission has identified sustained strength in risk management, a strong anti-fraud culture, and the delivery of services that represent good value for money*

*Improvements were also noted in the Medium Term Financial Planning; the strategic efficiency programme delivering all key year 1 targets in 2009/10; progress in implementing data quality policies; arrangements for performance management, specifically around benchmarking and target setting resulting from comparison with others; and effective procedures in place for procurement and asset management, and the Veritau shared service arrangement receiving national recognition*

*In assessing the current and future challenges facing the Council, the AAL notes the financial pressures facing the public sector generally, and highlights the potential level of savings of £50m which could be required over the medium term. The report reflects that the Council's Transformation Programme (More for York) has already been developed as strategic approach to delivering the financial strategy.*

- (xix) To the Executive Member for Corporate Services, from Cllr Kirk:  
"Could the Executive Member for Corporate Services advise on the success or otherwise of the 24-hour benefit processing pledge?"

**Reply:**

*I am pleased to advise Council that, since the launch of this service one year ago, 1227 benefit and change of circumstances claims have been processed in accordance with the 24-hour promise. This is an average of 23.59 claims per week.*

*There are also future plans to increase take up of the 'promise'. From 1.12.10, when a customer phones to ask for a form or calls in to ask for a form they will be asked if they would like to make an appointment to bring in the form with all the proofs to support the claim. These claims could then become 24 hour promise claims.*

*The Housing teams are moving into the offices next door to Benefits, and it is proposed that arrangements will be made for the ability to refer fully supported claims for homeless customers via one of the Benefits Team Leaders to the 24 hour scheme.*

*Further supporting Housing's income strategy - whereby new tenants have to pay rent in advance or they must provide an advance fully supported HB form – it is proposed to put these claims through the 24 hour 'promise' (dependant on rent accounts being opened).*

*At year end, in March 2011, it is proposed to increase publicity of the 24 hours scheme, raising the profile of the 'promise' when many residents will be receiving their Council Tax bills.*

Councillor Sue Galloway  
LORD MAYOR OF YORK

[The meeting started at 6:40pm and concluded at 10:05pm]

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

### **Committees/Working Groups**

#### **Staffing Matters & Urgency Committee**

To appoint Cllr Horton as 3<sup>rd</sup> Labour substitute

To appoint Cllr Boyce as 4<sup>th</sup> Labour substitute

#### **Planning Committee**

To appoint Cllr Boyce in place of Cllr Pierce (who has left the Council)

To appoint Cllr Merrett as a member and Vice-Chair, in place of Cllr Potter

#### **East Area Planning Sub-Committee**

To appoint Cllr Simpson-Laing as Labour substitute, in place of Cllr Pierce

#### **Scrutiny Management Committee**

To appoint Cllr Gunnell, in place of Cllr Merrett

To appoint Cllr Alexander as Vice Chair

To appoint Cllr Hoban as 1<sup>st</sup> Labour substitute, in place of Cllr Fraser

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

To appoint Cllr Hoban in place of Cllr Potter

#### **Effective Organisation Overview & Scrutiny Committee**

To appoint Cllr Hoban in place of Cllr Crisp

#### **Learning & Culture Overview & Scrutiny Committee**

To appoint Cllr Potter in place of Cllr Pierce

#### **Gambling & Licensing Acts Committee**

To appoint Cllr Crisp in place of Cllr Pierce

#### **Education Appeals Committee**

To appoint Cllr Potter as 1<sup>st</sup> Labour substitute, in place of Cllr Pierce

Local Development Framework Working Group

To appoint Cllr Merrett as Vice Chair, in place of Cllr Potter

To appoint Cllr Alexander as 2<sup>nd</sup> Labour substitute, in place of Cllr Pierce

Young People's Working Group

To appoint Cllr Potter in place of Cllr Pierce

Member Development Steering Group

To appoint Cllr Hoban in place of Cllr Pierce

YorOK Board

To appoint Cllr Potter in place of Cllr Pierce

**Partnership Bodies**

Community Stadium Advisory Group

To appoint the following membership:

Liberal Democrat	(2)	Cllr Steve Galloway
		Cllr Ayre
Labour	(2)	Cllr Alexander
		Cllr Crisp
Conservative	(1)	Cllr Gillies

Derwenthorpe Partnership Forum

To appoint Cllr Hoban in place of Cllr Cregan

To appoint Cllr Cregan as Labour substitute, in place of Cllr Pierce

Early Years and Extended Schools Partnership

To appoint Cllr Potter in place of Cllr Pierce

LA Admission Forum

To appoint Cllr Potter in place of Cllr Pierce

North Yorkshire Fire and Rescue Authority

To appoint Cllr Hoban as 2<sup>nd</sup> Labour substitute, in place of Cllr Potter

Ofsted Sub-Group

To appoint Cllr Potter in place of Cllr Pierce

Quality Bus Partnership

To appoint Cllr Merrett in place of Cllr Potter

Schools Forum

To appoint Cllr Potter in place of Cllr Pierce

**Outside Bodies**

Drainage Boards

To note the amalgamation of the Foss Internal Drainage Board with the Thornton Drainage Board and to nominate members to the new amalgamated Board.

Existing Membership of the Foss Internal Drainage Board are:

Cllr Wiseman and

Parish Councillors: Mr D Crossley, Mr AS Richardson, Mr D Jones, and Mr C Chambers

York Environment Forum

To appoint Cllr Merrett in place of Cllr Potter

York Theatre Royal Board

To appoint Cllr Boyce in place of Cllr Crisp

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**CITY OF YORK COUNCIL**

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 24th February, 2011, starting at 6.30 pm

**Present:** The Lord Mayor (Clr Sue Galloway) 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**

Boyce  
Funnell  
Potter

**HEWORTH WITHOUT WARD**

Ayre

**HOLGATE WARD**

Alexander  
Bowgett  
Crisp

**HULL ROAD WARD**

Cregan  
Hoban

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  
Waudby

STRENSALL WARD

Kirk  
Wiseman

WESTFIELD WARD

Steve Galloway  
Sue Galloway  
Waller

WHELDRAKE WARD

Apologies for absence were received from Councillors Vassie

## DECLARATIONS OF INTEREST

62. 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. Advice on the declaration of interests in respect of the Budget had been circulated to all Members by the Monitoring Officer, together with a form on which to record their interests.

The following prejudicial interests were declared, via the completed forms, in relation to relevant aspects of the Capital and Revenue Budget proposals:

<u>Name</u>	<u>Description of Interest</u>
Cllr Sue Galloway (Lord Mayor)	Holder of allotment land at Plot 34B, Holgate Allotments
Cllr Horton	Holder of a bus pass
Cllr Looker	<ul style="list-style-type: none"> <li>- Director of North Yorkshire Credit Union</li> <li>- Clerk to the Governors, St Johns University</li> <li>- Company Secretary, York Theatre Royal</li> <li>- Son and daughter-in-law employed by CYC</li> <li>- Member of York Museums Trust</li> </ul>
Cllr Reid	Board Member, York Theatre Royal
Cllr Sunderland	<ul style="list-style-type: none"> <li>- Work at Citizens' Advice Bureau (CAB)</li> <li>- Member of York Credit Union</li> </ul>

The following personal interests were declared, via the completed forms, in relation to relevant aspects of the Revenue and Capital Budget proposals:

<u>Name</u>	<u>Description of Interest</u>
Cllr Alexander	<ul style="list-style-type: none"> <li>- Member of the GMB</li> <li>- Holder of a free parking pass</li> </ul>
Cllr Aspden	Member of York Credit Union
Cllr Ayre	<ul style="list-style-type: none"> <li>- Council-appointed nominee on Board of York CVS</li> <li>- Council-appointed nominee on Board of York CAB</li> </ul>
Cllr Boyce	<ul style="list-style-type: none"> <li>- Employee of health-related charity in receipt of grant</li> <li>- Trustee of another health-related charity in receipt of grant</li> <li>- Mother receives paid for home care from CYC</li> </ul>

Cllr Crisp	<ul style="list-style-type: none"> <li>- Make regular donations to Oxfam, British Red Cross, MacMillan Cancer Research, Salvation Army</li> <li>- Trustee of RLS-UK / Ekbom Support Group</li> <li>- Director of York Tourism Partnership 'Visit York'</li> </ul>
Cllr D'Agorne	Employed as Careers Adviser at York College
Cllr Fraser	<ul style="list-style-type: none"> <li>- Member of retired sections of UNISON and Unite (TGWU / Acts sections)</li> <li>- Non-voting participating observer (CYC appointed) on York CVS Trustees</li> <li>- CYC appointed Governor of York Teaching Hospitals Foundation Trust</li> <li>- Resident in an area covered by a Respark Scheme</li> </ul>
Cllr Funnell	<ul style="list-style-type: none"> <li>- Chair of Friends of St Nicholas Fields Management Committee</li> <li>- Trustee of York CVS</li> <li>- Member of Older People's Assembly</li> <li>- Governor of Burnholme Community College</li> <li>- Member of Scarcroft Allotments Committee</li> <li>- Holder of a Residents' Parking permit</li> <li>- Holder of a Senior Citizens' bus pass</li> </ul>
Cllr Gunnell	<ul style="list-style-type: none"> <li>- Trustee of York Playspace</li> <li>- Trustee of Welfare Benefits Unit</li> <li>- Employed by York CVS</li> </ul>
Cllr Hyman	<ul style="list-style-type: none"> <li>- Member of Science City York Audit &amp; Finance Committee</li> <li>- Wife works for Adult Learning, CYC</li> </ul>
Cllr King	Daughter a carer and union representative
Cllr Merrett	<ul style="list-style-type: none"> <li>- Daughter a pupil at a York primary school, has school, meals and music lessons, uses Energise and Yearsley pools</li> <li>- Governor at St Paul's Primary School</li> <li>- Member of Cycling England Board and York Cycle Campaign. Honorary Member of CTC</li> </ul>

Cllr Morley	<ul style="list-style-type: none"> <li>- Holder of a bus pass</li> <li>- Holder of an allotment (self and wife)</li> <li>- Sharing Carer (self and wife)</li> <li>- Treasurer of Holgate Methodist Church – expenses include Council waste charges and income includes letting for elections and to Holgate pre-school playgroup.</li> </ul>
Cllr Orrell	<ul style="list-style-type: none"> <li>- Member of York Credit Union</li> <li>- Member of Heworth Golf Club</li> </ul>
Cllr Reid	Governor of Woodthorpe Primary School
Cllr Runciman	<ul style="list-style-type: none"> <li>- Member of NYCU</li> <li>- Trustee of Theatre Royal</li> </ul>
Cllr Scott	<ul style="list-style-type: none"> <li>- Member of Unite the Union, TGWU Section, Acts section</li> <li>- Member of National Rail, Maritime &amp; Transport Union</li> <li>- Former member of Theatre Royal Members' Club</li> <li>- Wife an employee of the Council (role not currently under threat in the proposals before Council or any amendment)</li> <li>- Son at Fishergate School, has school meals, attends Funfisher out of school club</li> </ul>
Cllr Simpson-Laing	<ul style="list-style-type: none"> <li>- Daughter attends Poppleton Rd Primary School, has school meals, and music lessons through CYC music service</li> <li>- Work for Relate York &amp; Harrogate, who receive a budget from CYC – does not affect employment</li> <li>- Treasurer of Poppleton Rd out of school club, which rents building, and seeks funding &amp; training from, CYC; daughter attends club</li> <li>- Treasurer of Friends of Back Park, which receives Ward Committee funding</li> <li>- Member of UNISON</li> </ul>
Cllr Taylor	Lives in a ResPark area
Cllr Waller	<ul style="list-style-type: none"> <li>- Governor of Westfield Primary and York High School</li> <li>- Holder of an allotment at 34b Holgate</li> <li>- Board Member, Welcome to Yorkshire</li> <li>- Board Member, Food Festival</li> <li>- Member of York Credit Union</li> </ul>
Cllr B Watson	In receipt of a bus pass

Cllr Waudby	<ul style="list-style-type: none"><li>- Holder of a Senior Citizen bus pass</li><li>- Son a Council tenant</li><li>- Daughter works for YorkLink</li></ul>
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### CIVIC ANNOUNCEMENTS

63. There were no Civic announcements.

### PUBLIC PARTICIPATION

64. The Lord Mayor reported that there had been fourteen 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 the Public Participation Session was limited by Standing Orders to 30 minutes, the first ten speakers would be called and the remaining four would be invited to address the meeting only if time allowed.

In the event, eleven speakers were called, as follows:-

- (i) Ceri Owen spoke against reductions in funding for services to vulnerable people, including those with a mental illness, learning, physical or sensory disabilities, older people, and carers. She handed in a petition to that effect, signed by 1,22 people.
- (ii) Joe Armer, of the Youth Council, spoke against cuts in services to young people; in particular, mental health support and careers advice.
- (iii) Poppy Hindby-Smith, of the Youth Council, also spoke against cuts in services to young people, with emphasis on the effects of the cuts on individual service provision.
- (iv) Simon Moss, of Tang Hall Residents' Association, spoke against the proposal to trial 24/7 opening of Hull Road Park, on the grounds that the dangers to users, particularly children, would outweigh the estimated savings.
- (v) Heather MacKenzie, of UNISON, spoke against the budget savings proposals in terms of their effect on Council staff and the wider economy, particularly in relation to the market testing of care services, cuts to children's and youth services, and the Conservative proposal to reduce the funding of facility time for union representatives.

- (vi) Peter Barton, of Fulford Residents' Association, spoke against any proposals to leave parks and open spaces open at night, due to the risk of a subsequent increase in anti-social behaviour, leading to extra cleaning and security costs.
- (vii) Ben Tanguay spoke in support of keeping the City's libraries open, and particularly Dringhouses Library, on behalf of Dringhouses residents and library staff and users.
- (viii) Owen Clayton spoke against the budget savings proposals, commenting that the cuts would hurt vulnerable groups disproportionately and that the proposal to fund highway maintenance from reserves showed that the Executive had its priorities wrong.
- (ix) Jennifer Clayton spoke against cuts to Council-funded mental health services, from the perspective of someone who had benefited from receipt of these services.
- (x) Philip Crowe spoke in objection to the proposal to cease the targeted mental health in schools project.
- (xi) Ken Beavan spoke in support of proposals to reduce the amount spent by the Council on employment costs.

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At this point, the meeting was disrupted by protesters and proceedings were delayed for approximately 15 minutes.

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#### **PETITIONS**

65. In accordance with Standing Order 7, a petition was presented by Cllr Potter on behalf of residents of Glen Lodge sheltered housing scheme, objecting to proposed changes to their care arrangements.

#### **RECOMMENDATIONS OF THE EXECUTIVE IN RESPECT OF THE CAPITAL PROGRAMME MONITOR 3**

66. Cllr Waller moved, and Cllr Runciman seconded, the recommendation made by the Executive at their meeting on 16 February 2010 in relation to the Capital Programme Monitor 3 (Minute 165 refers), as follows:

“That Council approve the net adjustments of (£8.504m) in 2010/11, £2.337m in 2011/12, (£5.851m) in 2012/13, (£6.023m) in 2013/14 and (£3.517m) in 2014/15, as set out on a scheme by scheme basis in the report and contained in Annex A.”

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

RESOLVED: That the recommendation contained in Minute 165 of the Executive meeting held on 16 February 2010 be approved.

**RECOMMENDATIONS OF THE EXECUTIVE ON THE COUNCIL'S CAPITAL PROGRAMME BUDGET FOR 2011/12 - 2015/16, THE FINANCIAL STRATEGY 2011 - 2017 (INCLUDING THE COUNCIL'S DETAILED REVENUE BUDGET PROPOSALS FOR 2011/12) AND THE COUNCIL'S TREASURY MANAGEMENT STRATEGY STATEMENT AND PRUDENTIAL INDICATORS FOR 2011/12 - 2015/16**

67. **Executive Recommendations**

Cllr Waller moved, and Cllr Runciman seconded, the recommendations of the Executive in respect of the Council's Capital Programme Budget for 2011/12-2015/16, Financial Strategy for 2011-2017 (including detailed Revenue Budget proposals for 2011/12) and Treasury Management Strategy Statement and Prudential Indicators for 2011/12-2015/16, set out in the report at page 3 of the Council papers, as follows:

**“Capital Budget**

15. The Executive recommends that Council:

(i) agree to the revised capital programme of £175.318m, that reflects a net overall increase of £18.891m (as set out in the 'growth' column of Annex A **with the amendments totalling £2.616m set out in (d) and (e) below**). Key elements of this include;

a) the bids recommended in paragraph 114 (table 5) totalling £7.205m, **subject to the following amendment:**

- the timing of Yearsley Pool energy solution moved to 2012/13 from 2011/12 to permit thorough investigation of necessity and appropriate technology

b) the schemes funded from external resources in paragraph 122 (table 8) totalling £3.629m

c) the revised prudential borrowing profile for the IT development plan in paragraph 126 (table 9) totalling £3.750m that shows a decrease of £250k per annum in years 11/12 - 14/15 and an extension of the programme by £750k in 2015/16 containing specific schemes

d) the use of HRA balances to fund HRA capital schemes as set out in paragraph 130 (table 10) totalling £5.691m **subject to the following amendment;**

- the inclusion of £700k (including work at The Glebe) towards a building insulation programme, including the fitting of double glazed windows, to commence



in 2011/12 to bring the increase in the HRA capital programme to £6.391m

e) **the inclusion of the following new/amended schemes totalling £1.916m with a revenue implication of £29k in 2011/12:**

- £1.000m in 2012/13 to be utilised in conjunction with the Environment Agency for the provision of the Leeman Road flood defences
- an additional £50k p.a.(to the £80k p. a. already included in the LTP line) allocation for the street lamppost replacement programme from 2011/12 to 2015/16, totalling £250k
- £100k p.a. from 2011/12 to 2015/16 to fund an energy generation project which will exploit modern technologies such as photovoltaic cells and which is aimed at providing an additional revenue stream, through the sale of energy, by utilising the availability of new “feed in” tariffs, totalling £500k
- an additional capital investment in structural highways of £166k for 2011/12.

ii) Note that the revenue implications of the above amendments in 2011/12 are £29k, to be reflected in the revenue budget proposals

iii) note the overall funding position identified in the report, which highlights a current shortfall in resources over the next five years, which the Council will need to address through increased revenue contributions in the medium term;

iv) approve the full restated programme as summarised in Annex A totalling £175.318m (£172.702m plus £2.616m amendments) up to 2015/16.

### **Revenue Budget**

15. The Executive recommends that Council approve the budget proposals outlined in the report of the Director of Customer and Business Support Services and set out in detail within the financial strategy, in particular:

- (i) the net revenue expenditure requirement for 2011/12 of £125,728k (£123,900k after deducting the grant assistance to keep the council tax rise to zero), as set out in Annex 1;
- (ii) the housing revenue account proposals outlined in Annex 6;
- (iii) the dedicated schools grant proposals outlined in the report;
- (iv) the revenue growth proposals of £9,394k on-going for

2011/12, plus one-off growth of £442k, outlined in Annex 3, **subject to the following amendments;**

a) reduce growth proposals by £301k as follows:

- CORG04 - Corporate contingency reduce from £400k to £99k

b) include new growth proposals totalling £824k as follows:

- one-off investment in highways maintenance of £657k to be funded from reserves
- Winter maintenance budget for ward committees in the sum of £40k
- Jobs fighting fund in the sum of £98k
- Revenue impact of capital programme amendment for street lighting in the sum of £5k
- Revenue impact of capital programme amendment for photovoltaic scheme in the sum of £9k
- Revenue impact of capital programme amendment for highways maintenance in the sum of £15k

resulting in revised figures of £9,260k for ongoing growth in 2011/12, plus one-off growth of £1,099k.

