

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in on Thursday, 30th November, 2006, starting at 6.35 pm

Present: The Lord Mayor (Councillor Janet Hopton) in the Chair, and the following Councillors:

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD

Livesley

CLIFTON WARD

King

DERWENT WARD

Greenwood

DRINGHOUSES & WOODTHORPE WARD

Reid

FISHERGATE WARD

D'Agorne
Hill

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
B Watson

HAXBY & WIGGINTON WARD

Hall
Hogg

HESLINGTON WARD

HEWORTH WARD

Potter

HEWORTH WITHOUT WARD

Lancelott

HOLGATE WARD

Fairclough
Nimmo

HULL ROAD WARD

Smallwood

HUNTINGTON & NEW EARSWICK WARD

Hyman
Orrell
Runciman

MICKLEGATE WARD

Fraser
Merrett

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Bradley
Macdonald

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

Moore
I Waudby

STRENSALL WARD

Cuthbertson
Kirk

WESTFIELD WARD

Steve Galloway
Sue Galloway
Waller

WHELDRAKE WARD

Apologies for absence were received from Councillors Bartlett, Blanchard, Evans, Holvey, Jamieson-Ball, Jones, Kind, Vassie, R Watson, M Waudby and Wilde

DECLARATIONS OF INTEREST

1. The Chair invited Members to declare at this point any personal or prejudicial interests they might have in the business on the agenda. Councillor Merrett declared a personal interest in relation to question 6 to Councillor Reid under the Minute below regarding 'Questions to Executive Members', by virtue of the fact that he lived in a street which had received a letter about adoption of that street.

MINUTES

2. The minutes of the meeting of Council held on 5 October 2006 were agreed as a correct record and signed by the Lord Mayor.

CIVIC ANNOUNCEMENTS

3. The Lord Mayor announced the receipt of the following gifts to the City, which were on view in the Council Chamber:
 - A replica of Brooklyn Bridge, received from the President of the City of Brooklyn, New York;
 - A glass Waterford crystal bowl, received from Compass in commemoration of their 20th Anniversary.

PUBLIC PARTICIPATION

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

PETITIONS

5. The following petitions were presented by Members under Standing Order 7:
 - a) A petition on behalf of local residents calling for a crossing and traffic safety measures on Mill Lane, Wigginton, presented by Cllr Hogg;
 - b) A petition on behalf of residents of Langholme Drive, in relation to parking issues and access for emergency vehicles, presented by Cllr Simpson-Laing;
 - c) A petition on behalf of residents of Knapton, regarding closure of the village access road to the A1237, presented by Cllr Bradley.

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

NOTICES OF MOTION

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

(i) Recycling Services

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

“Council requests that the Director of Neighbourhood Services urgently ensures that terraced areas of the City receive a recycling service that is equitable with the rest of the City and that larger refuse bins are provided for families with younger children.”

On the advice of the Chief Executive, the Lord Mayor exercised her constitutional authority under Standing Order 11(ii) and referred the above motion directly to the Executive, without debate, for an Officer report on the full financial and other implications of the proposal.

(ii) Sports Facilities in York

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

“Council note with concern Active York’s research which shows that, following the closure of the Barbican Centre, York is now short of approximately twelve 25m lanes of pool space, has an under-supply of indoor sports hall space equal to approximately 24 badminton courts and by 2015 will be short of 64 mini soccer pitches, 17 junior soccer pitches and 19 junior rugby pitches. Council asks Officers to take immediate steps to identify ways to tackle this shortfall.”

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

“Delete the words *‘with concern’*.

Delete the words *‘the closure of the Barbican Centre’* and insert *‘the neglect of leisure facilities over many years,’*.

Delete the words *‘Council asks Officers to take immediate steps to identify ways to tackle this shortfall.’*

Add the following words at the end:

‘Council welcomes the comprehensive work Active York, supported by Council officers, have done, and continue to do, to encourage participation in sport and active leisure across the city. Council notes that Active York has identified these needs ahead of most other Councils in the Region and consequently Active York is recognised by Sport England as an exemplar for Community Sports Networks. Council also notes that MORI research places York in the top 20 of all Councils in England & Wales in terms of participation in Sport. Council therefore wishes to record its thanks for the work done by this voluntary group and urges them to continue making their valuable contribution to sport and active leisure in the City. Council also recognises that the sports facilities inherited by the current

administration in 2003 had all been neglected for many years, few of them being "fit for purpose" and welcomes the plans to work with partners such as the University to modernise existing, and provide new, facilities.'

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

The motion, as amended, now read as follows:

"Council notes Active York's research which shows that, following the neglect of leisure facilities over many years, York is now short of approximately twelve 25m lanes of pool space, has an under-supply of indoor sports hall space equal to approximately 24 badminton courts and by 2015 will be short of 64 mini soccer pitches, 17 junior soccer pitches and 19 junior rugby pitches.

