

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 7th October, 2010, starting at 6.30 pm

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

ACOMB WARD	BISHOPTHORPE WARD
Simpson-Laing	Galvin
CLIFTON WARD	DERWENT WARD
Douglas King Scott	Brooks
DRINGHOUSES & WOODTHORPE WARD	FISHERGATE WARD
Holvey Reid Sunderland	D'Agorne Taylor
FULFORD WARD	GUILDHALL WARD
Aspden	Looker B Watson
HAXBY & WIGGINTON WARD	HESLINGTON WARD
Firth Hogg R Watson	Jamieson-Ball
HEWORTH WARD	HEWORTH WITHOUT WARD
Boyce Funnell Potter	Ayre
HOLGATE WARD	HULL ROAD WARD
Alexander Bowgett Crisp	Cregan

HUNTINGTON & NEW EARSWICK
WARD

Hyman
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 Horton and Orrell

27. 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.

Cllr Morley declared a personal and prejudicial interest in agenda item 16B(iv) (the notice of motion relating to selective licensing), as the owner of premises that could potentially be subject to selective licensing powers. He left the Chamber during consideration of this motion and took no part in the debate or vote thereon.

Cllr Potter declared a personal interest in agenda item 16B(i) (the notice of motion relating to an alternative voting system), as a member of *Make Votes Count*.

28. EXCLUSION OF PRESS AND PUBLIC

Cllr Waller moved, and Cllr Runciman seconded:

“That the press and public be excluded from the Chamber during consideration of the recommendations contained in Executive Minute 75 (The Barbican Auditorium) and the associated report, on the grounds that the discussion will include reference to information relating to the financial or business affairs of particular persons, which is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).”

RESOLVED: That the above motion be approved and that the press and public be excluded from the Chamber during consideration of the recommendations on the Barbican Auditorium.

29. MINUTES

RESOLVED: That the minutes of the Council meeting held on 15 July 2010 be approved and signed by the Chair as a correct record.

30. CIVIC ANNOUNCEMENTS

The Lord Mayor announced that:

- the Council's *Green Santa Challenge* and *Choose & Re-use* fashion show had been selected as finalists in the Best Waste Minimisation or Prevention projects, the results to be decided in November;
- the Council had been named as 'Best City' in the *Yorkshire in Bloom* awards;
- the Council had been awarded the Local Government Improvement and Development Charter;

- Cllrs Ann Reid and Brian Watson had been shortlisted as candidates for *Elected Member of the Year* in the Yorkshire & Humber Region, the results to be announced in October.

The Lord Mayor then extended her congratulations to York City Knights, on their success in Co-operative Championship Finals Day, and to Laura Campbell and Joseph Hadfield, on winning gold, silver & bronze medals at Special Olympics in Warsaw. Events to mark both these sporting achievements were currently being organised.

31. PUBLIC PARTICIPATION

It was reported that there had been six registrations to speak at the meeting under the Council's Public Participation Scheme.

Isobel Waddington, of Murton Parish Council spoke in support of the petition to be presented by Cllr Morley, seeking the introduction of a 20 mph zone in Murton village.

Mike Longhurst spoke in support of the petition to be presented by Cllr Boyce, objecting to the discontinuation of the key-holding service by Warden Call.

Elizabeth Casling spoke on behalf of residents of Deighton, Wheldrake and Escrick villages, asking the Council to enforce existing planning conditions requiring the former site of North Selby Mine to be returned to agricultural use, rather than approving the site as an area for potential re-development.

Felicity Williams spoke in support of the motion on electoral reform to be moved by Cllr Vassie.

Simon Rodgers spoke in support of the motion to be moved by Cllr Reid concerning council housing in the City.

Niall McTurk, as Chair of York Residential Landlords Association, spoke in opposition to the petition to be presented by Cllr Cregan seeking an application for selective licensing powers over properties in Hull Road Ward.