(v) the revenue savings proposals of £21,170k for 2011/12 outlined in Annex 4, **subject to the following amendments;**

a) reduce saving proposals by £100k as follows:

- ACES12 - reduce saving for review of young people's service from £200k to £100k to help sustain the Urbie bus, skatepark and Duke of Edinburgh schemes

b) reject saving proposals totalling £34k as follows:

- CSTS43 / SCTED04 Welcome to Yorkshire in the sum of £34k

resulting in a revised figure of £21,036k.

(vi) use of prior year collection fund surplus of £1,000k;

**(vii) in terms of the Council's reserves, the use in 2011/12 of £657k from general reserves for highways maintenance.**

(viii) Note the medium term financial strategy projections that indicate the need for savings/efficiencies in future years of £10m per annum,

16. The Executive recommends that Council approve:

- (i) The proposed Treasury Management Strategy for 2011/12 including the annual investment strategy and the minimum revenue provision policy statement;
- (ii) The Prudential Indicators for 2011/12 to 2015/16 (Annex A);
- (iii) The Specified and Non-specified investments schedule (Annex D);
- (iv) The Scheme of Delegation and the Role of the Section 151 Officer (Annex F)

### **Labour Amendment**

Cllr Alexander then moved, and Cllr Simpson-Laing seconded, an amendment to the above recommendations on behalf of the Labour Group, as follows:

#### **“Capital Budget**

##### **“In paragraph 15(i):**

- After ‘programme of’, delete ‘£175.318m’ and insert ‘174.930m’
- After ‘increase of’, delete ‘18.891m’ and insert ‘18.503m’
- After ‘amendments totalling’, delete ‘2.616m’ and insert ‘3.682m’
- In sub-paragraph a), insert a second bullet point as follows:
  - *delay the £2.5m West of York Salvage and Recycling Centre by one year as no business plan has been received, resulting in a revenue saving of £0.222m in 2011/12*
- In sub-paragraph e):
  - , after ‘schemes totalling’, delete ‘1.916m’ and insert ‘2.982m’
  - after ‘implication of’, delete ‘£29k’ and insert £92k
  - in the first bullet point, after ‘flood defences’ insert ‘*and in addition £0.356m from the sale proceeds of the land purchased for the new Acomb office to be used for Leeman Road Flood Defences and Clementhorpe and other Flood Defences (predicated on Government contribution)*’
  - after the last bullet point, insert: ‘*and the further inclusion of:*’
    - *replace damaged bins primarily in 2011/12 in the City Centre with high quality replacements - £0.075m*
    - *increase Access York contribution to £0.496m over two years by adding a further contribution of £0.203m in 2011/12*
    - *increase expenditure in 2011/12 on road and*

- footpath repair - £0.060m*
- *introduce smaller recycling boxes for single occupancy terraced houses and flats in the City Centre (to yield higher recycling rates and save £0.111m each year) - £0.150m*
- *capitalisation totalling £0.222m, comprising:*
  - *NH304 Slurry Seal Footpath - £0.067m*
  - *NH403 50% of Surface Dressing - £0.087m*
  - *NH404 50% of Asphalt Repairs - £0.057m*
  - *NH405 50% of Concrete Patching - £0.011m*
- *Add a further sub-paragraph:*
  - ‘f) *Remove the following schemes from the Capital Programme, releasing a revenue saving of £0.129m:*
  - *the Acomb Office project (to retain the existing office) - £1.394m*
  - *the Library Square Scheme - £0.060m.*

In paragraph 15(ii):

- Delete ‘£29k’ and insert ‘a saving of £0.259m’.

In paragraph 15(iv):

- After ‘totalling’, delete ‘£175.318m and insert ‘174.930m’
- In brackets, after ‘plus’, delete £2.616m and insert ‘£3.682m’.

## **Revenue Budget**

“In paragraph 16(iv):

- In sub-paragraph a):
  - after ‘proposals by’, delete ‘£301k’ and insert £0.589m’
  - add a second bullet point:
    - *by a further £0.288m as a result of the revenue implications of the proposed Capital Programme changes as set out in paragraph 15(i), a), e) and f).*
- In sub-paragraph b):
  - after ‘proposals totalling’, delete ‘£824k’ and insert ‘£1.030m’
  - delete the second bullet point, beginning ‘winter maintenance’
  - insert the following additional bullet points:
    - *pump prime additional Apprenticeships - £0.025m*
    - *pump prime development of Statutory Bus Partnership with measures for Air Quality Improvements (6 months) - £0.158m*
    - *recycling promotion in poor performing areas (to yield increased recycling rates and a £0.111m saving) - £0.030m*
    - *small grant to North Yorkshire Credit Union specifically for a Facilitation Officer - £0.010m*
    - *small grant to Older People’s Assembly - £0.002m*

- *small grant to York Disabled Workers' Co-operative - £0.001m*
- *increase Respite Care provision - £0.020m*
- after 'revised figures of', delete '9.260k' and insert '£9.178m'.

In paragraph 16(v):

- In sub-paragraph a):
  - delete '£100k' and insert '£0.505m'
  - insert the following additional bullet points:
    - *ACES12 – further reduce cuts to Young People's Services - £0.050m*
    - *ACES13 – reduce cuts to review of Advice and Guidance (Connexions for youth unemployment) - £0.080m*
    - *ACES23 – limit planned rise in Adult Social Services personal support, day care activities and transport to 50% of the proposed saving (predicated on policy change) - £0.175m*
    - *ACES64 – reduce cuts to Short Breaks for Disabled Children - £0.100m*
- In sub-paragraph b) (formerly paragraph (vi)):
  - after 'savings proposals totalling', delete '£34k' and insert '£0.263m'
  - insert the following additional bullet points:
    - *ACES58 – reject cut to Health and Disability Assessment - £0.005m*
    - *ACES75 – reject cut to Disabled Children's Childcare Equipment - £0.014m*
    - *ACES84 – reject cut to Teenage Pregnancy Budget - £0.005m*
    - *CANS104 – reject removal of development capacity for Yearsley Pool Management Team - £0.015m*
    - *CANS110 – reject cut to Raceday Toilets - £0.005m*
    - *CANS16 – reject scaling back of Library Service Staff - £0.040m*
    - *CANS33 – reject cut to re-alignment of Homelessness Prevention - £0.015m*
    - *CSTS15 - reject cut to Subsidised Bus Services and use funding for a review to move some services to commercial providers - £0.050m*
    - *CTS45 – reject increase in Respark charges - £0.012m*
    - *OCES04 – reject 80% cut in Holocaust Memorial Day Budget - £0.004m*
    - *OCES07 – reject cut to 'Talk About' and use for the organising of 'York's Fairness Commission' - £0.003m*
    - *ACES60 – reject cut to Respite Care - £0.005m*
    - *CANS114 – reject cut of 10 % to Ward Committee budgets to maintain budgets to*

2010/11 levels without prescription for Winter Maintenance – £0.056m

- insert the following additional sub-paragraphs:
  - 'c) Make an increase in the value of the following savings, totalling £0.258m:
    - CANS01 – increase reduction in Agency Staff to 'save' permanent jobs from redundancy - £0.125m
    - CANS119 – increase recycling rates to 47.3% (with reference to capital amendment for smaller recycling boxes) - £0.111m
    - CANS83 – increase savings in Car Park Maintenance from £0.005m to £0.015m, resulting in an additional saving of £0.010m
    - CANS98 – increase savings in Anti-Skid Tarmac from £0.008m to £0.020m, resulting in an additional saving of £0.012m.
  - 'd) Insert new savings totalling £0.294m, as follows:
    - reduce staff mileage allowance to HMRC guidance levels (part year effect) - £0.072m
    - capitalisation, totalling £0.222m, of:
      - NH304 - Slurry Seal Footpath - £0.067m
      - NH403 – 50% of Surface Dressing - £0.087m
      - NH404 – 50% of Asphalt Repairs - £0.057m
      - NH405 – 50% of Concrete Patching - £0.011m
- after 'revised figure' delete '£21.036k' and insert '£20.954m'."

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

### **Conservative amendment**

Cllr Gillies then moved, and Cllr Healey seconded, the following amendment to the Executive recommendations, on behalf of the Conservative Group:

#### **"Capital Budget**

In paragraph 15(i):

- in sub-paragraph a), insert an additional bullet point:
  - 're-schedule the expenditure on Acomb Office from 2011/12 to 2012/13, releasing £124k of revenue in 2011/12

In paragraph 15(ii):

- delete '£29k' and insert 'a reduction of £95k'.

#### **Revenue Budget**

In paragraph 16(iv):

- in sub-paragraph a):
  - after 'growth proposals by', delete '£301k' and insert '£412k'
  - in the first bullet point, delete '£99k' and insert 'by

*£288k to £112k'*

- insert an additional bullet point:
  - *by £124k as a result of the revenue implications of the proposed Capital Programme changes as set out in paragraph 15(i)a)*
- in sub-paragraph b):
  - after 'growth proposals totalling', delete '824k' and insert '£1.102k'
  - after 'reserves' in the first bullet point, insert '*to be held in contingency but earmarked – and only released following submission of a report from officers detailing spend*'
  - insert the following additional bullet points:
    - *apprentice / graduate trainee schemes – four trainees at a cost of £100k*
    - *'Promoting York' fund in the sum of £50k*
    - *investment in music into OPH also to include sheltered housing at a cost of £10k*
    - *caretaking for youth café which would provide them with basic caretaking for the building but still leave them to run and manage the remainder of the operation - £25k*
    - *fund to pump-prime initiatives in the voluntary sector which will enable council costs to be reduced in future years - £93k*
- after 'revised figures of' in the final sentence, delete '£9.260k' and insert '£9.427k'.

In paragraph 16(v):

- in sub-paragraph a):

- after 'savings proposals by', delete '£100k' and insert '£200k'
- Insert an additional bullet point as follows:
  - *ACES99 – reduce saving for two year olds' nursery pilot from £213k to £113k to allow funding for two year old childcare, say £4k per child and twenty children*

- add a further sub-paragraph:

*'c) Insert new savings totalling £267k as follows:*

- *reduce car mileage allowance to HMRC level and remove staff Park & Ride passes - (half year costs) £117k*
  - *reduce cost of Union Conveners' budgets - £50k*
  - *targeted reduction in Neighbourhood Management Unit, including savings through administration and reducing number of issues of Your City / Your Ward – £100k*
- after 'revised figure' at the end of the paragraph, delete '£21.036`k' and insert '£21.203k'.

In paragraph 16(vii):

- after 'highways maintenance', insert '*to be held as an earmarked sum in contingency*'

Add a further paragraph 16(ix):

*'Request a review of the data capture questionnaires for personalisation assessments to be undertaken during 2011/12 with a*

*view to delivering savings in staff time'.*

### **Amended Recommendations**

The recommendations, as amended, now read as follows:

#### **“Capital Budget**

15. *The Executive recommends that Council:*

*(i) agree to the revised capital programme of £175.318m, that reflects a net overall increase of £18.891m (as set out in the ‘growth’ column of Annex A with the amendments totalling £2.616m set out in (d) and (e) below). Key elements of this include;*

*a) the bids recommended in paragraph 114 (table 5) totalling £7.205m, subject to the following amendment:*

- the timing of Yearsley Pool energy solution moved to 2012/13 from 2011/12 to permit thorough investigation of necessity and appropriate technology*
- re-schedule the expenditure on Acomb Office from 2011/12 to 2012/13, releasing £124k of revenue in 2011/12*

*b) the schemes funded from external resources in paragraph 122 (table 8) totalling £3.629m*

*c) the revised prudential borrowing profile for the IT development plan in paragraph 126 (table 9) totalling £3.750m that shows a decrease of £250k per annum in years 11/12 - 14/15 and an extension of the programme by £750k in 2015/16 containing specific schemes*

*d) the use of HRA balances to fund HRA capital schemes as set out in paragraph 130 (table 10) totalling £5.691m subject to the following amendment;*

- the inclusion of £700k (including work at The Glebe) towards a building insulation programme, including the fitting of double glazed windows, to commence in 2011/12 to bring the increase in the HRA capital programme to £6.391m*

*e) the inclusion of the following new/amended schemes totalling £1.916m with a revenue implication of £29k in 2011/12:*

- £1.000m in 2012/13 to be utilised in conjunction with the Environment Agency for the provision of the Leeman Road flood defences*
- an additional £50k p.a. (to the £80k p. a. already included in the LTP line) allocation for the street lamppost replacement programme from 2011/12 to 2015/16, totalling £250k*
- £100k p.a. from 2011/12 to 2015/16 to fund an energy generation project which will exploit modern technologies such as photovoltaic cells and which is aimed at providing an additional revenue stream,*



*through the sale of energy, by utilising the availability of new “feed in” tariffs, totalling £500k*

- *an additional capital investment in structural highways of £166k for 2011/12;*

*ii) note that the revenue implications of the above amendments in 2011/12 are a **reduction of £95k**, to be reflected in the revenue budget proposals;*

*iii) note the overall funding position identified in the report, which highlights a current shortfall in resources over the next five years, which the Council will need to address through increased revenue contributions in the medium term;*

*iv) approve the full restated programme as summarised in Annex A totalling £175.318m (£172.702m plus £2.616m amendments) up to 2015/16.*

### **Revenue Budget**

16. *The Executive recommends that Council approve the budget proposals outlined in the report of the Director of Customer and Business Support Services and set out in detail within the financial strategy, in particular:*

*(i) the net revenue expenditure requirement for 2011/12 of £125,728k (£123,900k after deducting the grant assistance to keep the council tax rise to zero), as set out in Annex 1;*

*(ii) the housing revenue account proposals outlined in Annex 6;*

*(iii) the dedicated schools grant proposals outlined in the report;*

*(iv) the revenue growth proposals of £9,394k on-going for 2011/12, plus one-off growth of £442k, outlined in Annex 3, subject to the following amendments;*

*a) reduce growth proposals by **£412k** as follows:*

- *CORG04 - Corporate contingency reduce from £400k **by £288k to £112k***
- ***by £124k as a result of the revenue implications of the proposed Capital Programme changes as set out in paragraph 15(i)a***

*b) include new growth proposals totalling **£1.102k** as follows:*

- *one-off investment in highways maintenance of £657k to be funded from reserves, **to be held in contingency but earmarked – and only released following submission of a report from officers detailing spend***
- *winter maintenance budget for ward committees in*

*the sum of £40k*

- *jobs fighting fund in the sum of £98k*
- *revenue impact of capital programme amendment for street lighting in the sum of £5k*
- *revenue impact of capital programme amendment for photovoltaic scheme in the sum of £9k*
- *revenue impact of capital programme amendment for highways maintenance in the sum of £15k*
- ***apprentice / graduate trainee schemes – four trainees at a cost of £100k***
- ***'Promoting York' fund in the sum of £50k***
- ***investment in music into OPH also to include sheltered housing at a cost of £10k***
- ***caretaking for youth café which would provide them with basic caretaking for the building but still leave them to run and manage the remainder of the operation - £25k***
- ***fund to pump-prime initiatives in the voluntary sector which will enable council costs to be reduced in future years - £93k***

*resulting in revised figures of £9.427k for ongoing growth in 2011/12, plus one-off growth of £1,099k;*

(v) *the revenue savings proposals of £21,170k for 2011/12 outlined in Annex 4, subject to the following amendments;*

a) *reduce saving proposals by £200k as follows:*

- *ACES12 - reduce saving for review of young people's service from £200k to £100k to help sustain the Urbie bus, skatepark and Duke of Edinburgh schemes*
- ***ACES 99 – reduce saving for two year olds' nursery pilot from £213k to £113k to allow funding for two year old childcare, say £4k per child and twenty children***

b) *reject saving proposals totalling £34k as follows:*

- *CSTS43 / SCTED04 Welcome to Yorkshire in the sum of £34k*

c) ***insert new savings totalling £267k as follows:***

- ***reduce car mileage allowance to HMRC level and remove staff Park & Ride passes – (half year costs) £117k***
- ***reduce costs of Union Conveners' budgets - £50k***
- ***targeted reduction in Neighbourhood Management Unit, including savings through administration and reducing number of issues of Your City / Your Ward - £100k***

*resulting in a revised figure of £21,036k.*

(vi) *use of prior year collection fund surplus of £1,000k;*

(vii) *in terms of the Council’s reserves, the use in 2011/12 of £657k from general reserves for highways maintenance, **to be held as an earmarked sum in contingency.***

(viii) *Note the medium term financial strategy projections that indicate the need for savings/efficiencies in future years of £10m per annum.*

**(ix) Request a review of the data capture questionnaires for personalisation assessments to be undertaken during 2011/12 with a view to delivering savings in staff time.”**

A named vote was then requested and taken on the amended recommendations, with the following result:

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Aspden	Cllr Alexander	
Cllr Ayre	Cllr Bowgett	
Cllr Brooks	Cllr Boyce	
Cllr Firth	Cllr Cregan	
Cllr Sue Galloway (Lord Mayor)	Cllr Crisp	
Cllr Steve Galloway	Cllr D’Agorne	
Cllr Galvin	Cllr Douglas	
Cllr Gillies	Cllr Fraser	
Cllr Healey	Cllr Funnell	
Cllr Holvey	Cllr Gunnell	
Cllr Hudson	Cllr Hoban	
Cllr Hyman	Cllr Hogg	
Cllr Kirk	Cllr Horton	
Cllr Moore	Cllr Jamieson-Ball	
Cllr Morley	Cllr King	
Cllr Orrell	Cllr Looker	
Cllr Reid	Cllr Merrett	
Cllr Runciman	Cllr Potter	
Cllr Sunderland	Cllr Scott	
Cllr Waller	Cllr Simpson-Laing	
Cllr R Watson	Cllr Taylor	
Cllr Watt	Cllr B Watson	
Cllr Waudby		
Cllr Wiseman		
<b>24</b>	<b>22</b>	<b>0</b>

The recommendations, as amended, were therefore declared CARRIED by 24 votes to 22 and it was

**RESOLVED:** That the Executive recommendations in respect of the Capital Programme, Financial Strategy and Treasury Management Strategy Statement & Prudential Indicators, as amended by the

Conservative amendment, be approved.

## COUNCIL TAX RESOLUTION

68. Councillor Waller moved, and Councillor Runciman seconded, the Council Tax Resolution for 2010/11, as set out in the report at page 17 of the Council papers.

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

RESOLVED: That the revised Council Tax Resolution for 2010/11 set out in the report at page 17 of the Council papers be approved, as follows:

(i) **COUNCIL TAX BASE**

That it be noted that the Director of Customer and Business Support Services, under his delegated authority, calculated the following amounts for the year 2011/12 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:

(a) **Whole of the Council's Area**

67,041.43 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.