Council welcomes the comprehensive work Active York, supported by Council officers, have done, and continue to do, to encourage participation in sport and active leisure across the city. Council notes that Active York has identified these needs ahead of most other Councils in the Region and consequently Active York is recognised by Sport England as an exemplar for Community Sports Networks. Council also notes that MORI research places York in the top 20 of all Councils in England & Wales in terms of participation in Sport. Council therefore wishes to record its thanks for the work done by this voluntary group and urges them to continue making their valuable contribution to sport and active leisure in the City. Council also recognises that the sports facilities inherited by the current administration in 2003 had all been neglected for many years, few of them being "fit for purpose" and welcomes the plans to work with partners such as the University to modernise existing, and provide new, facilities."

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

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

(iii) Local Government White Paper 'Strong and Prosperous Communities'

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

"Council believes that the Local Government White Paper 'Strong and Prosperous Communities' is a missed opportunity. In particular, Council regrets that the White Paper:

- Does not introduce a fair voting system for local government;
- Does not propose the abolition of Council Tax and the introduction of a fair tax based on the ability to pay;
- Remains silent on returning Business Rates to local control,

essential if local democracy is to have the freedom of action to deliver for the community;

- Makes no proposals to return to local authorities those powers and budgets previously transferred to central government and quangos;
- Refers to expanded roles for local authorities to scrutinise, but indicates no resources for this;
- Removes the obligation for a referendum on any introduction of a directly-elected mayor, and instead seeks to ignore public opinion by allowing them to be introduced by resolution of Council.

Council instructs the Chief Executive to write to the Secretary of State expressing its disappointment at the lack of devolution of powers, funding and responsibilities to local government.”

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

RESOLVED: That the above notice of motion be approved.

(iv) Post Office Closures

It was moved by Cllr Kirk and seconded by Cllr Moore that:

“Council notes:

- That over the last two decades, post offices have been closing at a rate of over 300 per year;
- That 283 post offices have closed in Yorkshire and Humberside since 2001. Recent post office closures in the City of York area include Rufforth, Nether Poppleton, Elvington, Eastholme Drive, Holgate, Gale Lane, Boroughbridge Road, Fishergate, Clarence Street, Bishopthorpe Road and Albemarle Road;
- That, following the completion of the Urban Renewal Scheme, there is no longer a commitment to prevent avoidable closures of post offices in urban deprived areas where there is no alternative within half a mile;
- That Postcomm’s 2005 Annual Report states that nine out of ten rural post offices cannot be maintained on purely a commercial basis;
- That the Post Office withdrew the Pension and Benefit payment books and replaced them with the ‘Post Office Card Account and direct payment into banks’;
- That the Post Office Card Account, used by 4.5 million pensioners and benefit recipients nationally, will not be used for pension and benefit payments from 2010;
- That the £150 million subsidy for rural post offices is due to end in 2008 with no commitment yet to extend it.

Council calls for:

- The Government to take action to protect the post office network;

- The Government to reverse its decision to discontinue using the Post Office card account from 2010;
- The Government to announce immediately that it will continue the subsidy for rural post offices;
- The Chief Executive of City of York Council to send a copy of this motion to the Secretary of State for Trade and Industry.”

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

RESOLVED: That the above notice of motion be approved.

(v) Targets for CO2 Emissions

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

“Council regrets the government’s poor record in tackling CO2 emissions and its failure to take positive action on climate change.

Council calls upon the government to:

1. Make sufficient investment in energy conservation, public transport and renewable energy to meet the Kyoto targets;
2. Sign up to annual targets for CO2 emissions as a matter of urgency;
3. Make sufficient investment in national assets to defend against the consequences of climate change.”

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

“Remove the words *‘regrets the government’s poor record in tackling CO2 emissions and its failure to take positive action on climate change’* and replace them with:

‘notes the significant achievements of the Government on Climate Change in terms of negotiating the original Kyoto Treaty and work to progress the issue on the world stage, including the recent publication of the Stern report outlining the importance of tackling the issue and how the necessary changes could be economically delivered. It further notes the wide variety of internal measures such as the Climate Change levy, Renewables Obligation and Energy Efficiency Commitment delivered through its 2000 Climate Change programmes, the delivery of the first phase of the EU Emissions Trading scheme, the Government progressing congestion charging and workplace parking powers for Local Authorities, with the extremely successful implementation in London, all of which have contributed to reducing greenhouse gas emissions.

Council welcomes the Government’s intentions to extend its actions through the 2006 Climate Change programme and new Climate Change Bill, through again taking the lead in arguing for meaningful tightening of the EU Emissions limits in phase 2, and for establishing the Transport Innovation Fund to encourage Local Authority tackling congestion.