32. PETITIONS

Under Standing Order 7, petitions were presented by:

- (i) Cllr Morley, on behalf of residents of Murton, calling for the introduction of a 20 mph zone in their village.¹
- (ii) Cllr Potter, on behalf of residents of Heworth Ward objecting to the cutting of the no. 13 bus service and calling on First York to re-instate the service.²

- (iii) Cllr Runciman, on behalf of residents of Huntington, asking the Council to investigate measures to address speeding traffic on New Lane.³
- (iv) Cllr Douglas, on behalf of residents calling on the Council to introduce segregation on the cycle / pedestrian track along Crichton Avenue bridge.⁴
- (v) Cllr Boyce, on behalf of residents of Heworth, objecting to the discontinuation of the key-holding service by Warden Call and calling on the Council to continue the service.⁵
- (vi) Cllr Crisp, on behalf of residents of Holgate, calling on the Council to address the problem of commuter parking on Aldborough Way.⁶
- (vii) Cllr Cregan, on behalf of residents of Hull Road, asking the Council to apply for selective licensing powers over houses in multiple occupation in Hull Road Ward.⁷

Action Required

1-4 and 6: Schedule items on Forward Plan for suitable meetings and keep relevant Members updated on progress	SS
5. Schedule item on Forward Plan for suitable meeting and keep relevant Member informed	ST
7. Schedule item on Forward Plan for suitable meeting and keep relevant Member informed	KS

33. STANDARDS COMMITTEE ANNUAL REPORT

The Lord Mayor announced that she would use her discretion to vary the order of the agenda in order to deal at this point with agenda item 7, the Standards Committee Annual Report.

Mrs Christine Bainton, the Independent Chair of the Standards Committee, then presented the Annual Report of the Standards Committee for the Municipal Year 2009/10.

Mrs Bainton moved receipt of the Annual Report, Cllr Hudson seconded the motion and it was

RESOLVED: That the Annual Report of the Standards Committee for 2009/10 be received.

34. 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 recommendations under Minute 61 of the Executive meeting held on 7 September 2010 (*Capital Programme – Monitor 1*):

- “(i) That Council approve the net adjustments of £447k in 2010/11 and £641k in 2011/12, as set out on a scheme by scheme basis in the report and contained in Annex A.*
- (ii) That Council approve an addition to the capital programme in 2010/11 of £1m, in the form of a loan to Yorwaste, in which the Council holds a 22.7% stake.”¹*

On being put to the vote, the recommendations were declared CARRIED.

The press and public having been excluded from the meeting in accordance with the resolution previously agreed by Council, Cllr Waller moved, and Cllr Runciman seconded, the following recommendation under Minute 75 of the Executive meeting held on 21 September 2010 (*The Barbican Auditorium*):

“That Council approve the financial implications relating to the capital programme contained in exempt Annex 4 to the report”²

as clarified by the following recommendation contained in the additional report on the Barbican Auditorium published with the Council agenda and circulated around the Chamber:

“Council is asked to approve an increase in the capital programme of up to £1.113m for the Barbican project and to approve the use of prudential borrowing to fund this. The revenue costs incurred by the Council as a result of the prudential borrowing will be met by SMG’s rental payments.”²

On being put to the vote, the recommendations were declared CARRIED.

Cllr Waller then moved, and Cllr Runciman seconded, the following recommendations under Minute 76 of the Executive meeting held on 21 September 2010 (*Changing Executive Arrangements*):

- “(i) That Council propose to adopt the Leader and Cabinet model.*
- (ii) That the timetable should be as set out in Annex 2 to the report.*
- (iii) That Council not instigate a referendum.*
- (iv) That Council make provision in the Constitution for removal of the Leader during his or her term of office and adopt the transitional arrangements set out in Annex 2.”³*

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

*“In resolution (iv), insert after ‘Annex 2’:
, subject to no new initiatives being started, no new expenditure being authorised by the Executive Member 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: (i) That the recommendations contained in Minute 61 of the Executive meeting held on 7 September 2010 be approved.¹

(ii) That the recommendation contained in Minute 75 of the Executive meeting held on 21 September 2010, as clarified by the recommendation in the report to Council on the Barbican Auditorium, be approved.²

(iii) That the recommendations contained in Minute 76 of the Executive meeting held on 21 September 2010 be approved.³

Action Required

- | | |
|--|----|
| 1. Make the approved adjustments to the Capital Programme | KB |
| 2. Liaise with Finance to make the agreed adjustments to the Capital Programme | CC |
| 3. Publish draft proposals, as agreed by Council | AD |

35. RECOMMENDATIONS OF THE AUDIT & GOVERNANCE COMMITTEE - PROPOSED CONSTITUTIONAL CHANGE TO ARTICLE 5

As Chair of the Audit & Governance Committee, Cllr Brian Watson moved, and Cllr Brooks seconded, the recommendations made by that Committee at its meeting on 28 July 2010 in respect of a proposed change to Article 5 of the Council's Constitution, relating to the Lord Mayoralty (Minute 22).