(ii) **DISTRICT/PARISH COUNCIL TAX RATES**

That the following amounts be now calculated by the Council for the year 2011/12 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

(a) **District/Parish Gross Expenditure**

£341,643,938.00 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**

£217,141,350 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**

£124,502,588.00 being the amount by which the aggregate at 12(a) above exceeds the aggregate at 12(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**  
£50,768,150.00 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)**  
£1,099.8339 being the amount at 12(c) above less the amount at 12(d) above, all divided by the amount at 11(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**  
£602,298.00 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
- (g) **Basic Amount of Tax (Unparished Area)**  
£1,090.85 being the amount at 12(e) above less the result given by dividing the amount at 12(f) above by the amount at 11(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 12(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 11(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 12(g) and 12(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.

(iii) **NORTH YORKSHIRE POLICE AUTHORITY TAX RATES**

That it be noted that for the year 2011/12 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
£	£	£	£	£	£	£	£
136.37	159.09	181.82	204.55	250.01	295.46	340.92	409.10

(iv) **NORTH YORKSHIRE FIRE AND RESCUE AUTHORITY TAX RATES**

That it be noted that for the year 2011/12 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
£	£	£	£	£	£	£	£
41.40	48.30	55.20	62.10	75.90	89.70	103.50	124.20

(v) **TOTAL COUNCIL TAX RATES**

That, having calculated the aggregate in each case of the amounts at 12(i), 13 and 14 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 2011/12 for each of the categories of dwellings shown therein.

*[The meeting started at 6.30 pm and concluded at 9.45 pm]*

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**Council****7 April 2011**

Report of the Director of Adults, Children and Education

**Petition to Council on Support for Vulnerable People****Summary**

1. This paper is a briefing note from officers in response to the petition to Full Council on support for vulnerable people.
2. The petition reads:

*"We believe that vulnerable people should get the support they need to be part of our community.*

*This includes people with a mental illness, learning, physical or sensory disabilities, older people and carers.*

*We call on the Council to maintain previously ring-fenced funding, such as the Mental Health Grant and Supporting People Grant and not to make cuts to services to less visible groups, such as people with mental health needs.*

*We call on the Council to ask our MPs for York Central and York Outer to raise in Parliament the unfair and economically unsound way in which cuts to Council funding will disproportionately affect support to vulnerable people."*

**Overall Context**

3. The financial context for the 2011/12 budget has been significantly impacted by:
  - worldwide recession leading to Central Government deficit reduction plan
  - unprecedented reductions in Public Sector spending
4. At the same time the council faced unavoidable ongoing financial pressures arising from:
  - increasing number of older people, living longer and requiring care and support services for longer
  - an increase in the number of severely disabled children who require intensive support into and throughout adulthood
  - reductions in income from Council services as people have less money to spend

- reduction in funding of subsidised bus travel for older people
  - increased cost of waste disposal
  - impact of changes to pensions and NI legislation
5. The council's 2011/12 budget was developed within the constraints of this extremely challenging financial climate, set out in the government's Spending Review and provisional finance settlement information. In particular:
- total reductions in government funding of 28% over the next 4 years, heavily frontloaded with CYC's grant being cut by 13.3% in 2011/12
  - 22 grants, worth £14.403k in 2010/11 and with an indicative value of £11.478k in 2011/12, have been rolled into the formula grant
  - the increase in formula grant in the provisional settlement, including the grants transferred in, was only £5.183k, leaving a shortfall in funding of £9,221k between the two years
  - 23 grants, worth £8,200k in 2010/11, were transferred to the new Early Intervention Grant, for which the council received £6,350k in 2011/12 a further shortfall of £1,850k
  - 21 grants, worth £13,685k in 2010/11, were incorporated within the Dedicated Schools Grant (DSG). The provisional DSG for 2011/12 is £106,564k, an increase of £13,659k from the 2010/11 level (subject to pupil number adjustments)
  - there are a further five grants (worth £759k in 2010/11) as yet still under review
  - against these pressures the Executive were advised in December that directorates would need to find savings of £15m to be able to set a balance budget for 2011/12
  - in addition, other grants (worth £5,773k in 2010/11) which formerly were direct grants to service areas have been cancelled or reduced, creating additional financial pressures in directorates
  - while the council has been penalised over the past few years by the workings of the floors and ceilings within the formula grant mechanism, for 2011/12 this same process will offer the protection of a damping gain of £2,541k
  - the council will receive a further reduction in formula grant of £4,639k in 2012/13
6. As with previous years residents were asked what services they value and where they would wish City of York Council to continue providing the levels of service they receive now and where they think we should reduce spending. The consultation generated a statistically reliable response of 738 for Your City and 465 for YouChoose, the online consultation tool. In deciding whether budgets for different services should stay the same or be reduced, residents were more likely to say that funding for social care services, community safety and street based services should remain the same.

As the Executive member report of the 3 February 2011 described the budget was guided by key principles including the commitment to:

- Protect the most vulnerable members of our community – older people, people with disabilities and, children – by ensuring that the services with which we provide them are the very best possible
- Protect all citizens by ensuring that vital Council services that secure their well-being continue to be delivered and that all customer groups receive equal outcomes

7. It is within the above challenging and indeed unprecedented financial context, that the council's budget for 2011-12 was set at the meeting of 24 February 2011. **It included provision for gross revenue expenditure on adult social care of £76.6m, which is virtually the same amount as the council spent in 2010-11, ie 0% change.** This figure included provision for increased service pressures arising from demographic changes, and for pay and inflationary pressures. It also takes account of the welcome injection of £1.997m from the PCT. This year's budget allocation for adult social care should be viewed in the following context:

Table 1: Adult Social Services Budget Movement 2010/11 to 2011/12

	2009/10	2010/11	2011/12	Change in		Change in	
	Actual Budget £000	Current Budget £000	Proposed Budget £000	Budget 2010/11 to 2011/12 £000	%	Budget 2009/10 to 2011/12 £000	%
<b>Adult Social Services</b>							
Gross Expenditure	74,772	76,588	76,570	(18)	(0.0%)	1,798	2.4%

8. In addition the council's capital budget included provision for a number of measures to help support people living independently in their own homes:
- investment of £8.34m over the next 5 years in additional facilities and grants for older and disabled people
  - investment of £1.25m over 5 years in technology in the homes of vulnerable adults to maintain their independence
9. There were no proposals to reduce mainstream services, and where savings have been put forward they have been targeted at areas that will have the minimum possible impact on vulnerable customers. The council has been able to achieve considerable savings through its overall programme of efficiencies. Within the Directorate of Adults, Children and Education, savings proposals were prioritised where they would:
- improve quality and efficiency
  - reduce Management and administrative costs
  - protect frontline services especially services for the most vulnerable members of our community
  - result from ongoing service reviews
  - generate income

- address budgetary underspends
  - improve cash flow and interest earnings
10. Each specific savings proposal has been the subject of an Equality Impact Assessment.
  11. Although it has not been possible to maintain the Mental Health Grant or the Supporting People Programme at the same level as previous years, reductions in these areas had been anticipated for some time and have been planned so as to minimise their impact. In both cases the overall expenditure reduction (at approximately 10%) is less than the overall reduction in central government support to the Council (13.3%), and is at least partially offset by increases in other adult social care budgets.

**Contextual Data**

12. The most recent National Adult Social Care Intelligence Service report on Use of Resources, for 2009/10, showed that York was 13<sup>th</sup> of 51 comparator authorities in respect of the proportion of total local authority spend on adult social services. (31% of the total council budget, excluding schools funds.)
13. Our activity in supporting people to live independently across all customer groups has increased over the last three years, from 3,416 during 2007/8 to 4027 during 2009/10.
14. The number of new assessments of customers has increased across all groups except for mental health.

Table 2: New assessments per 1,000 population

Customer group	2007/8	2008/9	2009/10
Over 65	35.05	44.75	43.33
Learning Disability	0.10	0.16	0.18
Physical and sensory impairment	1.76	2.88	2.99
Mental health	0.75	0.41	0.48

15. The number of people supported through grant funded services has also increased over this time.

Table 3: Numbers in receipt of grant funded services per 1,000 of population

Customer group	2007/8	2008/9	2009/10
Over 65	10.16	13.79	21.77
Learning Disability	0.23	0.32	0.41
Physical and sensory impairment	0.23	0.54	0.60

Mental health	0.21	0.21	1.00
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### **Mental Health**

16. The Mental Health grant has historically been used alongside core budgets within the mental health services to support the delivery of both the care management functions in the integrated health and social care teams, and the day support and supported accommodation that the Council provides.
17. When the reduction in the Mental Health grant is taken alongside the core budgets, the impact of the savings is reduced overall to 9% within the approved mental health service, and 7% within our day support service. Savings within these budgets will be made by reducing the number of Approved Mental Health Practitioners by one, by realigning responsibilities of the remaining posts, and by making efficiency savings within the day support service.
18. We await final confirmation from the PCT, who manage these services on behalf of the council under a partnership agreement, on detailed proposals, but we are confident that new ways of working will enable us to ensure that we continue to meet the statutory responsibilities to customers, and at the same time deliver a more personalised and recovery focussed service.

### **Supporting People**

19. The Supporting People programme grant was always anticipated to reduce, regardless of the Comprehensive Spending Review, by around 5% a year for the next two years, because of the phased introduction of a formula grant by the previous government. In fact the new formula applied this year by Communities and Local Government Department gave an indicative allocation to York some 48% lower than this year. The council has however protected the programme from the impact of this indicative formula by using the new flexibilities available as a result of the ending of the ring fence, and the inclusion of the programme within the Area Based Grant.
20. The overall reduction in expenditure on the programme in 2011-12 in York will be 10.4%. This will still present challenges, but the Commissioning Body – a partnership between the council, health and probation in York – has taken an approach which means that although there will be some impact on customers, as some services and some providers will need to change, we can deliver the savings with minimum impact on the quality and level of services. In fact the ending of the ring fence means that we are able to use money more flexibly to deliver the intervention and support to vulnerable people, address key strategic objectives of the council and our partners, and prevent higher demands on our statutory services.
21. The savings will be achieved through a combination of:
  - continuing review and reduction of administrative costs

- review of contracts which need to be retendered, to identify where it makes sense to combine contracts and enable increased efficiency without reducing the quality or level of services
- implementing benchmarked unit costs for services, working closely with providers and agreeing with them ways this can be delivered without impacting on service levels or quality
- continuing to look at services which are less strategically relevant, because they are, either, not delivering outcomes for customers, or because they are not delivering outcomes in the best possible way
- where we are decommissioning services, working closely with providers and partners to ensure there are alternative arrangements to be offered to current customers, and that customers are consulted with before changes are made

### Contact Details

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Pete Dwyer  
Director of Adults, Children and Education

**Report  
Approved**



**Date** 30 March 2011

**Specialist Implications Officer(s)**

*Financial*  
Richard Hartle  
Finance Manager (ACE)  
554225

**Wards Affected:**

**All** ✓

**For further information please contact the author of the report**

## Leader's Report to Full Council 7<sup>th</sup> April 2011

### 1. New starts

Since the beginning of 2011 a wide range of projects have started on site.

The new Headquarters at West Offices has begun, and on 14<sup>th</sup> February there was a session held at York College to ensure that local businesses and workers knew how they could register to benefit from the work that will be undertaken on site. This has been an important priority of Harrisons as they develop the building which will be a long term saving to the running costs of the council.

Renovation has started on the Barbican, and already ticket sales are going well for the first events.

Work has finally started on family housing at Derwenthorpe, many years after the area had been allocated for housing, and it is a tribute to the Joseph Rowntree Housing Trust that they had confidence in the scheme that they had stuck with the project to this point. Building work has started on the first 64 houses, and the infrastructure for the rest of the site which will open up the site for the next phases and the energy centre.

The council has worked with the Homes and Communities Agency and Housing Associations to bring into use some newly built properties where the developers had gone into receivership. Therefore we have demonstrated that we are able to work quickly, with partners and ensure that opportunities are taken up. This has resulted in the opening of affordable rent, and other options such as 'try before you buy' housing in the city. The schemes that help people to save deposits for the homes that they are renting is one which has demonstrated interest in the wider property market, and will be helping to overcome the difficulties that some families are facing in accessing mortgages. These projects are also helping to provide properties for 'downsizing' which will help to release underutilised family homes in other parts of the city as well as providing modern accommodation to meet residents needs.



*Pateley Place new flats opening 14<sup>th</sup> March 2011*



*Inside Pateley Place flats*

The other schemes are at Birch Park, Hungate Phase 1 (where the homes are intermediate rent and absorb the service charges), as well as the Discuss Bungalows.

At the Leeds City Region level the Homes and Communities Agency Board, which I chair, is meeting with lenders in the city region to look at how housing developments can be helped with access to capital by developers, and easing restrictions on mortgages which has left some families who would have readily obtained mortgages in the past either needing to find significant deposits, or being declined. By being part of the city region this is helping each local authority as the discussions are covering an area of over 3 million people.

Auden House was officially opened on 21<sup>st</sup> March demonstrating the quality of provision for older residents that the Executive is keen to support and develop.

## 2. Affordable Housing Viability

In order to provide flexibility for the development of housing in the city the Executive approved the Viability Study in the report which came to committee in December and its (current) 25% brownfield and 35% greenfield affordable housing targets for inclusion in the LDF and for interim development control purposes. This included a lowering of the targets by a further 3.5% where a 25% developer profit can be justified, or a lower target, by individual negotiation, following a site-specific viability appraisal.

Year	Total Housing Completions on Qualifying Sites*	Affordable Housing Completions on Private Developments	% Affordable Completions on Qualifying Sites	RSL build, Mort res etc	All Affordable Housing Completions	Completions on small i.e. non qualifying sites	Total Housing Completions (includes small sites)	% Affordable totals as % of total build	Notes
2005/06	458	108	23.60%	40	148	408	906	16%	
2006/07	333	56	16.80%	0	56	465	798	7%	
2007/08	176	21	11.90%	30	51	317	523	10%	
2008/09	163	54	33.10%	97	151	191	451	33%	
2009/10	192	45	23.40%	93	138	222	507	27%	**
Quarters 1 and 2 of 2010/11	174	111	63.80%	31	142	59	264	54%	**
<b>Total</b>	<b>1,496</b>	<b>395</b>	<b>26.40%</b>	<b>291</b>	<b>686</b>	<b>1662</b>	<b>3449</b>	<b>20%</b>	

\* For the avoidance of doubt, a qualifying site is a private developer led site, which triggers the affordable housing policy through the planning system. The current affordable housing policy is triggered at sites of 15 homes or 0.3ha in urban areas and 2 homes or 0.03ha in rural areas.

\*\* Includes 18 completions in 2009/10 and 31 completions in 2010/11 on private developments that are in addition to the negotiated affordable housing requirement. These



have been secured through deals with private developers to buy surplus stock and kick-start developments that have stalled due to the poor market conditions. These have covered a range of tenures supported with low rates of Social Housing Grant. Negotiations are currently ongoing to purchase a further 50 homes on private developments across the city.

### **3. York Local Investment Plan**

The Executive approved the York Local Investment Plan which forms the City of York Council's 'ask' to the Homes and Communities Agency for the period 2011-2015.

### **4. Budget**

The Executive received a number of reports relating to the budget that was approved by Full Council on 24<sup>th</sup> February 2011.

### **5. Re-ablement Service**

The Executive has received two reports on the remodelling of the re-ablement service to ensure that additional time is provided for the aging population in York to assist them to 'get back on their feet' after an admission to hospital or related difficulty in their life. The faster that this can happen the better that it is for the individual, and it also reduces demands on services in the NHS. The Executive received a recent updated report on this item and agreed to support council officers if they wanted to progress a mutual or community interest company option for the future proposals for this service.

### **6. Transition Board for local NHS**

The Executive approved the terms of reference for a Transition Board to oversee the changes in the NHS locally resulting from the white paper 'Liberating the NHS'. It is important for the city that we establish the local priorities that we would expect to be delivered by any new arrangements, and for it to be clear how local elected members can represent the wishes of constituents in the decision making process. We do not want to see the benefits of the successful Health City Board being lost, and the terms of reference show the importance that the Executive attached to ensure that the changes are made as seamlessly as possible which taking full advantages of the opportunities for closer working that are on offer.

### **7. Annual Performance Assessments : Adults and Children's Services**

The Authority received its Annual Performance Assessment letter which grades York as 'Outstanding' once again, continuing the level achieved for the last four years. York is the only local authority outside London to receive such a grading and has kept its place as one of the best performing Children's Services Departments in the country. Ofsted rated York's Children's Services as 'Performing Excellently' which is the highest score available.

This independent assessment for the services shows that the excellent work being done in the department is being recognised nationally. The report to the Executive demonstrated that services to children in the city are of an exceptionally high standard and that improvement

continues all the time. Staff deserve credit and thanks for their hard work in delivering these outcomes.

Adult Social Care has received an encouraging report of progress, marking the consolidation on the "Performing Well" assessment of last year. This recognises the effort of everyone who has contributed to this excellent result including all the Adult Social Care staff who have worked so hard and our partners who have made this result possible.

## **8. Annual Audit Letter**

The Executive received the Annual Audit letter for 2009/10 from the Audit Commission in January which reported that in response to the financial pressures faced by the public sector the council "was amongst the first wave of local authorities to recognise that a strategic response was necessary. The 'More for York' programme was established in 2008 as a council wide initiative to generate £15 million savings by 2012 without compromising the quality of front line services.

The letter also noted that the council takes a proactive stance to tackling fraud and corruption (327 instances of proven benefit fraud identified during the year with a value of £340,000) with appropriate recovery or prosecution action taken in each case. The letter reported that the council has maintained the strengths identified last year in relation to risk management, displaying a strong anti fraud culture, and delivering services that represent good value for money to the public. It noted that good procedures are in place for procurement and asset management, and that the Veritau shared service arrangement had received national recognition.

## **9. Scrutiny Reviews : Newgate Market**

The Executive received a detailed report from the Scrutiny review on Newgate Market which brought forward some short, medium and long term proposals for the market. The report acknowledged the importance of the market to the city centre economy, and the value that it brings to the council. Issues relating to service level agreements on cleansing, improving the public realm can be dealt with immediately, the items relating to the running of the market requires the consent of the market stall holders, and other long term investment will require budget growth bids, especially the very interesting 'pods' model of stall.

## **10. Scrutiny Reviews : Schools Travel Plans Ad Hoc Scrutiny**

The executive considered the report which looked at issues relating to problems surrounding the school run and the proposals were in line with the council's current thinking and so were supported. However, clarification was needed on the incentives to change from bus to cycle use for those travelling to school and so officers will report on this separately.

## **11. Scrutiny Reviews : Casual Play Opportunities**

The Executive considered the report on casual play opportunities to encourage the provision of suitable spaces for play for children aged 5 to 13 years old. The Executive considered

that it was a clear benefit to children to play outside in the open air as a balance to hours playing computer games indoors. The two main recommendations to work with the Taking Play Forward Strategic Board to identify three diverse areas to pilot casual play schemes (although this will probably not stretch to the reminiscences of the chair of the Scrutiny Committee, Cllr Looker, who recalled World War II bomb sites around Bristol as being a source of casual play opportunities) and to encourage a buy-in to casual play opportunities by ward committees, parish councils, and residents associations.