However in the light of the increasing concerns about the need for

faster action to tackle the issue’.

On point 1, replace the word ‘*make*’ with ‘*establish a strategy to deliver*’, add the words ‘*walking, cycling and*’ before ‘*public transport*’, add the word ‘*current*’ before ‘*Kyoto targets*’, and add the words ‘*and preferably more in the light of the worsening scientific picture, including funding support to Councils to deliver local measures*” at the end.

On point 2, replace the word ‘*annual*’ with ‘*clear short, medium & long term*’, and replace ‘*CO2*’ with ‘*reducing Greenhouse gas*’.

On point 3, replace the words ‘*Make sufficient investment in national assets to defend against the*’ with ‘*Produce plans for making the necessary adjustments to deal with those*’, and add the words ‘*that are already unavoidable*’ at the end.

Add the following paragraph at the end:

‘Council also asks officers to prepare a Climate Change strategy for the Council identifying those measures that the Council should undertake itself and/or with its partners, including the Energy Advice Centre, local businesses and residents to reduce York’s contribution to climate change.’

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.

REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS

7. A written report was received from the Leader on the work of the Executive, and he then formally moved, and Councillor Waller seconded, those minutes requiring confirmation from the Executive meeting held on 21 November 2006, namely:

- (i) Minute 117 – Gambling Act 2005: Statement of Licensing Policy;
- (ii) Minute 118 – Local Development Framework: Statement of Community Involvement.

Cllr Horton raised an issue in respect of paragraph 3 of Minute 117 and proposed that this be amended to make it clear that the Licensing Act 2003 Committee had not recommended the adoption of a ‘no casino’ policy.

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

RESOLVED: That the above minutes, and the recommendations of the Executive in respect of the Gambling Act 2005 Statement of Licensing Policy and the Local Development Framework Statement of Community Involvement be approved, subject to the Executive agreeing to amend the second sentence of paragraph 3 of Minute 117 to read as follows:

“These included whether or not to adopt a ‘no casino’ policy for York, whether or not to adopt a statement on permits for unlicensed Family Entertainment Centres and/or permits for prize gaming, and whether or not to adopt more prescriptive definitions of ‘interested parties’ and location of premises.”

REPORT OF EXECUTIVE MEMBER

8. A written report was received from Councillor Orrell, the Executive Member for Leisure and Culture. Councillor Orrell then responded to a series of questions put by Members in accordance with Standing Orders. Prior notice had been given of four questions to the Executive Member under this item. These were taken in the order set out on the list circulated around the Council Chamber, until the 10 minute time limit had elapsed, as follows:

(i) From Cllr Nimmo:

“How is the Leisure and Culture portfolio contributing to the Council’s sustainability agenda?”

The Executive Member replied:

“It has been one of our aims across the Council to raise the profile of sustainability. I don’t think there is any doubt that we have achieved that objective and awareness of sustainability is at much higher level than it was 3 years ago.

A few examples illustrate some of the things that have happened with the Leisure & Culture portfolio.

Whilst awareness has been raised significantly much more needs to be done so a Display Poster has been put up at Edmund Wilson detailing the energy use of the building.

We have introduced on site green waste recycling at Glen Gardens and West Bank Park this year (Rowntree was in place 18 months ago).

We have also introduced a two skip system on some of allotments sites this year (Glen, Hempland, Low Moor and Green Lane) instead

of the traditional single landfill skip. We will be expanding scheme next year to include more sites and also going over to green only skips on a few sites.

The Arts Action Team has been using recycled and reclaimed material for children's arts projects (making paper, weaving + rugs with rags, recycled tiles for mosaic)

Working on an education resource pack to be used at the ecoDepot and in all local schools to be launched Spring 2007

Commissioned a story book on environmental sustainability jointly with Early Years team to go out to all early years settings in March 2007 provisionally called "The Three Little Pigs and the Straw Stick House."

98% of artists on Artists database for schools and community use are local artists from this region."

(ii) From Cllr Bartlett (put by Councillor Hyman in Councillor Bartlett's absence):

"Can the Executive Member give more details of the work with people with disabilities within the Leisure & Culture portfolio?"

The Executive Member replied:

"I appreciate that we are encouraged to be brief in our answers so what I say in this area only scratches the surface of the work that is being done with people with disabilities. I could indeed give the full 10 minutes and more to this area so the following are some examples of the work being done.

Some projects cross all areas of the portfolio & some cross a number of directorates across the council & some are the result of working with partners.

The allotment photo in my report was from Hempland Lane. The Hemplands Allotments Association was supported to create a disabled friendly plot with raised beds.