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

RESOLVED: That the recommendations contained in Minute 22 of the Audit & Governance Committee meeting on 28 July 2010 be approved.¹

Action Required

- | | |
|---|----|
| 1. Make the agreed changes to Article 5 of the Constitution | AD |
|---|----|

36. RECOMMENDATIONS OF THE GAMBLING & LICENSING ACTS COMMITTEE - CUMULATIVE IMPACT ZONE

As Chair of the Audit & Governance Committee, Cllr Merrett moved, and Cllr Wiseman seconded, the recommendation made by that Committee at its

meeting on 18 June 2010 in respect of changes to the boundary of the Cumulative Impact Zone (Minute 5).

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

RESOLVED: That the recommendation contained in Minute 4 of the Gambling & Licensing Acts Committee meeting on 18 June 2010 be approved.¹

Action Required

1. Amend the CIZ boundary, as agreed

AH

37. RECOMMENDATIONS OF THE LICENSING & REGULATORY COMMITTEE - REGULATION OF SEXUAL ENTERTAINMENT VENUES

As Chair of the Licensing & Regulatory Committee, Cllr Gillies moved, and Cllr Moore seconded, the recommendation made by that Committee at its meeting on 2 July 2010 to adopt provisions for the regulation of lap dancing clubs and similar venues under the Policing and Crime Act 2009.

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

RESOLVED: That the recommendation contained in Minute 4 of the Licensing & Regulatory Committee meeting on 2 July 2010 be approved.¹

Action Required

1 Take any necessary action to implement the new licensing provisions

DH

38. 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 15 July 2010.

39. REPORT OF EXECUTIVE MEMBER

written report was received from Cllr Moore, the Executive Member for Corporate Services.

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

- (i) From Cllr Hyman:
“Can the Executive Member expand upon the factors which have resulted in what appears very significant improvement in the final accounts processes compared to where we were 2-3 years ago?”

The Executive Member replied:

“The finance team has worked extremely hard in delivering significant improvements over the past two years, and this is down to their skill and commitment. Over the last two years, project plans have been in place, there has been excellent teamwork, close working with external audit, and a highly professional approach from all staff concerned.

I’m sure all members of Audit & Governance Committee will share my belief that our officers’ passion, and I mean passion, for the Accounts has been a major factor in this improvement.

On a personal note, I have never before, in my thirty-one years in accountancy, met an officer who can get so excited about financial regulations and procedures. The entire finance team deserve our thanks.”

- (ii) From Cllr Gunnell:
“Can the Executive Member explain why he has allowed three vacancies to exist out in a corporate procurement team of six, why he has seen fit to replace those permanent members of staff with two agency staff and how much they have cost the local taxpayer over the period of their employment?”

The Executive Member replied:

“I am surprised Cllr. Gunnell has asked me about Procurement, as this was all detailed out in a paper to Executive on 7th September, and I would have expected that she would be aware of the details. While it is true that the Procurement team has an establishment of 6 ftes and are carrying 2 vacancies due to staff turnover and one secondment, this has only been a temporary measure while the “More for York” blueprint has been developed. During this time no recruitment has taken place, to avoid potentially recruiting permanent staff with the wrong skills to operate in an outmoded model of delivery.

The exact balance between permanent staff and temporary specialists will be defined over the coming months as we do further detailed analysis of our category spend and identify how much work is needed in each category. The detailed technical methodology of how procurement can drive out savings is set out in a revised Procurement Blueprint.

Despite this, the Procurement workstream has made good progress and the in year target savings of £400k to the General Fund have already been over achieved by £259k - a total of £659k savings. In addition to this a further £927k savings have been made that will accrue to the Direct Schools Grant. That totals £1.586,000. I would suggest that this far outweighs the cost of employment of the temporary staff.