### **12. Race on Line**

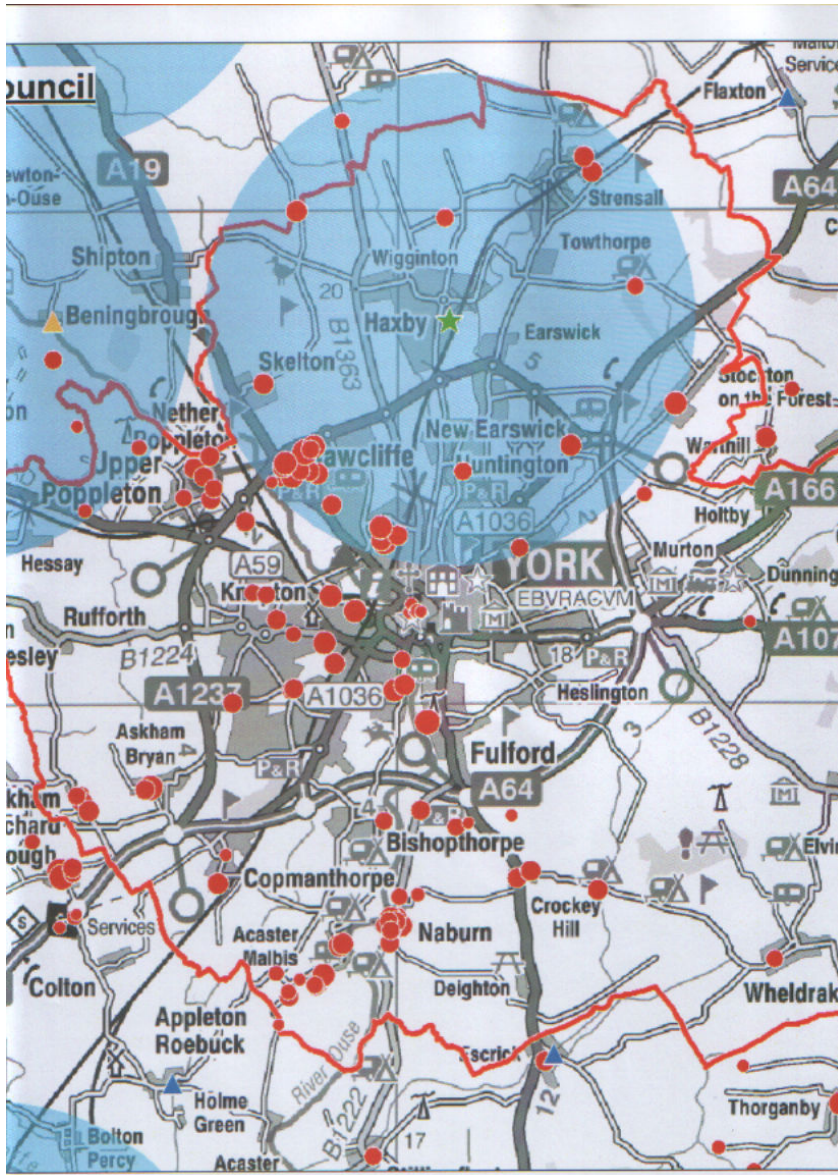
This is a nation wide campaign to improve access to the internet to all residents. The Executive was very keen that York should sign up as an official partner in Race Online 2012 and for the council to work with partners to enable this to take place.

Having a city where residents and businesses have access to the internet is important in the 21<sup>st</sup> Century. This involves the access to both the computer hardware, for which there are issues of affordability, as well as access to high speed broadband connection. The commitment for a work programme includes the following;

- Take the action plan to the WOW Partnership Board to link digital inclusion into the Sustainable Community Strategy
- Work with IT Services and Economic Development to support digital inclusion
- Promoting the benefits of being online by running a series of roadshows over the next two years, starting with the national Go Online event (17 Jan – 14 Feb)
- Encouraging other organisations to sign up to the pledge
- Producing a map showing free and low cost WiFi access across the City
- Developing use of libraries as key access points to online national government and local council services
- Mapping provision of support and training from basic through to advanced digital skills

There are steps being taken in conjunction with commercial companies to help improve internet connections in the city, and below is a map from NYNET about proposals to tackle 'not spots' within York with a possible community roll out of WiFi in the North of the City (blue circle) and red dots indicating Domestic properties with no service (there may have been some changes since the map was prepared). This was presented to Leaders of York and North Yorkshire councils.

The Executive also requested a further paper on measurements of digital inclusion to include steps taken to improve internet connectivity, and access to the internet amongst older residents, and lower income families.



### 13. Capital Programme Monitor 3

This report presents the likely outturn position of the Council's 2010/11 Capital Programme, based on the spend profile and information to mid January 2011, and seeks approval for changes to the programme resulting from slippage and for the use of additional prudential borrowing and contingency to progress certain schemes



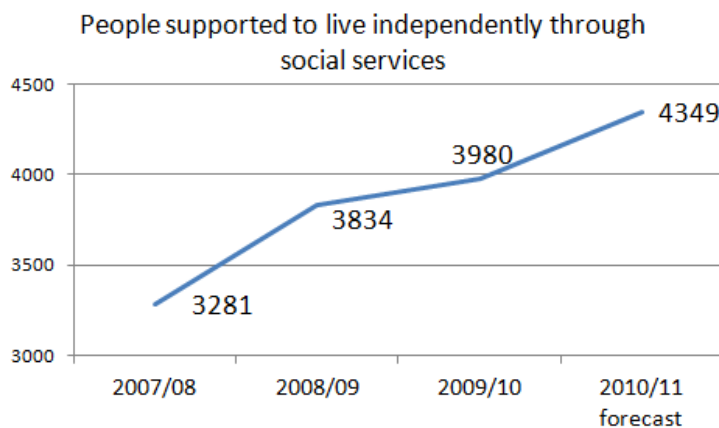
*Progress being made with the new Clifton with Rawcliffe Primary School*

#### **14. Quarter 3 Finance and Performance Monitor for 2010/11**

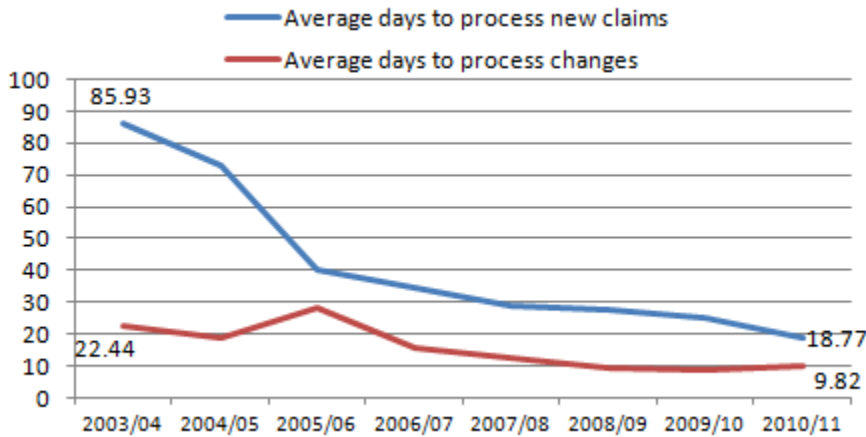
There have been strong achievements over the first 9 months of 2010-11, including, excellent improvement in the number of residents helped to live independently; significant improvement to standards of street cleanliness; a 1% increase in waste recycling levels and a continued reduction in landfill.

The reduction in overall recorded crime incidents in York continues, building on the 24% reduction achieved in 2009-10. There has also been sustained improvement in road safety, with a 60% reduction in the number of people killed or seriously injured on York's roads.

York continues to buck the national trend in relation to many areas of the economy, including a widening gap for unemployment, a major reduction in the number of young people who are not in employment, education or training (NEET). Indeed York has recently been recognised as the 7<sup>th</sup> best performing council in England in terms of low numbers NEETS.



Since 2003/4 there has been significant improvement in time taken to process new benefit claims and put in place changes to existing claims. This can be attributed to - streamlining working practices to process more work at the first point of contact, initiatives such as a 24-hour processing promise, restructuring the service, better use of ITT, enhanced performance management and quality assurance, greater customer focus and staff training.



The amount of waste collected per household continues to reduce and CANS predict we will achieve 590kgs for 2010-11, exceeding the very challenging 2010-11 target of 611kg, set 3 years ago. Since 2004/05 the amount of household and commercial waste that goes to landfill has reduced by 40% and 50% respectively (see graphs below). Despite these reductions, the council continues to pay higher levels of landfill tax each year because of high annual tax increases per tonne (currently £48 per tonne and scheduled to increase by £8 each year until rate reaches £80 per tonne). This was designed to get authorities to recycle more waste when it was introduced in October 1996. Landfill tax rate has more than trebled since 2004/05 and an alternative to landfill is needed to meet statutory targets and to reduce financial burden of paying Landfill Tax.

### 15. Treasury management Monitor 3 and Prudential Indicators 2010/11

Executive was pleased to note that the Treasury Management Team have continued to out-perform the market, taking advantage of the low rates to borrow long-term.

Over the first nine months of the financial year 2010/11 the Treasury Management Team has out-performed the average 7-day London Inter-Bank Deposit rate (LIBID) earning a rate of return 0.72% higher than LIBID for the short-term investments made. When borrowing every effort has been made to obtain loans at the most advantageous rate possible. While the interest rate offered by the Public Works Loans Board (PWLB) has increased to 5.5% the Team remains watchful, as there are still some loans available at lower rates.

At the end of Quarter 3 the Treasury Management budget showed a welcome underspend of £200k, driven by a decrease in financing expenditure, a reduction in the Minimum Revenue Provision charge and an increase in interest received on savings, though it is expected that growth will continue to be slow throughout the remainder of the year.

The Executive also agreed to recommend the Integrated Treasury Management Strategy Statement and Proposed Prudential Indicators from 2010/11 to 2014/15

### **16. Housing Rent Increases**

The Executive noted that with the current system council home rent levels are effectively set by central government which is not a satisfactory state of affairs. It requested that officers progress plans which would allow the council to take more direct control of housing revenue decisions which would include rent levels.

### **17. Creating a Local Authority Company**

Following the success with Veritau there is scope to provide services and carry out works on behalf of other public bodies and private organisations. By approving this the Executive acknowledged the amount of work that is already done in terms of operating other organisations payroll, and options at the Eco Depot to work with other public sector partners.

### **18. Review of Directorate of City Strategy**

The Executive approved the reorganisation which is the inevitable consequence of the reduced resources available to the Department. While there may be delays to some workstreams, the restructure will sustain key front line customer interface activities and aligns staffing numbers to the reduced work volumes.

### **19. Local Development Framework**

The establishment of a successor to the Local Plan has taken a much longer time than had been anticipated when I was first elected as a councillor to the former York City Council. Years of delay have been pushed into the process by central government due to Local Government Re-organisation, and a sudden change from Local Plan to Local Development Framework. However, the Executive appreciates the need to have certainty in the planning process for development in the city so that investment decisions can be made with confidence. At the same time we must maintain the setting of the city, and the beneficial environment which makes York an attractive place to live and work.

Residents have been consulted, and have given a clear view on matters like the Green Belt. There have been a large number of reports that have come to the Executive from the all-party LDF Working Group and it would be appropriate to note the amount of time and effort that has been put in by officers and members to reach this stage in the process.

The Executive agreed to progress a city wide article 4 directive from the LDF working group.

### **20. Customer Complaints**

The Executive approve the report presents the findings of the Task Group set up by the Effective Organisation Overview & Scrutiny Committee to carry out a review of Customer Complaints procedures.

**21. Cycle City Review**

I would like to put on record my thanks to the Cycle City team and what they have achieved by increasing the numbers of people in the city cycling, and a number of key improvements to the network which makes cycling safer in the city.

Cllr Andrew Waller

29/3/11



City of York Council

Committee Minutes

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MEETING	EXECUTIVE
DATE	18 JANUARY 2011
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY, REID AND RUNCIMAN
IN ATTENDANCE	COUNCILLORS LOOKER, POTTER AND SCOTT

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**PART B - MATTERS REFERRED TO COUNCIL****148. REVISED INCOME POLICY**

Members considered a report which presented a draft revised Income Policy, setting out the guiding principles to be followed by the Council in ensuring consistency and best practice in the generation and collection of income.

The purpose of the draft revised policy, attached as Annex A to the report, was to provide a concise guidance document maintaining the key principles of the current policy but reflecting the increased payment channels available to customers and the changing financial environment.

Having noted the comments of the Labour Group Spokespersons on this item, it was

**RECOMMENDED:** That Council approve the revised Income Policy at Annex A to the report, subject to the revision of paragraph 13 of the policy to remove the reference to planning fees as an example of charges set nationally by government.

**REASON:** To provide appropriate guidance in delivering value for money income arrangements across the organisation and to 'future proof' the policy by taking account of potential changes that may enable councils to set their own planning fees.

Action Required

Refer the recommendation to Full Council

FY

A Waller, Chair

[The meeting started at 2.00 pm and finished at 3.00 pm].

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MEETING	EXECUTIVE
DATE	1 MARCH 2011
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY, REID AND RUNCIMAN

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## PART B - MATTERS REFERRED TO COUNCIL

### 173. CITY OF YORK LOCAL DEVELOPMENT FRAMEWORK - CORE STRATEGY SUBMISSION DRAFT

Members considered a report which presented the draft Local Development Framework (LDF) Core Strategy Submission document and associated legal and soundness issues.

The Core Strategy was a written statement of the planning strategy and vision for the City of York, together with strategic policies, with which all other planning documents produced must comply. Having undergone the Issues and Options stage in June 2006 and the Preferred Options consultation stage in 2009, the Core Strategy was now at the Submission stage. The Strategy document itself, published on-line as Annex A to the report and circulated in hard copy to Executive Members, reflected the recommendations made by the LDF Working Group at their meetings in October and November 2010 and February 2011.

Further information and advice in respect of legal and soundness issues, , was provided in paragraphs 29 to 36 of the report. Members were invited to consider the following options:

**Option 1** – recommend that Council approve the document at Annex A for publication and submission for public examination.

**Option 2** – request Officers to provide a further report on legal and soundness issues before recommending the document for approval.

**Option 3** – seek further amendments to the document to address legal and soundness issues before recommending it for approval.

Having noted the comments of the Labour Group Spokespersons on this item, the additional comments from members of the LDF Working Group published on-line as Annex H, the written submission from Cllr Hyman on behalf of Huntington & New Earswick Ward Councillors, and the comments contained in the minutes of the meetings of the Without Walls Partnership and the York Economic Partnership circulated to Members, it was

RECOMMENDED: (i) That Council approve the Core Strategy, as amended (Annex A), subject to the inclusion of the further suggested amendments set out in Annex H to the report,\* along with supporting information, for publication and submission for public examination.

REASON: In order to progress the Local Development Framework Core Strategy and to ensure that it encourages the development of a City respectful of both its historic built heritage and its natural environment, with high employment levels, increased opportunities for leisure activities and an improved transport system.

(ii) That the final version of the Core Strategy Submission Document be placed on the Council's website.

REASON: To ensure that the document is publicly accessible.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 2.30 pm].

*\* Note: Annex H to the Executive report is attached as an annex to these Part B minutes.*

## Changes Requested by Members Since 14<sup>th</sup> Feb 2011 LDF Working Group

### 1. Draft Core Strategy

#### 1A Major Changes

	Section	Requested Change	Proposed Change
<b>Section 3. Spatial Strategy</b>			
1A 3.1	Spatial Principle 1, last paragraph	Highlight the potential for renewable energy/hydro and heat plants which may fall in the Green Belt, in line with the AEA study.	Spatial principles deal with the general approach to development rather than specific development types. Given its nature renewable energy would in some cases represent an exception and could for example constitute very special circumstances in the GB. It is considered the best place to pick up this issue would be in Section 18.
<b>Section 4. The Role of York's Green Belt</b>			
1A 4.1	CS1, last paragraph	Add reference to essential renewable energy facilities in selective locations, in line with the AEA study.	As highlighted above Renewable Energy could constitute very special circumstances with regard to development in the Green Belt. There are however a range of development types to which this may apply. Rather than listing potential exceptions, it is considered the best place to pick up this issue would be in Section 18.

<b>Section 5. City Centre</b>			
1A 5.1	Policy CS2, 2	Add further principle on reducing traffic congestion and air quality breaches in and around the city centre.	The principle of reducing congestion, improving air quality and reducing emissions is covered in the transport policy and the air quality policy. The latter identifies areas with air quality breaches, including those in and around the city centre. Rather than addressing in the policy pick up linkage in the Explanation.

<b>Section 6. York Northwest</b>			
1A 6.1	Policy CS3 ii	Include additional text on York Central retail: '...showing no significant impact on city centre retail and that traffic and air quality implications acceptable...'	Future proposals for York Central would be considered against all relevant policies in the Core Strategy, including transport and air quality. Recommend no change.
1A 6.2	Policy CS3	Add new bullet point about bus interchange at rail station, as per previous local plan policy.	Specific transport infrastructure schemes are not listed in the York Central policy. As the specific location of improvements to the bus interchange are currently not known. Add reference to Explanation at paragraph 6.13 as follows – ' <u>...development of the area. The development must be well served by sustainable modes, taking full advantage of the opportunities associated with its location in order to maximise sustainable travel. Opportunities will be explored around pedestrian and cycle linkages, park and ride, tram train, rail and bus service improvements, potentially including interchange improvements at the station</u> ' The SPD will.....'

<b>Section 9. Aiding Choice in the Housing Market</b>			
1A 9.1	Policy CS8	Add reference to Gypsy and Traveller sites meeting sustainability design requirements regarding energy and CO2 reduction.	Policy CS21 “Sustainable Design and Construction” part 2, requires a Sustainability Statement to accompany all new development - the Sustainability Statement will need to demonstrate that the development will be a high standard of sustainable design and construction using techniques to ensure design reduces energy consumption and construction ensures sustainable use of resources. This addresses the issue highlighted.
1A 9.2	Paragraph 9.4	Need separate section on younger people given current affordability problems and add new text: <u>‘for people as they grow up and leave home, and as they grow older...’</u>	Issues of affordability substantially dealt with under Section 10, and cross referenced.  Amend text to read: “At the heart of a successful policy for meeting future housing pressures must be a policy which provides for people <u>as they grow up and leave home</u> , as they grow older, and as their circumstances, options and preferences change.
<b>Section 10. Affordable Housing</b>			
1A 10.1	Strategic Objectives	Should refer to future residents <u>and employees</u>	Amend as proposed.

1A 10.2	Targets	Add new target: 'reducing housing waiting lists and affordable housing need assessments.'	<p>This would be one of our aims (both through planning policy and other mechanisms) is to reduce the housing waiting list by providing more affordable homes, however reducing the list relates to a wider set of policy approaches than simply planning policy which the targets are designed to measure. Suggested amendment to para 10.3 to explain.</p> <p>Include new target: "<u>Maintain an up-to-date and appropriate assessment of local housing need</u>"</p>
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<b>Section 12: Education, Skills and Training</b>			
1A 12.1	Policy CS13 iv	Add reference to Higher Education Institutions providing facilities and the requisite amount of student accommodation on their existing sites, in line with existing local plan policy.	Amend as follows '...teaching and research operations, <u>other facilities and student accommodation</u> at their existing sites...'

<b>Section 14. Retail</b>			
1A 14.1	Page 81: Strategic Objectives – first Bullet Point	Add wording about seeking to restore the 34% market share, as per draft Core Strategy policy and justification.	The Retail Topic Paper recommended that rather than focusing on market share and relative performance against other centres, the approach should focus on vitality and viability and local need. Therefore it is recommended that no change is made.