Pinetrees the replacement for Hebden Rise is proving a modern much appreciated replacement. It is a real corporate development with parks working with adult services to provide a joint café & our arts team working with Adult services, parks and the adults who use Pinetrees to achieve the sensory garden

When I first looked at disabled facilities cat Yearsley I was surprised at how inadequate they were. I am disappointed that it has taken longer than I would have liked to improve things but the hoist and changing provision now installed is a big improvement and much appreciated by the people who use it.

We are working with Oaklands to get the gym accredited as an IFI

(Inclusive Fitness Initiative) facility, which means that equipment will be suitable for disabled users and all staff will have had appropriate training.

At the RI, New Lane sports facilities disabled toilet and changing facilities to support the use of the new Tennis and netball facilities by disabled users have been provided. This project was identified as a high priority by the West Sports Zone and has proved to be highly popular with users.

The disabled access ramp to the rear of Edmund Wilson pool has been repaired which has made access easier for wheelchair users and parents with buggies.

We are supporting and encouraging community sports clubs to get accredited by their governing bodies. This process includes addressing access issues and disability training for club officials. We currently have 22 accredited clubs in the city and are working to get many more.

In relation to the Arts Action Team the activities include -

Greenworks pottery : adults with learning disability developing pottery skills and looking at the kind of art work they could produce that would have commercial resale value/ business opportunities.

As part of Dance Week we also did work with dance and drawing with children with severe physical disabilities

There is Intensive Curriculum support in Dance, Drama and Music for teachers and carers at Applefields.

There was an Arts Education Integrated performance project with pupils at Hob Moor Children's centre presented at Theatre Royal, Arts Education

Working with Amicus Music and NCEM to develop musical instruments for children with severe disabilities

Service level agreement with Accessible Arts, which support Sound Weaver workshops and Hands and Voices choir, for adults with learning difficulties or physical disabilities, and space at the Melbourne Centre.

Melbourne Centre Redevelopment.

I'm sure members will know of other examples & also know where further improvements can be made.

So a lot is being done but we are always looking to do more."

(iii) From Cllr Evans (put by Cllr Horton in Cllr Evans' absence):

“Will the Executive Member agree to take responsibility for the truthfulness and accuracy of the statements and claims he makes in his written report as well as of any answers to questions on it?”

The Executive Member replied:

“I decline to respond to the offensive implication behind this question.”

(iv) From Cllr Kirk:

“Could the Executive Member outline how his portfolio helps disadvantaged residents?”

The Executive Member replied:

“Members will be aware that it was recently agreed that the IT project to enable internet access to our Mobile Library. This will enable those people who have been excluded from this facility to access it.

Street sport was set up to work in areas of disadvantage including a weekly session at the travellers trust. As my Report indicated it has been a very successful project.

The promotion of Quick Read books to emergent readers through the Learning Festival in York enabled our service to reach reluctant readers, particularly teenage and young men with learning needs.

We ran a pilot project last year running creative writing sessions for looked after children in partnership with the Right to Read project.

Many arts projects are with disadvantaged people:

older people with dementia, SureStart families, people in prison, people who are homeless, people in residential homes, young people who have dropped out of mainstream education, children in care, people with renal failure, cancer, mental health issues, carers.

Particular highlights are;

the film made jointly with Arts Education, All Saints school and Network Two in order to engage with a group of pupils at risk of dropping out of education,

the art project with the homeless at the Central Methodist Church in partnership with Carecent and called "the A Team", York carers 'Written and Stitched' project and the ARClight art therapy project.

We've supported the Lesbian Arts festival, the biggest festival of its kind in Europe and one that saw the hotels in York full that weekend and

The whole of the team has worked with the Education Access team on a 'BEAT the Bullies project' covering song writing, film making, animation for mobile phones

An interesting has been undertaken at Askham Grange prison. Read Write York organised a creative writing project called 'Rapping and Rhythm'. The project aimed to work with prisoners and young offenders to create a piece of writing that could be recorded onto CD for a member of their family. The project enabled participants to develop their reading and writing skills and also to develop their confidence and self-esteem. An additional and integral aim of the project was to encourage greater use of the prison library.

The project was a success and further author events and workshops have taken place to maintain momentum. This project enabled the Library service to apply to the Paul Hamlyn foundation. They were successful in receiving an award of £22,500 to provide a part-time project officer to continue family reading and writing activities at HMP Askham Grange for the next 2 years.”

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

9. In accordance with Standing Order 10(c)(1), the following questions were put and responses given:

(i) From Cllr Hill to the Executive Member for Neighbourhood Services:

“Can the Executive Member provide me with a figure for the number of bicycles crushed and disposed of as scrap metal or landfill in the City, in the period since the practice of allowing the public to recover materials from household waste sites was disallowed at the start of the Lib Dems’ tenure as Council Executive?”