The long-term efficiencies that can be delivered by more effective procurement vastly outstrip the modest existing targets, and the current situation can be seen as “invest to save”. Once the model has been

developed it is expected that there will be recruitment, or redeployment into the necessary roles.”

(iii) From Cllr Sunderland:

“Given the economic pressures, and in particular increased benefit claimants, how is the benefit service responding to this, and what challenges does the Portfolio holder envisage in the next couple of years?”

The Executive Member replied:

“Members will note, despite the significant pressures faced over the last twelve months, the benefits service has responded well, and has made significant improvements in performance. As workload potentially grows, we will need to keep under review our performance, and ensure we are able to respond to any issues. I am confident the service can respond to these pressures, even against a tight financial situation.”

(iv) From Cllr Gunnell:

“Can the Executive Member for Corporate Services outline the steps taken to ensure that all staff, including management, are fully briefed on the Equality Act 2010 that came into force on the 1st October 2010. Will he also explain the major implications of the Act to Council?”

The Executive Member replied:

“I will provide the member with a written response, as the question was only received at 5pm yesterday and it is too short a time to respond fully. I have spoken to the Monitoring Officer about the need to allow more time for answers to be formulated.”

(v) From Cllr Holvey:

“Does the Executive Member for Corporate Services consider that the Council is well placed to deal with the financial challenges facing this Council in coming years?”

The Executive Member replied:

“We have put in place a medium term financial strategy, which is supported by the More for York Programme. When we introduced the More for York Programme, some eighteen months ago, there were those that questioned whether it could deliver true efficiency savings, some even commenting it was merely a cuts programme. The evidence is there for all to see of not only savings, but also service improvement. I am pleased that my own Portfolio has provided significant financial benefits to the Council both this year, and continuing into next year and beyond, yet at the same time made improvements in service.

The management of the Council’s finances remains strong, and despite considerable pressures we came within budget last year and are working on achieving the same this year. We do however face unprecedented financial challenges in coming years, which will require continued focus upon the Council’s finances, and challenging how we provide all services across the Council.”

- (vi) From Cllr Gunnell:
“Will the Executive Member for Corporate Services confirm the current number of FTE employees per directorate, which directorates are providing apprenticeships and how many?”

The Executive Member replied:

“I will provide the Member with a written response.”

- (vii) From Cllr Hogg:
“Could the Executive Member advise what contribution ICT has made to the development of the new Explore at the Central Library?”

The Executive Member replied:

“The new Explore York Library Learning Centre opened late May of this year and brings together a modern city centre Library with a full and vibrant programme of learning. ICT staff and its managed network service provider worked very closely with Fiona Williams and her staff to design and implement the necessary ICT components that supported the transformation and use of the building and its service.

This included the provision of more than thirty new Public Access Internet PC's including provision for accessibility facilities for customer with visual impairment. A wireless network has been installed which enables access to the Internet for customers from their own portable device such as a mobile phone or a laptop and public scanning facilities have been provided, enabling the transfer of documents and images into the available desktop publishing applications on the public PCs.

The transformation of the Central Library is a great example of an organisation that can achieve very effective cross directorate working. The result is an excellent combination of the what's best about working and living in York as we now have an old and historic building that is being used to deliver 21st century services.”

- (viii) From Cllr Gunnell:
“Will the Executive Member for Corporate Services outline the process for consulting with the public on the council budget for 2011/12, as well as the extent to which they will be consulted compared with recent years?”

The Executive Member replied:

“In terms of consulting on the budget process, York is only statutorily required to consult with business owners. However, as well as meeting this obligation, the administration has a strong commitment to voluntarily consulting with residents, which this year will take the form of an exercise in the December issue of Your City, a web based questionnaire and face to face meetings with members of the public and the Talkabout panel. The Council will also be consulting with equalities groups on any impacts arising from the process.”

- (ix) From Cllr Aspden:
“Could the Executive Member advise what contribution ICT is making to the development of the York Contact Centre, in relation to requests for front-line services?”