1A 14.2	Page 81: Targets – second Bullet Point	Make it clear that the prime focus is on Piccadilly and that retail on York Central should be subject to the traffic and air quality consequences being acceptable.	<p>The current policy phasing indicates that the priority for new retail development will be Castle Piccadilly and the Stonebow Area. Retail development at York Central will only be considered following the implementation of Castle Piccadilly as set out in paragraph 14.5.</p> <p>Future proposals for York Central would be considered against all relevant policies in the Core Strategy, including transport and air quality. This would address the concern highlighted.</p>
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<b>Section 15: Sustainable Transport</b>			
1A 15.1	Strategic Objective	Reflect the latest LTP3 objectives	The objectives match the current draft LTP3 headline objectives and it is proposed to use the same headline objectives in both documents.
	1 <sup>st</sup> bullet point	Bullet point needs to reflect managing motorised traffic demand and road network operations	
	2 <sup>nd</sup> bullet point	Refer to providing 'selective' strategic links	
1A 15.2	Targets 6 <sup>th</sup> bullet point	A 25% increase in delays relative to 2008 is an unacceptably high increase.	The reduced level of increase in delay is considered to be appropriate and achievable with the level of growth proposed and funding available.
1A 15.3	Policy CS18 Phase 1	Include reference to the Strategic Cycling Network (updating the previous Local Plan version).	Reword bullet point 7: ' <u>Improvements to the strategic cycle network</u> as set out ...'
1A 15.4	Policy CS18 Phase 2	Include reference to a new bus interchange at railway station.	Add new bullet point under Phase 2, Bus Network Improvements: 'Improvements to the bus interchange at the railway station.'

1A 15.5	Policy CS18 Phase 2	Include reference to Wetherby Road Park and Ride	The Wetherby Road Park and Ride is not currently considered to be deliverable and is therefore not included.
1A 15.6	Policy CS18 Phase 2	Create a new bullet point relating to the continued implementation of the Strategic Cycling Network	Add new bullet point: ' <u>continued implementation of the strategic cycle network as set out in the emerging LTP3 and subsequent investment programmes.</u> '
1A 15.7	Policy CS18 Phase 3	Create a new bullet point relating to the continued implementation of the Strategic Cycling Network	Add new subheading: ' <u>Strategic Cycling Network Improvements.</u> ' Add new bullet point: ' <u>continued implementation of the strategic cycle network as set out in the emerging LTP3 and subsequent investment programmes.</u> '
1A 15.8	Policy CS18 Phase 3	Include in the policy the need to reserve land for Haxby Train Station and other stations including Strensall and within British Sugar site.	The provision of a new station at Haxby is a long-term aspiration and whilst not a specific deliverable scheme within the LDF period, it would be appropriate to ensure that any future scheme is not prejudiced. The same is true of improvements along the Harrogate railway line. In policy CS18 ii, in paragraph referring to tram-train add: ' <u>...ambitions to develop a new station at Haxby and improve rail provision along the Harrogate railway line through the introduction of tram-train. This could include provision for a rail halt within the British Sugar site.</u> '  A new station at Strensall is a longer term option.
1A 15.9	Policy CS18 add new section (v.)	Add an additional section to the policy setting out a requirement to reflect the York Transport and Accessibility Hierarchy (as set out in Local Plan policy)	Recommend no change. The transport and accessibility hierarchy is part of the overarching transport policy context and will be set out in the LTP3.

1A 15.10	Policy CS18 final paragraph and para 15.5	Add reference to controlling the total (public and private) City Centre and near centre car parking – should be monitored and maintained at 5,100 (public off-street parking total), as per existing local plan policy.	Parking control is recognised as a critical element of demand management as highlighted in the policy (section iii). The detail of the best mechanism to use for controlling parking will be included in the proposed SPD as set out in paragraph 15.4. This will also consider through the findings of the City Centre Movement and Accessibility Framework.
1A 15.11	Explanation/ Policy CS 18 Paragraph 15.7	Include reference to reserving land for future transport infrastructure improvement such as future rail stations, main station bus interchange, road line improvements (including outer ring road), York Northwest public transport links route, rail freight transshipment, extra river bridges.	Given the nature of Transport Infrastructure it is recommended that the policy is amended to reflect this point.  Rail freight transshipment is not currently being pursued.

<b>Section 18. Sustainable Design</b>			
1A 18.1	Targets and policy	Should set a stepped CO <sub>2</sub> reduction target, e.g. 15% from 2013. This could include setting higher code for sustainable home targets (level 4 from 2013, in line with current building regs) and BREEAM standards (very good up to 2015, and excellent up to 2019) and taking a positive line on smaller flat developments particularly in relation to biomass (currently excluded in the AEA analysis). This must be subject to comments made in relation to Air Quality (comment 1A 18.5 below)	Following comments made at the LDF Working Group interim targets were introduced for Code for Sustainable Homes and BREEAM these will help address Sustainable Design and Construction in residential and non residential properties and energy efficiency/ CO <sub>2</sub> reduction targets will step up over the time period in line with building Regulations.  AEA Study suggests that biomass is not suitable for flats but instead suggests that because flats tend to be higher density developments district heating / CHP networks should be considered.

1A 18.2	Target	Requested new target. Council’s agreed a policy last year of 40% CO <sub>2</sub> reduction target by 2020 (proposed by Friends of the Earth).	The 40% CO <sub>2</sub> reduction target by 2020 relates to the City of York as a whole including new and existing housing and commercial stock. The current Core Strategy target of 10% CO <sub>2</sub> reduction relates to new development only and is an appropriate target based on a robust evidence base. York’s Climate Change Framework and Action Plan will build in the Core Strategy targets to help reach the 40% CO <sub>2</sub> reduction target.
1A 18.3	Policy CS21 Renewable Energy (i)          Table 18.1	The medium scenario renewable energy targets of 38.7MW for electricity and 15.1 for heat by 2020 should be replaced by the higher scenario targets set out in the AEA report and replaced with 55.6MW and 20.2MW respectively, given the significant shortfall in reaching the 40% target by 2020.       Query the 39.8MW target for electricity and 18MW target for heat by 2031 – they show so little improvement over 2021. Continued substantial progress is required to meet the Gov 80% CO <sub>2</sub> reduction target by 2050.	Using the higher target scenario was not a resolution made at the LDF Working Group.– no change recommended.       The post 2020 targets have been included from the AEA Renewable Energy Study. The consultants have verified these targets.
1A 18.4	Policy CS21 (new section proposed)	Include new section relating to Broadband connections, because of the potential to facilitate home working, support use of home delivery services and cut private car journeys. Require all new developments to contribute to connections.	Broadband connections are considered in infrastructure section.

1A 18.5	New paragraph 18.4 a	Given existing air quality (NO <sup>2</sup> ) breaches and near breaches care must be taken on the expansion of biomass technologies as this may cause problems. All proposals will need testing in this regard.	Added text into paragraph 18.6. which indicates that Air Quality considerations are important in relation to specific types of renewable Energy Technologies.
1A 18.6	Explanation	Add reference to essential renewable energy facilities in selective locations in the Green Belt, as per AEA reports recommendations.	Insert the following text after paragraph 18.6: <u>Given their nature it may only be possible to accommodate certain renewable energy technologies within the Green Belt. This may not be considered inappropriate provided they maintain the openness of the Green Belt and don't conflict with the purposes of including land within in it; particularly the primary purpose of York's Green Belt to protect the City's Historic Character and Setting.</u>

<b>Section 20. Sustainable Waste Management</b>			
1A 20.1	General	How will the issue of waste water be addressed?	This is covered under the infrastructure section and in the associated Infrastructure Paper.
20.2	Table 20.2	Ensure that the waste figures in Table 20.2 are the most up to date.	Table 20.2 show the latest waste tonnage figures provided by colleagues in Waste Management.

**1B Minor Changes**

	<b>Section</b>	<b>Requested Change</b>	<b>Proposed Change</b>
<b>Section 3. Spatial Strategy</b>			
1B 3.1	Strategic Objectives (2 <sup>nd</sup> bullet)	Add reference to walking and cycling routes and local services.	Add ' <u>including walking and cycling</u> ' to the Strategic Objective.
1B 3.2	Strategic Objectives	Add new bullet point – 'new development does not worsen congestion and air quality in breach/near breach areas.'	Spatial Principle 2 already includes a reference to development not leading to unacceptable levels of congestion, pollution and / or air quality. Policy CS19 then goes on to address this issue in detail for individual developments.
1B 3.3	Para 3.2	Add bullet – reducing congestion and air quality breaches.	Reducing congestion and aiding air quality is a part of locating development in the most sustainable location and the relationship between York and its surrounding settlements. Therefore add reference to reducing congestion to paragraph 3.3.
<b>Section 4. Green Belt</b>			
1B 4.1	Policy CS1, first para.	Add reference to avoiding coalescence between villages and the urban area.	The policy indicates that the primary purpose of York's Green Belt is to preserve the historic character and setting of York. This is then defined in paragraph 4.4 which now includes the following extract: 'and areas which prevent the coalescence of settlements to retain their individual identity.'

<b>Section 5. City Centre</b>			
1B 5.1	Policy CS2	Reinstate framework for decision making as referred to on page 43 of the SA	Recommend no change. The Core Strategy as a whole and the City Centre Area Action Plan will be the framework for decision making. No need to specifically mention in this section.
1B 5.2	Policy CS2, 2	Add reference to strategic city wide leisure facilities.	Add the following to the start of point x.: <u>'support the provision of strategic leisure facilities.'</u>
1B 5.3	CS2, 3vi	Questioned name areas.	Site is widely known as Castle Piccadilly so seems appropriate.
1B 5.3	CS2, 3iv	Add reference to retail on Stonebow as part of Hungate	Recommend no change. The retail on Stonebow is not within the Hungate Area of Change which covers the area which has outline planning consent. Paragraph 5.16 recognises the opportunities for linkages provided by the proposed retail in the Stonebow area.

<b>Section 6. York Northwest</b>			
1B 6.1	Policy CS4	Add reference to new green corridors under principles.	Policy CS4 vii refers to delivering new development within a framework of linked multifunctional green infrastructure. The latter would include green corridors so no change is recommended.

<b>Section 7. Special Historic and Built Environment</b>			
1B 7.1	Strategic Objective	Delete 'for the benefit of' and replace with <u>'...delivering its share of exceptional contemporary development that will be equally valued by future generations.'</u>	Amend as proposed



1B 7.2	Targets (4 <sup>th</sup> bullet)	Include the date of the Archaeology Study	Amend bullet to read "...The York Development and Archaeology Study, <u>1991...</u> "
1B 7.3	Targets (5 <sup>th</sup> bullet)	Add: 'Consultation <u>and agreement...</u> '	Amend as proposed
1B 7.4	CS5 (1 <sup>st</sup> bullet)	Add: the city's strong, <u>generally small scale urban grain...</u> '	New development needs to respond to its setting, which will be defined by local appraisals of character (as Policy CS5 describes), therefore it would be inappropriate to prescribe a single characteristic of citywide grain. No change.
1B 7.5	CS5 (3 <sup>rd</sup> bullet)	After 'Clifford's tower' add: ' <u>and main railway station.</u> '	Add specific reference to including the main railway station after reference to the structures and spaces associated with the City's railways.
1B 7.6	CS5 (5 <sup>th</sup> bullet)	After 'explored' add ' <u>or otherwise protected for the future;</u> '	No change.
1B 7.7	CS5 (6 <sup>th</sup> bullet)	Amend to read: '...hinterland and the <u>open green strays and river corridors and lngs</u> , which...'	Amend as proposed
1B 7.8	CS5 (i)	Amend to read 'conserve those element <u>and settings</u> which contribute...' and after buildings add: ' <u>...including their features and character, flora and fauna...</u> '	No change.
1B 7.9	CS5 (ii)	After landscape character add: ' <u>views and vistas</u> '  Reword 'river corridors' to read: '...river and becks and former rail corridors,...'	Views and vistas covered in part e). No change.  Amend to include ref to becks.  Former rail corridors would be considered as part of reference to local townscape character.

1B 7.10	CS5 (ii) f).	Add to the end of f). <u>'and conservation areas;'</u>	Consideration of the impact of a building's mass on its setting is as important outside Conservation Areas as within. No change is therefore recommended,
1B 7.11	CS5	Add new para to the end of policy to read: <u>'major development sites will be expected to include exceptional examples of contemporary development and develop new vistas and panoramas where possible, that add to York's standing for the future.'</u>	Policy as drafted already sets the context within which these aspirations would take place. Specific reference is made to undertaking heritage statements for key strategic sites.
1B 7.12	Paragraph 7.8	Add to end of paragraph: <u>'...with the City keen to encourage an innovative and exemplary marriage of ambitions in these two areas...'</u>	Amend as proposed

<b>Section 9. Aiding Choice</b>			
1B 9.1	Targets	These are worded as outputs and none measure whether achieving the objective.	Related indicators are listed in Table 23.

<b>Section 11. Community Facilities</b>			
1B 11.1	Page 70: Paragraph 11.9 –ref to ongoing development of a multi storey car park at Hospital.	It is suggested that an additional option would be for a linking park and ride and better bus service, given the traffic problems in that area.	The car park that is currently under construction is not the only measure in managing transport at the hospital. It is expected that the proposed Park & Ride at Wigginton Road will include a bus stop by the hospital.

<b>Section 12. Education</b>			
1B 12.1	Strategic Objectives	4 <sup>th</sup> line, amend as follows – 'It will ensure <del>all these who live and work</del> <u>the whole community</u> in York...'	Amend as proposed

1B 12.2	Targets	3 <sup>rd</sup> target, amend as follows – ‘Reduce the number of 16 and 18 year olds who are not in education, employment or training <u>and increase in those staying on to 18</u> ’ New target as follows – ‘Use of educational premises by the wider community’	Include new target – ‘ <u>Increase in those staying in further education and training up to 18</u> ’.  Include new target – ‘ <u>Increase in the number of facilities on educational premises that are available for use by the wider community.</u> ’
1B 12.3	Policy CS13	Amend as follows – ‘To support York’s role as a world class centre for education <u>and lifelong learning...</u> ’	Amend as proposed
1B 12.4	Policy CS13 i	Reference to provision of facilities at existing schools	Criterion i provides enough scope to cover existing schools, however additional text added to para 12.2 for clarification in explanation as follows, ‘...through the LDF process. <u>Alongside any new provision, the LDF will also facilitate the development of existing schools to deliver quality, modern education facilities.</u> ’
1B 12.5	Policy CS13 iii	Add ‘...and of other sports and cultural provision’	This is implicit in criterion i by ‘modern educational facilities’. Text added in explanation at para 12.2 as follows – ‘ <u>facilities across the City. This includes the provision of teaching operations, sports and cultural provision.</u> As highlighted in ongoing work...’
1B 12.6	Policy CS13 vi	Amend as follows ‘...facilities which <u>encourage support</u> community use of their facilities.’	Amend as proposed.
1B 12.7	Policy CS14	Replace ‘construction training,,,,,’ with ‘ <u>construction and other development related training</u> ’ – as referred to in the SA recommendation (page 52/53)	No change to the policy as ‘construction’ is meant in its widest sense, i.e. the entire construction of the development, not just construction relating to physical brick laying etc. Add text to paragraph 12.9 to that affect.

1B 12.8	Para 12.2	Re-provision of All Saints and St. Paul's nursery and primary. All are in unsustainable buildings and close to York Central.	Reference to sufficient modern education facilities in CS13 (i) is intended to cover both new and existing schools. Add new text to para 12.2 for clarification as follows – <u>'...through the LDF process. Alongside any new provision, the LDF will also facilitate the redevelopment of existing schools to deliver quality, modern education facilities.'</u>
1B 12.9	Para 12.5	Remove 'encouraging' from reference to Academies and Free Schools – agree with the wording in part ii of policy but feel 'encouraging' does not reflect council's approach. – suggest 'note'?	This sentence comes from the Schools White Paper, which is made clearer through the following additional text 'As set out in the Schools White Paper (November 2010) the Council has a key role in supporting parents and families through promoting a good supply of strong schools, <u>responding to proposals for encouraging</u> the development of academies and free schools...'

<b>Section 13. Economic Growth</b>			
1B 13.1	Page 77: Policy CS16, bullet point 1 (iv)	Add 'low transport intensity' – to read: 'Facilitating the development of appropriate rural industries, businesses and enterprises through supporting rural <u>low transport intensity</u> diversification schemes' This is to avoid highly unsustainable rural development (see also SA page 55)	Amend policy and explanation to indicate rural diversification schemes would only be supported if appropriate in transport terms.

<b>Section 15. Sustainable Transport</b>			
1B 15.1	Targets	Add an additional target relating to travel plans on all developments.	Add new target on travel plans.

1B 15.2	Targets	Add a new target relating to modal shift as per current Local Plan Table 6.1.	Recommend no change. Citywide modal split levels are difficult to monitor accurately potentially rendering a target meaningless. Specific modal split targets could be applied to individual developments.
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**Section 16: Air Quality**

1B 16.1	Para 16.2	Add new text to the end of para: '...though care will be required that new technologies such as bio-mass do not add to the problems.'	Amend text to highlight Air Quality Management Areas are treated as a potential constraints to combustion based renewable energy technologies such as biomass.
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**Section 17. Green Infrastructure**

1B 17.1	Strategic Objectives	Add reference to 'transport corridors' as example of York's Green Infrastructure network	Amend as proposed
1B 17.2	Strategic Objectives	3 <sup>rd</sup> bullet point – add reference to 'other transport/green corridors'	This objective specifically relates to conserving and enhancing river corridors. The equivalent protection and promotion of green corridors (including transport corridors) will be afforded through objective bullet point 1. No change recommended.
1B 17.3	Strategic Objectives	4 <sup>th</sup> bullet point – make reference to 'protect and develop green corridors'	This objective is already described by bullet point 1. No change recommended.
1B 17.4	Targets	Need to explain ref to 'outside protected areas' in 4 <sup>th</sup> bullet point.	Policy CS20 seeks to provide equivalent levels of protection to non-designated areas, and allows for future designations to change.
1B 17.5	Targets	Add reference to trees in 5 <sup>th</sup> bullet point	Amend as proposed.

1B 17.6	Targets	New bullet point – “ <u>Number and length of recognised green corridors</u> ”	No change recommended as promoting green corridors is most importantly about their function and access rather than their extent.
1B 17.7	Policy CS20	Part 1, bullet point 2 – amend to read: ‘describe, <u>protect</u> and enhance the biodiversity...’ and add reference to ‘ <u>including buffer zones, free from development, where appropriate.</u> ’	Add ref to ‘protect’ as described.  Include text to bullet point 4, as follows: “... <u>including the potential to create buffer zones.</u> ”
1B 17.8	Policy CS20	Part 1, bullet point3 – amend to read “protecting existing open space in York, <del>especially</del> <u>and enhancing it</u> in areas where a deficiency has been identified.”	Amend as proposed.
1B 17.9	Policy CS20	Part 1, bullet point 7 – add reference to green corridors	This clause specifically relates to maintaining and enhancing river corridors and other smaller waterways. The equivalent protection and promotion of green corridors (including transport corridors) will be afforded through objective bullet point 1, and through the application of both parts 1 and 2 of policy CS20. No change recommended.
1B 17.10	Policy CS20	Part 2, bullet point 1 – include reference to buffer zones around important features.	See change to part 1, bullet 4 above.
1B 17.11	Policy CS20	Part 2, bullet point 3 – amend to read “results in no net loss to, <u>and improves,</u> biodiversity...”	CS20, part 2, sets the minimum standards within which development would be allowed. Through negotiation we would seek to achieve higher standards across all clauses, in line with the stated objectives. No change recommended.