The Executive Member replied:

“Practices at the Household Waste recycling centres were refined by this administration in order to improve health and safety operations on sites, dramatically boost the proportion of waste being diverted from landfill, and to improve the assistance being offered to members of the public taking waste to the sites. As the question includes the instances where bicycles are disposed of outside the recycling and waste systems operated by the council I cannot give him a figure for the total number of bicycles crushed or disposed of as scrap metal or landfill in the city, but I can assure him that every effort is made to keep bicycles out of landfill when they come to our Household Waste Recycling Centres.”

The Executive Member then responded to a supplementary question relating to the number of bicycles disposed of as scrap metal or landfill since 2003.

(ii) From Cllr Hill to the Executive Member for Neighbourhood Services:

“Can the Executive Member provide me with a figure for the number of bikes that have been salvaged and re-used, either by the Council or by bicycle re-use organizations such as ‘Re-Cycle’, during this period?”

The Executive Member replied:

“From the first two months when Bike-Rescue were operational with a full business plan, and premises, 150 bikes had been segregated from waste at Hazel Court as reported to City of York Council and Yorwaste on 31st October 2006. We are very keen to see this re-use system work, and are working closely with Bike-rescue.

The question also would include the instances where bicycles are disposed of outside the recycling and waste systems operated by the council. I cannot therefore give a figure for the total number of bicycles salvaged and reused by the public during this period, but I hope that the figure for the council recycling service will suffice.”

The Executive Member then responded to supplementary questions regarding the separation of waste and the viability of re-use credits.

(iii) From Cllr Potter to the Executive Member for Neighbourhood Services:

“Would the Executive Member confirm how many times cameras have been deployed to investigate early presentation of refuse bins / bags and fly tipping, and how much the Council has paid for cameras and whether any useful evidence has been gathered that could lead to a prosecution?”

The Executive Member replied:

“Neighbourhood Services officers have used a number of cameras to record evidence which they deploy on a daily basis. The council paid £5k towards the cost of a mobile recording CCTV camera, and the 6 digital cameras used by Street Environment Officers, who deal with enforcement cost £100 each. Yes, evidence has been gathered that could lead to a prosecution.”

The Executive Member then responded to supplementary questions regarding the number of occasions on which the CCTV camera had been used for court evidence and how often it had led to successful prosecutions.

(iv) From Cllr Greenwood to the Executive Member for Neighbourhood Services:

“Can the Executive Member comment on the current performance in removing graffiti and abandoned cars?”

The Executive Member replied:

“We are now removing obscene graffiti on council land within 24 hours, and non-obscene graffiti on council land within an average of four days. 100% of abandoned cars were investigated within 24 hours of being reported in Quarter 2 of this year, and 95% were removed within 24 hours of being legally entitled to do so.”

(v) From Cllr Simpson-Laing to the Executive Member for City Strategy:

“Will the Executive Member explain why there are continuing problems with reliability of the ‘ftr’ service and timing, given the concept was meant to overcome boarding delays, and can she confirm whether an additional bus has been added into the ‘ftr’ service schedules?”

The Executive Member replied:

“The Leader of the Council met with Directors from First Group and First York on 20th September. I understand that at that meeting First indicated that a number of vehicle reliability issues had been identified and that a programme of modifications were ongoing involving engineers from both Volvo and Wrights. It is expected that these modifications to all the vehicles will take 2 months to complete. One of the Leeds FTRs is in use in York to maintain fleet numbers.

In addition customer hosts have been recruited and their introduction is already having an effect on reducing boarding times and improving reliability.

An additional ftr has been in place for over 3 months now bringing the fleet number up to 11 in service. There is still a spare vehicle which is used when difficulties arise giving a total fleet of 12.”

The Executive Member then responded to supplementary questions in relation to bus running times and suggested modifications to the ftr ticket machines.

(vi) From Cllr Simpson-Laing to the Executive Member for City Strategy:

“Can the Executive Member confirm how many existing city streets have been adopted since 2003, and how many have been requested for adoption by residents?”

The Executive Member replied:

“Members will no doubt be aware that prior to 2003 there was no policy or budget funding to respond to the requests from residents who wished to have their roads adopted. We have therefore had to spend time in developing a policy and have only recently been in a position to write to residents seeking their views on a way forward.

Officers have written to residents in 12 roads outlining the policy and asking for expressions of interest. The replies are currently being evaluated as the closing date has not yet been reached.”

(vii) From Cllr Moore to the Executive Member for City Strategy:

“Would the Executive Member comment on the outcome of the tendering exercise for the current year highways maintenance contract?”