The Executive Member replied:

“Working with colleagues from Communities & Neighbourhoods and the More4York Programme, the internal ICT Systems Design team have designed a developed a very revolutionary suite of technologies to support and sustain the re-engineered business processes for the Communities & Neighbourhoods directorate. The project seeks to improve upon work conducted as part of [Easy@york](#) and is focusing primarily on achieving greater information sharing between front and back office departments through the use and integration of the Customer Relationship Management system & mobile technology.

The key improvements to the front office - the York Customer Centre - are that the process of logging a service request has been made simpler and more effective for a customer service representative and will enable the delivery of a far better experience for our citizens.

The key improvements to the back office (Communities & Neighbourhoods) section are that the system will perform automatic allocation of service requests raised by our citizens directly to geographically based operational teams through the use of mobile technology - by providing staff with a hand-held or cab mounted device that delivers their work directly to them in the field.

This will improve staff scheduling by using intelligent rules about the area of the city a staff member covers, to ensure the work gets to the right person first time; using fixed schedule information to decide if a service request can be taken care of by a member of staff's routine work pattern (for example street sweeping), leading to a cost reduction in being reactive to the work; providing the ability to work the results of both routine work and reactive service requests in to management information will present the opportunity to analyse the patterns of incidents and amend the fixed schedules to pre-empt where the reactive problems will occur, thereby giving the service a better chance to react to the incident without creating extra work or, ideally, to deal with a problem before it is reported.”

- (x) From Cllr Merrett:
“With regards to revenues and benefits services and their fitness for purpose in 2010/11, can the Executive Member:
- a) indicate the numbers of York claimants who will be negatively affected by the Government's announced changes to Housing Benefit maximum payments from next year, and by how much (please give in bands of £10/week);
 - b) indicate how many York residents will be at risk of losing their homes as a result of next year's housing benefit changes, and outline how the benefits service will be working with Communities and Neighbourhoods and external agencies to minimise the number of consequential evictions of those affected?”

- c) indicate how many York benefit claimants the absolute £500 a week cap would affect, and, if any, the potential impacts for those cases.

The Executive Member replied:

"I will provide the Member with a written response."

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

- (xi) From Cllr Merrett:

"With regard to the Government's announcements and reductions to York's budgets and the estimated savings requirement of £12 million in 2011/12, does this figure take into account the impact of the Government's 'New Homes Bonus scheme', and would he confirm the expected impact on York, given that Bonuses will be top-sliced out of the total local government grant paid by Communities and Local Government to Local Authorities annually?"

Reply

"The figure doesn't take account of the new homes bonus scheme as we don't yet know the impact this scheme might have. No firm details relating to the scheme, on which quantification of costs or benefits could be based, have been released yet and a consultation paper is expected after the Spending Review."

- (xii) From Cllr Merrett:

"In regard to 'COLIN', can the Executive Member confirm what user surveys are, or will be, undertaken to see if users find the new set up beneficial and easy to use?"

Reply

"Staff in marketing and communications, and the ICT web and intranet development team, are currently conducting a continuous feedback campaign with staff across the authority. Users are being asked to e-mail the COLIN mailbox with their suggestions and comments."

In addition, the teams are collecting feedback as part of the office walkabouts which are going on this week. The teams will be feeding comments back into the development process to ensure that COLIN is, as it is designed to be, intuitively easy to use. It is also planned to do a section in the next staff survey (early next year) which will ask for feedback on COLIN, as well as online polls to ask the question.

CouncilNet (the existing intranet) will be switched off from the end of this year, so it is important to take this time to make sure staff are happy with using COLIN. The walkabouts and other planned communications activity are being organised to support this. I can already say that the walkabouts are meeting with a very positive response from the greater majority of staff."

40. 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:

- North Yorkshire Fire & Rescue Authority – meeting on 23/06/10
- Quality Bus Partnership – meeting on 10/06/10
- Without Walls Partnership – meeting on 21/05/10
- NHS Foundation Trust – meeting on 21/04/10
- Economic Development Partnership Board – meeting on 20/05/10

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

41. APPOINTMENTS AND CHANGES TO MEMBERSHIP

RESOLVED: That the appointments to, and changes to membership of, committees, outside bodies and working groups set out on the list at page 63 of the Council papers (and attached as an annex to these minutes) be approved.