1B 17.12	Policy CS20	Part 2, bullet point 3 – need to distinguish between sites of higher and lower importance (former to be protected and not developed).	Clause as drafted allows for application to a range of sites, whether formally designated or not. No change recommended.
1B 17.13	Policy CS20	Part 2, bullet point 4 – amend to include reference to ‘green (transport) corridors’.	Clause relates to open space – suggest ref to green corridors (which include transport corridors) is made under bullet point 2. Amend bullet point 2 to read “supports the creation, integrity and management of York’s Green Infrastructure Network, <u>including it’s green corridors.</u> “
1B 17.14	Policy CS20	Part 2, bullet point 4 – include ref to allotments	Allotments are a recognised open space typology (see PPG17 assessment) and, as such, would already be protected under clause 4.
1B 17.15	Policy CS20	Part 2, bullet point 4 – make reference to addressing deficiencies and enhancing provision of open space through larger sites and major development opportunities.	Part 1 states that the Council will produce and adopt a Green infrastructure Strategy – part of its role will be to prioritise schemes to improve quality and accessibility of green infrastructure citywide, including through the most likely delivery mechanism of S106/major development sites. This is described in para 17.4. Add to the Explanation text highlighting the important role larger sites and major development opportunities.

1B 17.16	CS20, 2	Include reference to street trees, at least on distribution/main roads, to a) absorb pollution and CO <sub>2</sub> , b) to reduce noise and intrusion, c) to green the city.	Specific reference is made to Street trees within the Strategic Objectives and definition of Green infrastructure. Add text to para 17.1 to strengthen definition and purpose of urban planting, as follows: “Green Infrastructure assets offer green porosity, <u>absorb pollution and CO<sub>2</sub>, and help reduce noise and intrusion...</u> ”
1B 17.17	CS20, 2	Refer to new green space near Clifford’s Tower.	Considered as part of Castle Piccadilly Area of Change.
1B 17.18	Para 17.1	Add ref to ‘rail and road enhancements and cuttings’ in relation to man-made features.	Amend as proposed.
1B 17.19	Para 17.3	Add ref to ‘cross connections’ in relation to network of green spaces.	Add new text: “Better green cross-connections through York’s neighbourhoods should also be encouraged.”
1B 17.20	Paras 17.9 to 17.11	Does not reflect member comments on Sept 2009 LDF WG report, and therefore should be amended.	The chapter as drafted responds to Member comments to Sept 2009 LDF WG and, in particular, the supporting technical paper presents latest mapping which takes on board further member consultation from April/May 2010.
1B 17.21	Para 17.10	Work on green corridor mapping, particularly at local level, is still work in progress and should be referred to as such.	Amend para 17.10 to read: “ <del>These are identified,</del> <u>Emerging work on mapping local corridors is presented</u> alongside regional, sub-regional and district corridors...”

<b>Section 18. Sustainable Design</b>			
1B 18.1	Policy CS21 Renewable Energy (i)	Free Standing potential for electricity and heat should be emphasised, as per AEA report.	The renewable energy figures stated in the policy include York’s free standing potential for electricity and heat– no change recommended.



1B 18.2	Policy CS21 Renewable Energy (i) and (ii)	Reflect the recommendation in paragraph 6.8.6 and 6.8.9 of the AEA study which indicate that a criteria based policy is appropriate for wind and hydro.	The technical work set out in the AEA study gives specific information for York in terms of locations and mega watt targets for renewable energy technologies including wind and hydro, therefore a criteria based policy is not appropriate, especially given the Spatial Principles in the Core Strategy essentially set out the constraints and issues that would be included within a criteria based policy – no change recommended.
1B 18.3	Policy CS21 Renewable Energy (iii) 2 <sup>nd</sup> bullet point.	Not sure that the second bullet point relating to CHP for all major developments is correct or clear enough. The AEA study says CHP is only appropriate where there is a high heat load and identifies 5 sites as potentially suitable with biomass district heating as a fall back. Suggests a double policy i. Cooling infrastructure ii. Large scale sites deliver CHP / Biomass District Heating plants, and if not feasible or viable on site, off site must then be considered.	CHP / biomass District Heating is appropriate on a range of developments and is included with both the AEA study and North Yorkshire Renewable Energy Study as being appropriate. However if it can be demonstrated that CHP / biomass District Heating is not appropriate then other renewable energy technologies can be employed. No change recommended.
1B 18.4	Policy CS21 Renewable Energy (iv. proposed)	New part of policy iv. All proposals must demonstrate compatibility with air quality objectives and policy (policy CS 19)	Added text into paragraph 18.6. to indicate that Air Quality considerations are important in relation to specific types of renewable Energy Technologies.

1B 18.5	Policy CS21 Sustainable Design and Construction	Passive solar benefits should be included within the introductory paragraph of the sustainable design and construction section including referencing orientation and layout, materials and other resources, as per AEA report.	<p>Add the following wording to read:</p> <p>The Sustainability Statement will need to demonstrate that the development will be a high standard of sustainable design and construction using techniques to ensure building design <u>including orientation and layout (for passive solar benefits)</u> reduces energy consumption and construction <u>material selection</u> ensures sustainable use of resources.</p> <p>Further detail of passive solar design will also be provided through an SPD.</p>
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<b>Section 19. Flood Risk</b>			
1B 19.1	Policy CS22	First sentence needs modifying to reflect Exception Test in already built up areas.	The use of the Exception Test is already covered through the use of the Flood Risk Vulnerability and Flood Zone Compatibility Classification table. No change recommended.

1B 19.2	Paragraph 19.3	Add following text to the end of the paragraph: '...which is very likely to apply to some existing areas in York.'	Add the following text to Paragraph 19.3:  The Exception Test essentially allows a balance to be struck in some instances between flood risk and wider sustainability objectives, for example where a highly accessible brownfield development site lies within a high flood risk zone, <u>which is likely to apply to some parts of York's existing built up areas.</u>
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<b>Section 20: Sustainable Waste Management</b>			
1B 20.1	Policy CS23, iii	Reword last section (before bullets) to read: 'Should be assessed against transport, sustainability and neighbour impact criteria, with priority given to...'	This is already covered by reference to Spatial Policy SP2. No change recommended.
1B 20.2	Policy CS23, iv	Should also be a requirement for retail (especially supermarkets) and other commercial sites.	iv. requiring the integration of facilities for waste prevention, re-use, recycling composting and recovery in association with the planning, construction and occupation of new development for housing, <u>retail and other commercial sites;</u>
1B 20.3	Paragraph 20.17	Paragraph 20.17 should also cover other recycling locations such as 'bring sites' particularly at shopping centres and supermarkets.	Add the following sentence to the end of paragraph 20.17: <u>Increased recycling will also be enabled by the provision of small scale recycling points and 'bring' sites particularly in existing shopping centres and supermarkets.</u>

<b>Section 22. Infrastructure</b>			
<p>1B 22.1</p>	<p>Page 116: Paragraph 22.3 – Building Confident, Creative and Inclusive Communities.</p>	<p>Add wording to the second and sixth bullet points: - community facilities / <u>community access</u>; - utilities <u>including broadband</u>;</p>	<p>Recommend no change. Contributions towards the provision of adequate community facilities might include enabling greater community access to existing facilities. As this section sets out the broad types of infrastructure, it would not be appropriate to be specific on how this one item might be delivered.</p> <p>Recommend no change. Utilities covers gas, electricity, water, drainage, sewerage and telecommunications (including broadband). The list is intended to give a broad overview of the types of infrastructure for which contributions may be sought. Further details will be set out in a further planning document on infrastructure and contributions.</p>
<p>1B 22.2</p>	<p>Page 116: Paragraph 22.3 – A World Class Centre for Education and Learning for All.</p>	<p>Add wording to the first bullet point: - primary and secondary education <u>including playing fields and indoor sports / cultural and community access</u></p>	<p>Amend first bullet point to read: ‘-primary and secondary education <u>facilities</u>.’</p>

1B 22.3	Page 116: Paragraph 22.3 – A Leading Environmentally Friendly City	Add wording on green (transport) corridors; monitoring travel plans and offsite parking controls and renewable energy heating schemes;	These aspects are covered by the broad types listed in paragraph 22.3: green infrastructure; sustainable transport; travel plans; renewable energy schemes etc... The list is intended to give a broad overview of the types of infrastructure for which contributions may be sought. Further details will be set out in a further planning document on infrastructure and contributions. Recommend no change.
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<b>Section 23. Delivery and Monitoring</b>			
1B 23.1	Page 119: paragraph 23.8	Add reference to broadband and green corridors.	Paragraph 23.8 identifies the broad categories of infrastructure - broadband and green corridors would be covered by utilities and green infrastructure respectively. Further details will be set out in a further planning document on infrastructure and contributions.

**1C Factual, formatting or editorial changes**

	<b>Section</b>	<b>Requested Change</b>	<b>Proposed Change</b>
<b>Key Diagram</b>			
1C KD.1	Key Diagram	District Centres should be included on the key.	Amend as proposed.
1C KD.2	Key Diagram	The Central Station is difficult to see given the City Centre overlay.	Amend as proposed.

<b>Section 3. Spatial Strategy</b>			
1C 3.1	Para 3.23	Nestle South now has outline consent.	Amend as proposed.
1C 3.2	Figure 3.4	Provide more detailed plan of local corridors.	Amend to improve clarity of plan.
1C 3.3	Para 3.18	Add reference to Eco-district and environmental ambitions for the York Central site.	Amend as proposed.
1C 3.4	Para 3.19	Add reference to Eco-community and environmental ambitions for the British Sugar site.	Amend as proposed.

<b>Section 11. Community Facilities</b>			
1C 11.1	Page 70: Paragraph 11.11	Update on the Kent Street position needs adding where it refers to the review of the Fire and Rescue Services facilities and potential for a new fire station.	Agreed, amend text to paragraph 11.11 as follows. 'The Fire and Rescue Service are undertaking a <u>comprehensive review of their facilities to consider the current and future needs of the Service and the community. In particular this will consider the future of the fire station on Clifford Street and whether there is a need for a new station to the east of the city centre or to the south of the City Centre. As part of this review, following consultation, the preferred option is to re-develop the existing future station at Clifford Street and also build a new fire station to the south east of the city centre. Meeting the future spatial needs of the Fire and Rescue Service will also be supported through the LDF.'</u>

<b>Section 12. Education</b>			
1C 12.1	Para 12.7	Suggests rewording for clarity between last two sentences	Agreed, amend as follows – 'Such as Sports Halls are often included...'

Following Members' consideration of the above changes appropriate changes will be made to the Monitoring Section of the report and the Sustainability Appraisal.

## 2. Sustainability Appraisal

The SA is an independent assessment of the Core Strategy. Comments represented in the SA document are based upon a full evaluation of the Core Strategy vision and policies against the SA framework set out in Annex 2 to the SA document. No amendments are proposed to be made to the SA analysis. The following comments have been submitted and are provided for Members information.

2.1	Vision analysis: Paragraphs 4.10, page 36	More comments required regarding negative impacts of transport growth on an already congested network and in terms of the wider environment in 'A Leading Environmentally Friendly City'.
2.2	Vision analysis: 3 <sup>rd</sup> bullet point, Page 38	Reflect comments regarding transport growth outweighing the mitigating transport measures and potential air quality improvements
2.3	CS16: Page 55	Include the concerns outlined in CS15 as bullet point in CS16 regarding effect of transport on the growth of the economy
2.4	CS16: Page 55. Last bullet point of sustainability implications.	Change "possibly" to "...there is a <u>high probability</u> that this may conflict with objective S6..."
2.5	CS17: Page 56. How policy has changed section	Change "...between 20000 sqm and 25000 sqm..." to "up to 20000 sqm".
2.6	CS18: Sustainability implications	Include the following text "Any benefits in the short term to air quality and the economy will be potentially <u>more than</u> lost in the long term through additional growth related to the uptake of vehicles on the roads"
2.7	Objective EN5: Page 73	Include comments which reflect that improvements to air quality will be outweighed by overall traffic growth. Much stronger measures than envisaged should be undertaken.

The following editorial and factual changes are proposed to be made to the SA:

2.8	Baseline Page 20	Footnotes to explain Indices of deprivation components	Amend as proposed
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2.9	Policy CS8: Page 48	Completion of sentence in recommendations	Amend as proposed
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### 3. Heritage Topic Paper and Heritage Impact Appraisal

Further consideration will be given to the following comments made in relation to the Heritage Topic Paper and Heritage Impact Appraisal. This will involve reconvening the panel that undertook the initial assessment.

	<b>Section</b>	<b>Requested Change</b>
3.1	1.4, pg 4	Need to set out appraisal methodology more clearly.
3.2	4.2, pg 9	Describe lacustrine/Aeolian in layman's terms.
3.3	4.6, pg 10	Name and illustrate topographic variations
3.4	5.50, pg 20	Ref to other city centre bridges of fine character – Skeldergate, Lendal, Millennium.
3.5	5.51, pg 20	Ref to idiosyncratic horse garage in Wellington Row, by Lendal Bridge (tram and bus heritage)  Also, really should comment on amount of overall rail heritage left in York, not just administrative...2 stations, Biscuit Warehouse, Warehousing, RI at Queen St.
3.6	5.38, pg 17	Include ref to Battle of Fulford
3.7	5.60, pg 22	Make ref to continued use of tipper-flush mechanism in parts of the city to 1980s
3.8	5.63, pg 22	Make ref to car parks
3.9	5.68, pg 23	Remove ref to Bootham Crescent
3.10	5.79, pg 25	Ref to riverside walks connecting Terry's with the city Centre, and addition of Millennium Bridge in 2000.
3.11	5.86, pg 27	Amend to read: "...in Fulford in the 1990's, and on Scarcroft Green in 2011"
3.12	6.8, pg 30	Add additional local interpretations, eg village separation etc.
3.13	Pg34	Arterial Roads – add ref to The Mount alongside Blossom St/Tadcaster Rd.
3.14	Pg 36	Flat terrain and views (Significance) – ref to longer distance views, and from arterials and outer ring road
3.15	Pg 38	Physical and temporal landmarks (Key features) – ref to Rowntree Wharf and Foss Islands chimney

3.16	Pg 39	Ref to other landmark buildings incl Rail station, NER building, Aviva Offices, City Screen, Westgate Apartments, Leeman Rd.
3.17	Pg 43	Depths of deposits in historic Core (Key features) – add depth ranges
3.18	Pg 44	Views in and out (Examples) – add views from river when approaching from the south, views from railway coming on from north as sweeps round from Water End bridge.
3.19	Pg 45/46	Strays (Examples) and Open Countryside (Examples) – amend ref to Scarcroft <u>Green Recreation Ground</u> .
3.20	Pg 46	Open Countryside (Significance) – National <u>cycle</u> route.
3.21	Pg 51	Strong Urban Form (CS15) – Add new comment: “Disadvantaging buses could worsen general traffic and parking pressures.” RED.
3.22	Pg 52	Compactness (CS1) – Add new comment: “Consequential constraint on housing and developable land may lead to serious intensification of development on sites within the existing settlement affecting character and setting.” RED/PURPLE
3.23	Pg 53	Landmark monuments (CS1) – Add new comments, as 22 above.
3.24	Pg 54	Architectural character (CS3) – Amend 3 <sup>rd</sup> comment: “Good innovative and lasting design will enhance character and <u>provide a new chapter of its own in York’s history.</u> ”
3.25	Pg 58	Setting (CS3) – amend comment: “...and diminish important heritage assets. <u>Conversely, well considered new links might add value too.</u> ” GREEN
3.26	Pg 59	Setting (CS11) – amend comment: “...They will need to be very carefully planned <u>and designed</u> ”
3.27	Pg 61	Setting (CS16) – New comment: “Intensification of traffic on an already overloaded network”
3.28	Pg61	Setting (CS18) – Amend comment: “...and citywide views. <u>Conversely, there is potential to add interesting new features in otherwise boring landscapes</u> ” GREEN
3.29	Pg 62	Setting (CS21) Remove comment in relation to minerals.

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City of York Council

Committee Minutes

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MEETING	EXECUTIVE
DATE	15 MARCH 2011
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY, REID AND RUNCIMAN
IN ATTENDANCE	COUNCILLOR FRASER

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**PART B - MATTERS REFERRED TO COUNCIL****182. DRAFT FULL CITY OF YORK LOCAL TRANSPORT PLAN 2011 ONWARDS (LTP3)**

Members considered a report which invited them to seek any necessary amendments to the draft Full Local Transport Plan for 2011 onwards (LTP 3) before recommending it to Full Council for approval.

The draft Full LTP3 had been published on the Council's website, and circulated to Executive Members, as Annex A to the report. It had been prepared on the basis of national policy and guidance, local policies and strategies, an extensive evidence base, and three phases of consultation. Updates on progress, and the results of consultations, had been reported to Decision Sessions of the Executive Member for City Strategy throughout the preparation process.

Having noted the contents of the report, and the comments of the Labour Group Spokespersons on this item, it was

**RECOMMENDED:** That, following further formatting and layout changes to improve the presentation of the document for final publication, and the editing of the supporting text in the document to make it more concise (in particular, combining sections 2 and 3), Council approve the Draft Full LTP3.

**REASON:** To comply with the duty to produce and approve a new Local Transport Plan by April 2011 to replace the existing Plan (LTP2), which is due to expire on 31 March 2011.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 3.10 pm].

City of York Council

Committee Minutes

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MEETING	AUDIT & GOVERNANCE COMMITTEE
DATE	6 DECEMBER 2010
PRESENT	COUNCILLORS B WATSON (CHAIR), BROOKS (VICE-CHAIR), FIRTH, HYMAN, SCOTT AND GUNNELL
APOLOGIES	COUNCILLOR VASSIE

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**PART B - MATTERS REFERRED TO COUNCIL.****53. UPDATED COUNCIL RESPONSE TO THE EPETITIONS DUTY IN THE LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT**

[See also under Part A Minutes].

Members received a report that provided an update on how the council intended to respond to the petitions duty in the Local Democracy, Economic Development & Construction Act 2009 (2009 Act), following recent changes introduced by the new Government.

Members recommended the following amendments to the scheme:

- Further consideration to be given as to whether people other than residents, would have the same rights in respect of petitions e.g. visitors to the city.
- Paragraph 3 under “How will the Council Respond” to read “If the petition is about something over which the council has no direct control e.g. the local railway or hospital, we *may* refer it to the council’s relevant partner organisation...”
- Paragraph 1 under “Securing a Full Council Debate” to read “*Where* a petition contains more than 750 signatures it will be debated by the full council. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend *and vote.*”

The Head of Civic, Democratic and Legal Services suggested that the matter should be referred to the Council meeting scheduled for March, but advised that legislation may change again in the coming months and would be monitored accordingly.

**RESOLVED:** That Council be asked to consider the recommendations of the Audit and Governance Committee in respect of the Petitions Scheme, including the suggestion that the number of signatures be 750 rather than the 1000 suggested in the draft scheme.

REASON: In order to comply properly with the legal requirements for introducing this duty.