The Executive Member replied:

“The existing contract arrangements with Tarmac for the resurfacing and reconstruction of carriageways and footways had previously been extended up to 31 March 2006. It was not appropriate to continue this extension and it was suspected that perhaps better rates could be obtained by testing the market. This work was therefore procured during the first half of 2006/07. The procurement allows for a contract to be in place up to 2010, to coincide with the commencement of a highway maintenance PFI contract, should the Council be successful with its Expression of Interest.

The tender process attracted considerable interest and pricing was very competitive and Tarmac, the existing provider up to the start of this financial year, has been awarded the term contract on a fixed price basis for the first 2 years. The contract will be delivered by a quality contractor, with certainty of price and savings compared to previous scheme costs. Indeed, members will not doubt have already noted the carriageway works taking place across the City and information on all the projected works is now available on the website.

The significant savings achieved through the new contract come after the completion of the reserve schemes of Tranby Ave and Walmer Carr. Improved working arrangements between City Strategy and Neighbourhood Services has also achieved further savings on the conventional footway resurfacing programme. These savings will allow extra highway maintenance works to be carried out. Suggestions

include improvements to the well used Esplanade cycle/footway; repair and replacement of city centre signs; road marking programme and some extra resurfacing work and Members will be able to see the details in the City Strategy EMAP papers.”

(viii) From Cllr Evans (Cllr Horton in the absence of Cllr Evans) to the Executive Member for Leisure & Culture:

“Can the Executive Member explain what kind and level of community use is being made of the three PFI school facilities now that they have opened, as was intended under the original proposals?”

The Executive Member replied:

“This Question should, of course, have been directed to Cllr Runciman who has responsibility for PFI projects. Nevertheless the following represents the answer to the Question.

Overview

The PFI contract provides buildings and facilities management. Within the contract, there are clear requirements for facilities to be open at various times, fully serviced and working, to allow the LA to provide a range of services from them. The Council and schools also have access to additional hours within the contract - these are detailed below.

Below is a list of opening requirements for the main user groups at each of the 3 PFI sites.

Sewell Education has established effective and positive relationships with schools, the Local Authority and other partners during the first full year of the contract. The company is open to new ideas and suggestions for using buildings and has proved to be realistic, responsive and reasonable in dealings with the Council.

St Barnabas

St Barnabas School

Open 7.30am - 6.30pm, 195 days per year. 140 additional hours per annum are also available on request for the use of any school-related activity, for example, parents’ evenings, staff meetings, school play, etc.

100 additional hours outside of these hours are available for school related activities.

Nursery

Open 7.30am - 7.30pm, 52 weeks (ex. Bank Hols).

Holiday Club

During school holidays (ex. Bank Hols), 7.30am - 6.30pm.

Operating: After School Club (3.00pm - 6.00pm (this is part of

usual school day, is run by the school and is considered part of the school's usual running), as well as multiple clubs (allotment club, art club) these are normally 40 minutes to an hour after school.

St Oswald's

St Oswald's School

Open 7.30am - 6.30pm, 195 days per year. 140 additional hours per annum are also available on request for the use of any school-related activity, for example, parents' evenings, staff meetings, and a dance workshop run by a non-school group.

Under extended schools, the school is promoting its breakfast club (8.00-school start), the after school club (3.30pm - 6.30pm), as well as various other 'mini' after school clubs run by a teacher for approx. half an hour after school.

100 additional hours per annum outside of these hours are available for school related activities.

Nursery

Open 7.30am - 7.30pm, 52 weeks (ex. Bank Hols).

Library

Contractually 9.5 hours a week, 52 weeks (Ex. Bank Hols).

100 additional hours per annum, though the Library Service has since bought extra hours for opening on Saturdays, by a separate agreement.

Hob Moor Childrens Centre

Hob Moor Primary School

Open 7.30am - 6.30pm, 195 days per year. 140 additional hours per annum are also available on request for the use of any school-related activity, for example, parents' evenings, staff meetings, school-led workshops etc.

Hob Moor Oaks

Open 7.30am - 6.30pm, 195 days per year. 140 additional hours per annum are also available on request for the use of any school-related activity, for example, parents' evenings, staff meetings, school-led workshops etc.

Nursery

Open 7.30am - 7.30pm, 52 weeks (Ex. Bank Hols). 100 additional hours per annum, for nursery-led events, such as parents' evening etc.

SureStart

Open 8.00am - 6.00pm, 52 weeks (Ex. Bank Hols). 100 additional hours per annum.

Family Centre

Open 8.00am - 6.00pm, 52 weeks (Ex. Bank Hols). 100 additional hours per annum.

Holiday Club

During school holidays (ex. Bank Hols), 7.30am - 6.30pm.

Informal Games Area

This will be available for general outdoor play.

General

The Council also has up to 50 hours per annum available outside the core hours (over and above the additional hours available for school related or school sponsored activity) at each of the 3 sites."

In relation to supplementary questions on activities specifically in the community and timings of activities, the Executive Member replied that the question would need to be put to the appropriate Executive Member.

(ix) From Cllr Fraser to the Executive Member for Adult Social Services:

"Will the Executive Member detail how many 'Home Care' packages are being offered this financial year compared with last?"

The Executive Member replied:

"There is no requirement on the Council to collate the information requested therefore it is not available."

(x) From Cllr Livesley to the Executive Member for Adult Social Services:

"When does the Executive Member anticipate that Windsor House will be open?"

The Executive Member replied:

"Recruitment is currently underway and it is expected that the second facility of its kind will be open once registration from CSCI is received which should be within the next few weeks. Once I have an exact date Members will be informed."

(xi) From Cllr Looker to the Executive Member for Corporate Services:

Would the Executive Member explain when the need to alter the Barbican 106 agreement was identified, who was involved in making that decision and why there was a substantial delay in submitting the formal proposal to Planning?"

The Executive Member replied:

"Members will recall that consent for the original Barbican scheme was granted on 22nd April 2004. The joint applicants were City Of York Council and Barbican Venture. The consent required Barbican Venture to enter into a S106 agreement which included the construction of a new swimming pool on the site of Kent Street coach park. The S106 agreement was drafted but not signed because of the uncertainty introduced by the Save Our Barbican campaign."

There then followed 2 years of protracted delay, while Save Our Barbican legally challenged the scheme. This in turn has led directly to a reduction in the achievable capital receipt of £2,168,000 and the loss of the swimming pool at Kent Street. This is equivalent to £ 11.85 for every man, woman and child resident in the City of York.

On 7th February 2006, the Executive adopted a new Leisure Facilities Strategy. The new strategy withdrew the provision of the pool on the Kent Street site and authorised the pursuit of a partnership approach with the University to provide an 8 lane, 25metre county standard pool.

In mid May 2006 planning officers revisited the existing planning consent and the draft S106 agreement. They realised that there might be a problem with the planning consent since it no longer matched the proposed scheme.

Discussion between planning and property officers ensued and an opinion was sought from Counsel. In early August 2006, it was decided that the only correct course of action would be to seek a revised planning consent for the current scheme and this was granted on 28th September 2006.

Although deciding on the correct course of action took some time I consider that it was more important to get the right decision rather than a hasty one. I do not accept that this approach amounted to substantial delay and it has had no impact on the progress of the land sale.”

The Executive Member then responded to a supplementary question regarding the handling of the issues involved between February and May 2004.

(xii) From Cllr Moore to the Executive Member for Corporate Services:

“Could the Executive Member confirm how current Council Tax collection rates compare with previous years?”

The Executive Member replied:

“In-year collection of Council Tax has improved every year since the disastrous fall of 4% at end of the year 2003/04. That fall was the direct result of the very difficult commissioning of the SX3 system 1 year late. That was entirely due to the last Labour administration's total failure to provide effective project management. At October 31st 2006, compared to the same date in 2005, the collection rate was 1.1% up at 65.8% and the year end forecast for 2006/07 is 1% up compared with last year; a forecast out-turn of 97.1%. I expect to see some further improvement to the in-year collection over the following years.”

(xiii) From Cllr Hyman to the Executive Member for Housing

Services:

“Can the Executive Member confirm how many tenants have benefited from Choice Based Lettings?”

The Executive Member replied:

“The Choice based letting scheme was introduced as part of the new allocations policy that went live at the beginning of May 2006. The initiative means that certain properties where there is a limited demand are taken out of the normal allocations process which is based purely on housing need. These properties are advertised in the press, internet, council offices and copies are circulated to various partner agencies. Customers who are on the councils housing register are invited to put in a bid for the property and the officers will then evaluate the bid on the basis of need and offer the property.

Since its launch there have been 35 homes let this way and it has attracted a lot of interest from customers and we have seen more people sign up for registration which suggests it is popular with the public. It does mean that some people who would normally be a low priority in terms of rehousing have a realistic chance of getting a council home. When properties are available they are advertised on the Tuesday and the evaluation is done a week later. Customers must be registered on the housing register to be eligible for the scheme. The scheme means that a council home is a realistic option for more of the public.”

In response to a supplementary question regarding the proportion of homes let during that period represented by the 35 referred to, the Executive Member informed Council that she would provide a written response in accordance with constitutional requirements.

(xiv) From Cllr Aspden to the Executive Member for Social Inclusion & Youth (in his absence, to Councillor Orrell):

“Will the Executive Member confirm the uptake of School’s Out over the past few years?”