Councillor B Watson, Chair

[The meeting started at 5.30 pm and finished at 7.50 pm].



## Petitions Scheme

City of York Council is committed to involving local people in its decision making. For some years, it has been operating a public participation scheme enabling members of the public to attend meetings and speak on an issue. It has also responded to petitions from the public, received in an number of ways e.g. through a ward Councillor submitting a petition on behalf of a constituent or by a resident submitting one direct to a council office by post/hand. As part of this petitions scheme, the Council is now introducing an ePetitions facility, providing another way in which a particular issue can be brought to attention of Councillors.

Through this Petitions Scheme, the Council is making a commitment to:

- enable anyone who lives, work or studies in the local authority area to organise and submit a petition either on paper or electronically
- Respond to the concerns raised within a petition
- Review its handling of a petition where a lead petitioner believes it has not been dealt with in accordance with this scheme

To support the scheme, the Council has:

- Set a low threshold on the number of petitioners to enable as many valid local opinions to be heard as possible
- Provided an ePetitions facility to enable those who want to, to create their petition on line and allow others to sign it electronically

### Petitions Not Covered By This Scheme

if a petition relates to a planning or licensing application, is a statutory petition e.g. requesting a referendum on having an elected mayor, or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. If this is the case, the petition organiser will be informed and provided with information on the relevant procedure.

Petitions which are considered to be vexatious<sup>1</sup>, abusive or otherwise inappropriate by the council's Monitoring Officer will not be accepted.

### Understanding the Scheme

Through a few simple questions which follow, you will find out:

- How to submit a petition
- How to sign an ePetition
- Ways in which the Council may respond to your petition
- How to get involved when your petition is being considered
- What happens next

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<sup>1</sup> Definition of 'Vexatious' - persistent and/or not reasonable i.e. where the request is likely to cause distress, disruption or irritation without any proper or justified cause

## Submitting A Petition

### Paper Petitions

Paper petitions can be submitted via a number of routes e.g. via a ward councillor, by post or hand delivered to one of the Council office buildings.

Paper petitions handed in to a ward councillor are presented at Full Council and then delegated to a senior officer within the relevant Directorate. Those that come directly into a council office building are also delegated to the appropriate senior officer.

### EPetitions

All ePetitions submitted to the Council must:

- Include a clear and concise statement covering the subject of the petition
- State what action the petitioners wish the council to take

The petition organiser will need to provide us with their name, postal address including postcode, email address and contact telephone number. They will also need to decide how long their petition will be open for signatures. Most petitions run for six months, but it can be a shorter or longer timeframe, up to a maximum of 12 months.

When an ePetition is created, it may take up to five working days before it is published online. This is because we have to check that the content of the petition meets the guidelines before it is made available for signature.

If a petition does not follow the guidelines set out above, or if we need clarification on any issues raised within an ePetition, we will contact the ePetition organiser within 5 working days of receipt to explain. We will also contact the ePetition organiser if we feel we cannot publish an ePetition for any reason, and where possible, we will offer assistance to change and resubmit it. Initial contact will be made by email, but as the deadline approaches, we will attempt to contact the ePetition organiser by telephone. It is therefore important that the petition organiser provides their full contact details as listed above.

If the required clarification is not provided, or if an ePetition that we cannot publish is not re-submitted within 14 days, a summary of the ePetition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the Council's ePetitions facility.

## How To 'sign' an ePetition

An individual wanting to sign an ePetition, will be asked to provide their name, address and postcode, plus a valid email address. They will then receive an email containing a link which they must click on in order to confirm their email address is valid. Once this step is completed their 'signature' will be added to the ePetition.

NB: Anyone viewing an e-petition will only be able to see the names of those who have signed - **no contact details will be visible**.

All ePetitions currently available for signature on the Council's website can be viewed at <http://democracy.york.gov.uk/mgePetitionListDisplay.aspx?bcr=1>

## How will the council respond ?

Within 14 days of a petition being received or of an ePetition being closed to signatories, we will send acknowledgement to the petition organiser, providing information on when they can expect to hear from us again and how we plan to respond to the petition.

Our response will depend on what the petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a meeting of Full Council
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation event
- holding a meeting with petitioners
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition
- referring the petition for consideration by a council committee or body

If the petition is about something over which the council has no direct control e.g. the local railway or hospital, we *may* refer it to the council's relevant partner organisation, and where appropriate, may work with them to respond to the petition.

### Securing a Full Council Debate

*Where* a petition contains more than 750 signatures it will be debated by the full council. This means that the issue raised in the petition will be discussed at a meeting at which all Councillors can attend *and vote*.

The council will decide how to respond to the petition at this meeting. For example, they may decide:

- to take the action the petition requests;
- not to take the action requested for reasons put forward in the debate or;
- to commission further investigation into the matter e.g. requesting an officer report be produced for consideration by the relevant Overview & Scrutiny Committee;
- forward the petition to a meeting of the Executive for a decision

### Calling An Officer To Account

If your petition contains at least 500 signatures, you may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision. The following senior staff can be called to account:

- Chief Executive
- Chief Finance Officer
- Monitoring Officer
- Directors of Service

You should be aware that the committee may decide that it would be more appropriate for another officer to give evidence instead of the officer named in the petition.

## Getting Involved When Your Petition Is Considered

A petitioner may choose to attend any meeting where their petition is to be considered to listen to the debate, or register to speak at the meeting via the Council's [Public Participation Scheme](#). This scheme enables participants to address Councillors before they debate the issues raised.

### What happens next?

The petition organiser will receive written notification of the outcome of their petition. Where a petition has been considered at a public meeting, information on the decisions taken in relation to the petitions will be made available electronically via the meeting Minutes published online. It will also be possible to track the implementation of any actions arising from them, via the online committee management system.

### What if I feel your petition has not been dealt with properly?

If a petition organiser feels that we have not dealt with their petition properly, they have the right to request that the Council's Scrutiny Management Committee review the steps that the Council has taken in response to your petition. The committee will consider a request within 30 days of receiving it.

Should the Committee determine we have not dealt with a petition adequately, it may use any of its powers to deal with the matter. These powers include

- instigating an investigation
- making recommendations to the Council's Executive
- arranging for the matter to be considered at a meeting of the Full Council.

Once the review has been considered the petition organiser will be informed of the results within 5 working days, and the results of the review will also be published on our website via the Minutes of the meeting.

City of York Council

Committee Minutes

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MEETING	AUDIT & GOVERNANCE COMMITTEE
DATE	14 FEBRUARY 2011
PRESENT	COUNCILLORS B WATSON (CHAIR), BROOKS (VICE-CHAIR), FIRTH, HYMAN, GUNNELL AND CRISP (SUBSTITUTE FOR COUNCILLOR SCOTT)
APOLOGIES	COUNCILLORS SCOTT AND VASSIE
IN ATTENDANCE	COUNCILLOR MOORE

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**PART B - MATTERS REFERRED TO COUNCIL****68. TRANSITION TO NEW STYLE LEADER AND CABINET MODEL**

*[see also Part A minute]*

Members received a report that sought their comments on proposed constitutional changes which arose from the council being required to implement a new form of Executive in May. The report also identified a number of minor proposed amendments which had been identified.

The Monitoring Officer responded to questions raised by Members in respect of the number of Executive Members which the Leader could appoint, and in respect of Article 7 paragraph 3 (e) and how this related to the transitional arrangements that had been agreed.


**RECOMMENDED:** That Council approve the proposals contained in the report for implementation after the May election.

**REASON:** To ensure that the Constitution remains up to date and fit for purpose.

Councillor B Watson, Chair

[The meeting started at 5.30 pm and finished at 7.00 pm].

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<b>Audit and Governance Committee</b>	14 February 2011
Report of the Assistant Director of Governance and ICT	

## Constitutional Changes

### Summary

- 1.1 This report seeks the Committee's comments on proposed constitutional changes which arise from the Council being required to implement a new form of Executive in May. The report also identifies a number of minor proposed amendments which have been identified.

### Amendments arising from changes to Executive arrangements

- 2.1 Appendix 'A' to this report identifies amendments which flow from the legal requirement for the Council to adopt a new form of Executive and from the Council's decision in December that this would be a "new style" Leader and Cabinet Executive.
- 2.2 In summary the amendments deal with new legal requirements that:
- The Leader be appointed for the remaining term of his office rather than be appointed on an annual basis ( provision is made though for the Council to remove the Leader at an earlier time).
  - The Leader rather than Council determines the identity of Executive Members.
  - The Leader rather than Council determines the allocation of Executive responsibilities and portfolios.
- 2.4 No changes are proposed to the Council's Scheme of Delegations which will remain as set out in the current Constitution until the new Leader determines otherwise in respect of Executive functions.

### Other proposed amendments

- 3.1 Annex 'B' to this report contains amendments which are not linked to the change in Executive arrangements. The rationale for each proposal is set out in the table of proposals.

## **Future Constitution Review**

- 4.1 The Localism Bill which is currently before Parliament includes a number of provisions relating to governance structures which the Council will need to consider in due course. These include provisions in relation to the operation of Executives and the functions of the Standards Committee. The implementation of those provisions is likely to require a full review and significant rewrite of the Constitution and the Audit and Governance Committee will no doubt wish to consider this prospect in determining its work plan for the next municipal year.

## **Corporate Priorities**

- 5.1 The Council's Constitution is its key governance document and contributes to an 'effective organisation'.

## **Implications**

6.1

- **Financial** – no implications
- **Human Resources (HR)** – no implications
- **Equalities** – no implications
- **Legal** – the proposed amendments described in Annex 'A' bring the Council's Constitution in line with the legal requirements for a new form of Leader and Cabinet Executive. Annex 'B' includes a number of amendments which bring the Constitution in line with a number of changes to legal requirements.
- **Crime and Disorder** – no implications
- **Information Technology (IT)** - no implications
- **Property** - no implications
- **Other** – none

## **Recommendations**

- 7.1 The Audit and Governance Committee is recommended to support the forwarding of this report to Council with the recommendation that the proposals contained in it be approved for implementation after the May elections.

Reason: To ensure that the Constitution remains up to date and fit for purpose.



**Contact Details**

<b>Author:</b>	<b>Chief Officer Responsible for the report:</b>			
Andy Docherty <i>Assistant Director of Governance and ICT CBSS Telephone: 01904 55 1004</i>	Andy Docherty <i>Assistant Director of Governance and ICT</i>			
	<b>Report Approved</b>	<i>tick</i>	<b>Date</b>	<i>Insert Date</i>
	Chief Officer's name Title			
	<b>Report Approved</b>	<i>tick</i>	<b>Date</b>	<i>Insert Date</i>
<b>Wards Affected:</b> <i>Not applicable</i>				<b>All</b> <i>tick</i>
<b>For further information please contact the author of the report</b>				

**Background Papers**

None

**Annexes**

Annex 'A' – Proposed amendments arising from changes to Executive Arrangements

Annex 'B' – Other proposed amendments

<b>Appendix A</b>	
<b><i>Existing wording</i></b>	<b><i>Proposed wording</i></b>
<p>Part 1A Paragraph 4</p> <p>The Executive is made up of a leader and six other Councillors, who are appointed by the Council</p>	<p>“The Executive is made up of a Leader and up to nine other Councillors who are called “Executive Members”. The Leader appoints Executive Members, gives them areas of responsibility and allocates decision making powers.</p>
<p>Article 7 Paragraph 2.2</p> <p>The Executive will consist of the Leader together with at least 2, but no more than 9, Councillors appointed to the Executive by Full Council. Should any Member(s) of the Executive cease to be a Councillor, or in the opinion of the Leader become disabled (temporarily or permanently) from performing the duties of their office, the Leader may remove them from office, and may appoint any other Councillor(s) to the Executive, and the Councillor so appointed shall hold office until the next meeting of Full Council. The Leader’s powers of removal/appointment shall be exercisable by giving written notice to the Head of Civic, Democratic and Legal Services.</p>	<p>The Executive will consist of the Leader together with at least 2, but no more than 9 Councillors appointed to the Executive by the Leader. The Leader may remove any Member from the Executive and may appoint any other Councillor(s) to the Executive, The Leader’s powers of removal/appointment shall be exercisable by giving written notice to the Monitoring Officer.</p>
<p>Article 7 Paragraph 3</p> <p>The Leader will be a Councillor appointed annually to the position of Leader by Full Council. The Leader will hold office until:</p> <p>(a) he/she resigns from the office; or  (b) he/she is suspended from being a Councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or  (c) he/she is no longer a Councillor; or  (d) he/she is removed from office by resolution of the Council</p>	<p>The Leader will be a Councillor elected to the position of Leader by Full Council for a term of four years or the balance of his/her current term of office as a Councillor.</p> <p>The Leader will hold office until:-</p> <p>(a) he/she resigns from the office; or  (b) he/she is suspended from being a Councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or  (c) he/she is no longer a Councillor; or  (d) he/she is removed from office by</p>

	<p>resolution of the Council; or  (e) the time period for which he/she was appointed has elapsed.</p>
<p>Article 7 Paragraph 4</p> <p>Other Executive Members shall hold office until:  they resign from office; or  (b) they are suspended from being Councillors under Part III of the Local Government act 2000 (although he/she may resume office at the end of the period of suspension); or  (c) they are no longer Councillors; or  (d) they are removed from office, either individually or collectively, by resolution of the Council, or by the Leader under paragraph 1.1.2 (a) above.</p>	<p>Other Executive Members shall hold office until:  (a) they resign from office; or  (b) they are suspended from being Councillors under Part III of the Local Government act 2000 (although he/she may resume office at the end of the period of suspension); or  (c) they are no longer Councillors; or  (d) they are removed from office by the Leader under paragraph 2.2 above.</p> <p><b>The Deputy Leader</b>  The Leader will appoint a Deputy Leader who will be a member of the Executive and will have all the powers of the Leader if the Leader is unable to act or the office is vacant.</p>
<p>Article 7 Paragraph 7</p> <p>[this is a new paragraph]</p>	<p><b>Responsibility for Executive Functions</b></p> <p>The Leader may exercise any executive function.</p> <p>The Leader will maintain a list in Part 3 of this Constitution setting out functions which the Executive, individual members of the Executive or Committees of the Executive may exercise and which Officers have delegated power to exercise Executive Functions.</p>
<p>Part 3A – Functions of full Council  Paragraph 3.1 (g)</p> <p>appoint and remove the Leader and other Members of the Executive</p>	<p>appoint and remove the Leader</p>
<p>Part 3A Paragraph 3.1 (h)</p> <p>Agree and/or amend the scheme of delegation to the Executive, Committees and or sub-committees of Full Council</p>	<p>[this paragraph is to be omitted]</p>
<p>Part 3A Paragraph 4 – Functions of the Executive</p> <p>The Executive may exercise any Executive function delegated to an</p>	<p>The Leader may exercise any Executive function and may determine whether</p>

<p>Executive Member, an Officer or Ward Committee where requested by such persons or bodies to do so.</p>	<p>such functions may be exercised by the Executive, a Committee of the Executive, an Executive Member, an Officer, a Ward Committee or a Joint Committee</p>
<p>Part 4A – Council procedure Rules Annual meeting</p> <p>(e) To establish an Executive for the purposes of the Local Government Act 2000. In so doing;</p> <ul style="list-style-type: none"> <li>i. To appoint a Member as the Executive Leader for the ensuing municipal year (called the ‘Executive Leader’).</li> <li>ii. To appoint a Member to act as Deputy Executive Leader of the Executive.</li> <li>iii. To appoint other Members of the Executive up to any maximum as may be defined by law.</li> <li>iv. To approve the portfolios of the Council’s Executive so appointed.</li> </ul>	<p>(e) At the first Annual Meeting following local elections to appoint a Member as the Executive Leader</p>

<b>Appendix B</b>		
<b>Current Wording</b>	<b>Proposed wording</b>	<b>Reason</b>
<p>Article 13 Paragraph 1.2</p> <p>The Council designates the following posts as shown:</p> <p>a) Head of Paid Service - Chief Executive</p> <p>b) Chief Finance Officer - Director of Resources</p> <p>c) Monitoring Officer - Head of Civic, Democratic and Legal Services</p> <p>d) Chief Internal Auditor - Audit &amp; Fraud Manager</p> <p>Such posts will have the functions described in the section 'Structure' below.</p>	<p>The Council designates the following posts as shown:</p> <p>a) Head of Paid Service - Chief Executive</p> <p>b) Chief Finance Officer - Director of Customer and Business Support Services</p> <p>c) Monitoring Officer – Assistant Director of Governance and ICT</p> <p>d) Chief Internal Auditor - Audit &amp; Fraud Manager</p> <p>Such posts will have the functions described in the section 'Structure' below.</p>	<p>To reflect revised structures</p>
<p>Article 13 Paragraph 7</p> <p>Article 15</p> <p>Article 17</p> <p>All references to the Head of Civic, Legal and Democratic Services</p>	<p>Replace with references to the Monitoring Officer</p>	<p>To reflect revised structures and to simplify any future revisions of the Constitution</p>
<p>All references to principal and senior solicitors</p>	<p>Replace with reference to a solicitor nominated by the Monitoring Officer</p>	<p>To reflect changes to structures in legal services</p>
<p>Article 14 paragraph 4.2</p> <p>For the purpose of the above, savings or expenditure are significant if they are equal to or greater than £500,000 or equal to or greater than £100,000 where the savings or expenditure exceeds</p>	<p>For the purpose of the above, savings or expenditure are significant if they are equal to or greater than £500,000 or equal to or greater than £100,000 where the savings or expenditure exceeds 10% of the budget for the</p>	<p>Words are added to ensure that the Article is consistent with the Contract Procedure Rules which have previously been approved by Council</p>

<p>10% of the budget for the service plan area whichever is the less. Expenditure in excess of the above levels will not constitute a key decision if such expenditure is made as part of the implementation of a decision which itself was a key decision e.g. the award of a contract.</p>	<p>service plan area whichever is the less. Expenditure in excess of the above levels will not constitute a key decision if such expenditure is made as part of the implementation of a decision which itself was a key decision e.g. the award of a contract <i>or where the expenditure is routine expenditure as described in the Contract procedure rules.</i></p>	
<p>Part 3A Paragraph 3 Functions of the Full Council 3.1 a) The functions reserved to Full Council are to: a) approve, adopt, amend, monitor and/or review the following plans, strategies and policies which together make up the Council's Policy Framework, i. Best Value Performance Plan ii. Children's Services Plan iii. Community Strategy and the Local Strategic Partnership iv. Crime and Disorder Reduction Strategy v. Early Years and Childcare Development Plan vi. Education Development Plan vii. Plans and</p>	<p>Functions of the Full Council 3.1 The functions reserved to Full Council are to: a) approve, adopt, amend, monitor and/or review the following plans, strategies and policies which together make up the Council's Policy Framework,  i. Children and Young People's Plan ii. Sustainable Community Strategy iii. Crime and Disorder Reduction Strategy iv. Plans and alterations which together comprise the Local Development Framework v. Youth Justice Plan vi. Local Transport Plan vii Licensing Authority Policy Statement in relation to Gambling</p>	<p>A number of the plans specified in this Article are no longer required to be produced or have been retitled. Changes to legal requirements have added some new plans.</p>

<p>alterations which together comprise the Local Development Framework</p> <p>viii. Youth Justice Plan</p> <p>ix. Local Transport Plan</p> <p>x. Food Law Enforcement Service Plan</p> <p>xi. Local Agenda 21 Strategy</p> <p>xii. the Council's Corporate Plan or its equivalent</p> <p>xiii. HR Strategy</p> <p>xiv. Risk Management Strategy</p> <p>xv. Procurement Strategy</p> <p>having regard to the recommendations of the Executive and in accordance with the Standing Orders of the Council set out in Part 4.</p>	<p>viii Licensing Act 2003 Policy Statement</p> <p>x. Food Law Enforcement Service Plan</p> <p>xii. the Council's Corporate Plan or its equivalent</p> <p>xiii. HR Strategy</p> <p>xiv. Risk Management Strategy</p> <p>xv. Procurement Strategy</p> <p>having regard to the recommendations of the Executive and in accordance with the Standing Orders of the Council set out in Part 4.</p>	
<p>Part 3.C paragraph 1.3 (Planning Committee functions)</p> <p>To designate new Conservation Areas or modify boundaries of existing Conservation Areas.</p> <p>To approve Supplementary Planning Guidance (SPG's) and Supplementary Planning Documents (SPD's).</p>	<p>[These words to be omitted]</p>	<p>To reflect the legal position</p>

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## Scrutiny Report To Council April 2011

### Report of the Chair of Scrutiny Management Committee

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

### Update on Scrutiny Work

#### SMC

2. Since the last scrutiny report to Council the Chair of SMC has attended a meeting of all five-scrutiny committees to hear their views on the scrutiny functions, in particular examples of what is working and what isn't working.
3. In addition to this SMC have met twice. At one of their meetings they discussed a report on developing Scrutiny within the Council, further to the round of recent visits I have undertaken, as Chair of SMC, to the Standing Scrutiny Committees to talk about the provision of scrutiny in City of York Council. As a result, SMC endorsed a continuing ongoing approach to improve and embed effective scrutiny across the Council. My last report to Council identified improvements in processes to shorten the length of time scrutiny reviews were taking and to improve the first hand experience for those Members involved in scrutiny. This time, SMC has endorsed the following initiatives:
  - A series of informal sessions to be arranged in June between each Scrutiny Committee, relevant 'lead officers from Directorates, and the relevant Executive Member(s). Each session will look at the remit of each Committee to help us collectively engage in the work area and will look ahead too at what work the Committee can usefully do in the new Municipal Year to support the priorities of relevant Directorates and Executive Member(s);
  - An informal session to be arranged in June between Scrutiny Chairs, the Executive and key 'lead officers' to look ahead corporately at the year ahead and share ideas about where scrutiny can add value and support corporate priorities in pro-active early policy formulation;
  - A commitment for all Scrutiny Chairs to attend the Executive/appropriate Committee to present the findings of scrutiny reviews in their areas, including the Chair of SMC attending Executive Call-in meetings arising from called-in business;
  - An undertaking to invite relevant Executive Members to attend SMC Calling-In meetings where business in their areas have been called in for consideration;
  - A commitment to keep the number of formal meetings to a minimum and, as much as possible, to conduct informally fact finding, information gathering etc in order to keep scrutiny moving and flowing quickly;

- To review the effectiveness of scrutiny receiving regular performance and financial monitoring reports;
  - To review the role of Effective Organisation and SMC Committees, with a view to rationalizing the approach to scrutinizing our corporate development.
4. SMC also received verbal progress reports from the Chairs of all five scrutiny committees and considered reports on the Broadway Shops Councillor Call for Action and the final report arising from the Edible York Ad Hoc Scrutiny Review. In addition to this the Committee considered a report on the roles of Effective Organisation Committee and SMC at a meeting on 4<sup>th</sup> April 2011.
5. At the time of writing this report, SMC have also considered the following call ins:
- 20<sup>th</sup> December 2010 – Water End/Clifton Green Review – Reinstatement of Left Turn Traffic Lane and Chicane Trial
  - 10<sup>th</sup> January 2011 – The Reablement Service in York and City of York Local Transport Plan 3 – ‘Draft Framework’ LTP3 Consultation Responses
  - 28<sup>th</sup> February 2011 – 20mph Speed Limits: Your City results and an Update on Policy Development and City of York Local Transport Plan 3 – ‘Summarised Draft LTP3’
  - 21<sup>st</sup> March 2011 - Local Sustainable Transport Fund, City Strategy Capital Programme – 2011/12 Budget report and Development of the Explore vision in libraries
  - 4<sup>th</sup> April 2011 – Update on Reablement Service and Draft Framework for York Low Emissions Strategy

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

6. Further meetings of the standing overview & scrutiny committees have taken place since the last Council meeting.
7. **Health Scrutiny Committee** have met four times since the last report to Council. In this time they have heard from the Executive Member for Health and Adult Social Services in relation to the budget and priorities in his portfolio area.
8. They have worked closely with key partners and have received 6 monthly updates from both the York Teaching Hospital NHS Foundation Trust and NHS North Yorkshire & York. They have also received further information on Transforming Community Services and information on a proposed community orthopaedics service for York/Selby
9. They have received a presentation in relation to an Executive referral on the Joint Strategic Needs Assessment (JSNA). The JSNA is a cross-cutting document and the Health OSC therefore decided to invite all Councillors to attend for the presentation and ask questions.
10. The Committee has also given consideration to several performance and monitoring reports, an update on the recommendations arising from the Dementia Review (access to Secondary Care) and have been kept informed of progress in relation to the Carer’s Review.

11. In addition to this the Committee has taken part in consultations in relation to the proposed changes to the NHS by commenting for the corporate responses to 'White Paper 'Healthy Lives, Healthy People consultation' and 'Healthy Lives, Healthy People: Out Strategy for Public Health in England'. They also commented on a more local consultation in relation to proposed changes to vascular services across Yorkshire & the Humber region.
12. Currently there is a live national consultation in relation to children's cardiac surgeries. A joint health scrutiny committee has been set up to consider the proposals set out in the consultation and is being administered by Leeds City Council. The Health OSC has one representative on the joint committee and has also nominated one substitute.

#### Carer's review

13. The Carer's Review is now complete, the Task Group having met on several occasions since December 2010. This included holding a public event in January 2011. The final report has been considered by the Health OSC and is due to be presented to the Executive in April 2011.
14. **Effective Organisation Overview & Scrutiny Committee** has met once since last Council to receive a briefing on Equalities, a monitoring report on the implementation of the Workforce Plan and a 2011/12 budget update report.
15. In addition the committee received the final report arising from the Review of Customer Services. Having endorsed all of the recommendations arising from the Task Group review, these were subsequently approved by the Executive when they received the final report on 29 March 2011.
16. **Economic & City Development Overview & Scrutiny Committee** has met twice since the last report to Council. They have considered reports on the progress in establishing Local Enterprise Partnerships, considering information on the Preliminary Flood Risk Assessment, updates on two previous Councillor Call for Actions and previous scrutiny reviews and the quarter three monitoring report.
17. **Learning & Culture Overview & Scrutiny Committee** has met twice since the last Council meeting. At a meeting in January 2011 the committee met with the new chair of York@Large to hear about the organisation's future plans, and with the Chair of York Theatre Royal to receive their bi-annual performance update report. They also received an update on 'Looked after Children'.
18. In March 2011 the committee received the third quarter monitoring report and a further presentation on the provision of Youth Services across the city. As a result, the committee agreed not to proceed with a review on Youth Services in the new municipal year, but instead agreed to receive future updates on any planned changes to that provision. The Executive Member for Children & Young People's Services also attended to provide an update on the year's work within her portfolio area.
19. **Community Safety Overview & Scrutiny Committee** has also met twice since the last Council meeting. In January they received a presentation from the Probation Service on how their work supports and contributes to the Safer York

Partnership (SYP), and re-considered a possible topic on CCTV in York. As a result, a Task Group has been formed to look at the two CCTV topic registration forms that had been submitted since 2009, to identify which issues a possible review should focus on. The Task Group are now due to meet with the some consultants who are working on behalf of the Local Government North Yorkshire & York Board (LGNYY) to carry out a review of a number of services (including CCTV) where there is potential scope to introduce a shared service in an effort to secure significant (and quantifiable) efficiency savings. The Task Group's intention is to identify which if any of the issues raised within the scrutiny topic registration forms are to be considered as part of the LGNYY review, thereby identifying whether a review by the Community Safety Overview & Scrutiny Committee is required.

20. In March 2011, the committee received the final report from the Taxi Licensing scrutiny review which has been carried out by a Task Group of its members. The recommendations are due to go to the Audit & Governance Committee in June 2011 and any relevant recommendations will then be presented to the relevant Executive Member
21. At both of its meetings, the committee also received performance reports from the SYP and North Yorkshire Police and a quarterly CYC finance and performance monitoring report.
22. **Edible York Ad Hoc Scrutiny Committee** has met on several occasions and the review is now complete. The review focused on finding ways for the Council to support local food growing. The final report is due to be presented to the Executive on 12<sup>th</sup> April 2011.

**Councillor John Galvin**  
**Chair of Scrutiny Management Committee**

1 Two major plans have been completed and are presented to Council for approval. They are:

2 **a. Local Development Framework (LDF) Core Strategy**

3 Following considerable consultation and discussion, including the publication of issues and  
4 options papers, the LDF core strategy is now ready for submission. Any comments received at this  
5 stage will be forwarded to the Planning Inspectorate for consideration at a public examination  
6 into the document.

7 An all party working group has managed the LDF process and a consensus has been possible on  
8 many issues.

9 The areas of disagreement relate to housing and the protection of the green belt. The Executive  
10 recommends that the preference of the majority of residents, who responded to the public  
11 consultation, be respected and that housing development be restricted to land with planning  
12 permission and to brownfield sites.

13 Some additional housing will be needed to support any growth in the jobs market where a  
14 maximum of 1000 in a year is catered for. Over the last few years the average number of new  
15 jobs created has been in the order of 300 p.a.

16 Number of jobs in the City 2002 = 100,300

17 Number of jobs in the City 2009 = 102,100

18 The number of homes completed (net) over the last few years has averaged 570.

2006-2007 798

2007-2008 523

2008-2009 451

2009-2010 507

19 Currently there are outstanding planning permissions for the erection of over 4000 new homes in  
20 the City.

21 The LDF allows for the construction of an average of 575 additional homes each year. This figure  
22 will allow the draft green belt boundaries to be confirmed.

23 The LDF encourages the development of a City respectful of both its historic built heritage and its  
24 natural environment, with high employment levels, increased opportunities for leisure activities  
25 and an improved transport system.

26 **b. Local Transport Plan (LTP) Issue 3**

27 LTP3 covers the period April 2011 to March 2015 and beyond to 2031. It sets out the transport  
28 policies and measures that will contribute to the city's economic prosperity over the next 20  
29 years, whilst meeting challenging national and local targets for reducing emissions.

30 This plan builds on the key successes of the first two Local Transport Plans. The key achievements  
31 from the second Local Transport Plan (LTP2), which expires on 31 March 2011, included:

- 32 • Peak period traffic levels stable since 2006;
- 33 • improved safety and access at several junctions on the A1237 Outer Ring Road;
- 34 • construction of a scheme on the main southern radial route into York to improve facilities  
35 for pedestrians, cyclists and public transport users;
- 36 • bus patronage remaining stable, despite falling patronage elsewhere in the country
- 37 • around 3 million Park & Ride passengers carried annually
- 38 • a 45% reduction in killed and seriously injured road casualties – achieved a year ahead of  
39 the target.

- 40           • schools in York have a travel plan in place, and  
41           • gaining funding to implement the 'Cycling City Programme' resulting in a significant  
42           increase in the numbers of people cycling in the City.

43 Even with these achievements, any future growth in jobs and housing could lead to current levels  
44 of delay increasing over the next 15 – 20 years. Our priority therefore is to provide a high quality,  
45 well planned, fully integrated and efficiently operated transport network to reduce this impact  
46 and to enable the city to continue to function.

47 We aim to do this by:

- 48           • Significantly improving other forms of transport so that people choose an alternative to the  
49           car for local journeys;  
50           • Providing good connections from where people live to major destinations such as  
51           employment centres;  
52           • Informing residents of the potentially wide transport choices available to them,  
53           • Promoting the use of less polluting modes of transport and limiting the entry of high  
54           emission vehicles into areas where air quality is poorest,  
55           • Improving safety, health, the City's appearance and the environment.  
56           • Expanding Park & Ride as a mass transit system as an essential element of the long-term  
57           strategy to provide a high quality, more sustainable alternative to car travel.  
58           • Improving to the outer ring road and encouraging more people to make cross city journeys  
59           around the city rather than through the middle.

60 This will help people who live or work in York, to enjoy more healthy lifestyles and make the City a  
61 more attractive destination for visitors. This plan will ensure that York remains prosperous while  
62 promoting a clean, pollution free, environment.

### 63 **Capital programme**

64 Nearly £ 6 million will have been invested during 2010/11 in improvements to the transport  
65 network in York.

66 In 2011/12 less investment will be possible. The bulk of the budget will be focused on completing  
67 committed schemes. The most significant of these are the multi modal improvements at:

- 68           • Blossom Street (improvements between the Queen Street/ Blossom Street junction and  
69           The Mount bus gate close to Holgate Road). This scheme will include the upgrade of all of  
70           the traffic signals in the area to enable them to be linked to increase efficiency and  
71           capacity. A continuous inbound cycle feeder lane through to Queen Street will also be  
72           provided.
- 73           • Fishergate: for the provision of signalised pedestrian crossings to the central Fishergate  
74           island and through to the Barbican. This will improve accessibility and safety for  
75           pedestrians travelling to the Fishergate island and to the Barbican. In addition alterations  
76           to the road layout will improve safety for all users. This will involve narrowing traffic lanes  
77           and allocations and possibly widening of footways. It is anticipated that a trial operation  
78           of the proposed layout will be required before implementation.

79 It is proposed to carry out a review of bus stop provision and bus routes in the city centre and  
80 develop options for improvement. Funding has also been included for work to roll out the

81 installation of the Bus Location and Information Sub-System (BLISS) onto the remainder of the bus  
82 fleet (primarily subsidised services) and to improve rail/ bus interchange signage at York Station. A  
83 review of bus route reliability, particularly in relation to parked vehicles and junctions, will be  
84 carried out and low cost improvement measures undertaken where possible. An allocation has  
85 been provided for the upgrade of the Park & Ride bus stops and facilities at the sites and in the  
86 city centre.

87 The Air Quality and Traffic Management budget includes an allocation for further upgrades of the  
88 Urban Traffic Management & Control (UTMC) system across the city to maximise the capacity of  
89 the road network by linking the operation of traffic signals. An allocation has also been included  
90 for the further development of Phase 2 of the James Street Link Road (Heworth Green to  
91 Layerthorpe). The provision of the road is dependent on the progression of the development  
92 which the road passes through.

93 The Access York Phase 1 allocation has been included to complete the design work on the Askham  
94 Bar site and prepare the final bid for submission to the DfT by September 2011.

95 The implementation of a new shared-use path across Rawcliffe Recreation Ground, improving  
96 connections to the pedestrian network and linking to the new Rawcliffe primary school, will start  
97 in April 2011 following deferral last year. An allocation for the implementation of minor upgrades  
98 to pedestrian facilities, including dropped kerbs at junctions, has also been included.

99 The main scheme in the Cycling block is the allocation for Links to the University Cycle Routes,  
100 which includes the second/third phase of the cycle route along Heslington Lane, and the design of  
101 an off-road cycle route along University Road to link to the University expansion scheme at  
102 Innovation Way. Funding has also been included for the completion of Cycling City schemes from  
103 2010/11.

104 The Village Access Schemes allocation has been included for schemes to improve access to public  
105 transport, walking, and cycling routes to and around villages, including the completion of a review  
106 of the Common Lane/ A1079 Dunnington junction.

107 An allocation has also been included for the implementation of safety improvement schemes  
108 across the city, including schemes developed to reduce the number of accidents at identified  
109 cluster sites, address danger reduction issues raised by the public, manage speed along routes,  
110 and carry out a review of speed limits. Measures such as the provision of Vehicle Activated Signs  
111 will be considered at locations where a speeding issue meets the intervention criteria.

112 The School Schemes block includes an allocation for the continuation of the Safe Routes to School  
113 programme, which will include the development of a programme of work by working with  
114 schools, implementation of schemes identified in feasibility studies in 2010/11, and an allocation  
115 for a review of cycle parking at schools. Subject to a detailed review of costs, schemes will be  
116 progressed at Fulford, Joseph Rowntree, Danesgate, Robert Wilkinson and Wheldrake. If a  
117 suitable site is available, cycle parking will be provided at Elvington primary school – the last  
118 school in York without any cycle parking.

119 In addition to these schemes a bid to the Sustainable Transport Fund is in course of preparation.

120 **Cycling City**

121 The latest monitoring results are now available. Headline figures are

- 122 • Overall cycling levels are up on a baseline year of 2008 by between +10% and +16%.
- 123 • A larger percentage increase is generally seen on the on-road sites +15% compared to off  
124 road +10%.
- 125 • Limited surveys of bridges have shown a +16% increase with Millennium Bridge being the  
126 busiest river crossing.
- 127 • Some 80% of commuting cycling trips make use of on road facilities, 20% use the off road  
128 (mainly riverside) routes to access the city centre.
- 129 • Blossom Street is the busiest on-road radial cycle route (1775, 12-hour two way flow)  
130 followed by Bootham (1550, 12-hour 2 way flows) (table 1).
- 131 • Tuesdays and Wednesdays are the busiest cycling days whereas Sunday is the quietest.
- 132 • Hob Moor and Cinder Lane show high levels of cycling during peak periods, 70% of trips  
133 during the peak, 30% off peak. In comparison Naburn Bridge has a more even split with 53%  
134 during peak 47% off peak - more leisure cycling.
- 135 • Cycling levels show a reduction of approximately -20% on wet days with longer distance  
136 (leisure) routes far more affected than commuting routes.
- 137 • September, June and July are the busiest cycling months (up to 40% above the annual  
138 average), whereas December and January are the quietist.

139 **Thanks**

140 I should like to take this opportunity to thank the Councils officers for their hard and effective  
141 work during the course of the present Council. The Council has achieved many successes over the  
142 last 4 years but perhaps the greatest is the reduction in the numbers of killed and seriously injured  
143 on our roads. This has fallen from an annual average toll of 119, in the 5 years leading up to 2007,  
144 to a 2010 figure of 62. There are probably residents living today who, but for the Councils efforts,  
145 might no longer be with us.



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

### **Outside Bodies**

#### Drainage Boards

To note the amalgamation of the North Wharfe & South Wharfe, Marston Moor, Acaster and Appleton Roebuck & Copmanthorpe Internal Drainage Boards to form the Ainsty 2008 Board. Appointments to the new Board will be made with at the Annual Council meeting on 26 May 2011.

#### York Business Development Ltd (YBDL)

To note that the activities of this body have now ceased. Appointments to a new body, called York, Selby and Malton Business Advice Centres Ltd., will be made at the Annual Council meeting on 26 May 2011.

#### Heslington East Community Forum

Following the resignation of Cllr Pierce, to appoint Cllr Hoban to the Forum and to appoint Cllr Alexander as substitute.

#### York St John University

To note that, as from July 2011, City of York Council representation on the Board of Governors will no longer be required following the modernisation of the governance structure and a reduction in the overall number of Governors. Cllr Pierce had been the most recent CYC appointee.

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