The Executive Member replied on behalf of the Executive Member for Social Inclusion & Youth (in his absence) :

“The total number of participants in the School’s Out holiday activities are as follows: for 2003, 23690; for 2004, 35273; for 2005, 43547; for 2006, 52777. It is worth noting that the 2006 figure does not include a final total for the October half term programme, nor, for obvious reasons, the Christmas holiday activities. Overall thanks to additional investment made by the Lib Dem administration and the determination, hard work and commitment of Council officers, even before the final totals for October 2006 and Christmas 2006 have been included, the total number of participants has grown by nearly 30,000 a year since 2003.”

(xv) From Cllr Bradley to the Executive Member for Children's Services:

"Would the Executive Member inform Council of the result of the Annual Performance Assessment and highlight some of the comments it contains?"

"I am pleased to report that the result of the 2006 Annual Performance Assessment by Ofsted and CSCI of Services for Children and Young People was very positive. The APA letter said that overall the City of York delivers outstanding outcomes for children and young people.

For our contribution to maintaining and improving outcomes for children and young people we were awarded a Grade 4, which means that we have a service that delivers well above minimum requirements and is regarded as excellent. Our grade for children's social care was 3, which is good. For our capacity to improve the services we provide we also received a grade 4. The report commented that we demonstrated the experience and determination to succeed and has excellent capacity to improve further within the resources that are available. That means in terms of star rating we are a three star authority – the highest possible category.

Comments made by the inspectors highlighted the successful integration of the new directorate and the high quality of leadership and management that has enabled all areas to improve. They recognised our tight financial constraints but stated that we give excellent value for money. With a clear plan and good partnerships, they report that limited resources are targeted effectively and reinvested wisely. They noted that standards in schools continue to rise and remain above average and that we make a good contribution to assuring the safety and welfare of children as well as their health."

It was pleasing to note that the inspectors found that we make excellent provision for encouraging children and young people to have real say in the decisions that affect their lives, with strength in targeting consultations with groups of young people.

I would like to pay tribute to all the officers in the directorate and the staff in schools who have enabled this excellent result to be achieved. Despite the continuing challenging budget pressures that the council has, which were noted several times by the inspectors in their report, it is an outstanding result for an excellent service."

In response to a supplementary question regarding the Council's national ranking position, the Executive Member

replied that City of York Council was within the top 10% in the country.

RECOMMENDATIONS FROM THE LICENSING ACT 2003 COMMITTEE

10. Councillor Nimmo moved, and Councillor Moore seconded, those minutes requiring confirmation from the following meeting:

Licensing Act 2003 Committee on 3 November 2006, Minute 12 (Gambling Policy) – recommendations (ii) and (iii) in relation to the method of publication of the Gambling Act policy and the summary of delegations set out in the policy document.

RESOLVED: That minute 12 of the above meeting and recommendations (ii) and (iii) of the Licensing Act 2003 Committee in respect of the Gambling Policy be approved.

SCRUTINY - REPORT OF THE CHAIR OF SMC

11. A written report was received from Councillor Kirk, the Chair of the Scrutiny Management Committee (SMC), on the work of the SMC since the last report to Council, on 5 October 2006, which included setting up 2 new scrutiny reviews (use of council owned land in Tang Hall and highways maintenance procurement), updating the ongoing work of established scrutiny committees and bringing to completion reviews outstanding from 2005/6.

ACTIVITIES OF OUTSIDE BODIES

12. Minutes of the following meetings of Outside Bodies were considered:

Regional Transport Board

Draft minutes of meeting on 22 September

Yorkshire & Humber Assembly

Summary notes of meeting on 16 November

North Yorkshire Police Authority

Minutes of meeting on 31 July

Safer York Partnership Board

Minutes of meeting on 11 October

Pension Fund Committee

Minutes of meeting on 22 September

In accordance with a previous request at Council, these minutes had been made available to Members to view on the Council's computer system. The Lord Mayor invited comments and questions, firstly, from Council representatives on those bodies either in relation to the body generally or specifically on the

minutes, and then, secondly, from Members generally.

APPOINTMENTS AND CHANGES TO MEMBERSHIP

13. Cllr Waller proposed the following addition to the list of appointments and changes circulated around the Council:

Local Development Framework Working Group

Cllr Morley to replace Cllr Steve Galloway as 1st Liberal Democrat substitute

RESOLVED: That the appointments to Committees, Outside Bodies and Working Groups set out in the list circulated around the Council Chamber, and the above addition as proposed by Cllr Waller, be approved (in accordance with the list attached as Annex A to these minutes).

Councillor Janet Hopton
LORD MAYOR OF YORK

[The meeting started at 6.35 pm and concluded at 9.55 pm]