42. NOTICES OF MOTION

(i) Alternative Vote System

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

“Council notes the intention of the Coalition Government to hold a referendum on introducing the Alternative Vote system for United Kingdom General Elections.

Council also notes the commitment of the previous Labour Government to the introduction of voting reform for UK General Elections, the commitment of the Green Party to a fair voting system, and the commitment of the Liberal Democrat Party ‘to seek to include proportional representation for local government elections in England and Wales as part of the political reform programme of the coalition government.’

Council agrees that both national and local authority elections should employ a more proportional and representative voting system in order to better represent the voting intentions of their electorates.

Council therefore resolves to write to the Deputy Prime Minister to call on the Coalition Government to introduce a fair voting system for local elections as part of its package of political reforms and indicates Council's willingness to see a more proportional voting system employed in future local elections in York.”¹

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

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

(ii) Royal Mail Sorting Office

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

“Council is gravely concerned for the future of the Royal Mail Sorting Office in Leeman Road and deplores the recent announcement by Vince Cable MP, Business Secretary, to privatise the Royal Mail, which could hasten the proposed removal of First Class Mail sorting from York to Leeds.

Council is concerned at these recent announcements, given that :

- A recent YouGov Poll found a majority of voters of every major party opposed Royal Mail privatisation;
- Royal Mail is a market leader whose profits rose by 26 percent to £404m in 2010;
- A fully funded modernisation programme has been agreed by management and unions, in York and nationally, to bring stability to the company;
- Privatisation will lead to the separation of Royal Mail and the Post Office Network, putting the existence of many Post Offices in York and throughout the country at risk;
- Privatisation will put at risk the universal collection and delivery service for households and business, result in a reduction of post boxes, in York and nationally, and has the potential to harm the UK economy;
- The removal of mail sorting from York to Leeds is enormously wasteful in terms of transport and greenhouse gas emissions;
- The loss of the York Sorting Office jobs will impact on the York economy and affect the health and well being of workers and their families.

Council instructs the Chief Executive to:

- Write to the Royal Mail Chief Executive, Moya Greene, to express concerns on the impact of removing first class mail sorting from York to Leeds, and ask that the modernisation programme is allowed time to deliver its goals;
- Write to the Business Secretary and request a halt to the announced Royal Mail privatisation plans so that the recently agreed modernisation plans can be allowed to progress.”

Cllr Alexander then moved, and Cllr Moore seconded, an amendment to the above motion, as follows:

“In paragraph one

- after ‘*Council is gravely concerned*’ insert ‘*by the continued threat to*’
- after ‘*Leeman Road*’ insert ‘*as previously highlighted by the Liberal Democrat motion to Council in July 2009*’
- Delete from ‘*and deplores*’ to the end of paragraph one.

In paragraph two

- Replace *'Council is concerned at these recent announcements given that'* with *'Council notes the need for Royal Mail to find a sustainable business model but is concerned that:'*
- Delete the first five bullet points
- Insert an additional bullet point saying *'The removal of the York postmark will have a negative impact on the city.'*

In paragraph three:

- In bullet point one, after 'from York to Leeds' insert *'and asks that this issue be reconsidered'*
- In bullet point one, delete *'and asks that the modernisation programme is allowed time to deliver its goals'*
- Delete bullet point two."

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

The motion, as amended, now read as follows:

"Council is gravely concerned by the continued threat to the future of the Royal Mail Sorting Office in Leeman Road as previously highlighted by the Liberal Democrat motion to Council in July 2009.

Council notes the need for Royal Mail to find a sustainable business model but is concerned that :

- *The removal of mail sorting from York to Leeds is enormously wasteful in terms of transport and greenhouse gas emissions;*
- *The loss of the York Sorting Office jobs will impact on the York economy and affect the health and well being of workers and their families.*
- *The removal of the York Post mark will have a negative impact on the city*

Council instructs the Chief Executive to:

- *Write to the Royal Mail Chief Executive, Moya Greene, to express concerns on the impact of removing first class mail sorting from York to Leeds and asks that this issue be reconsidered."*²

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

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

(iii) DCLG Proposals for the Publication of Council Information

Cllr Gillies moved, and Cllr Healey seconded, that

"This Council welcomes the proposals recently put forward by the Department of Communities and Local Government (DCLG) as part of its efforts to improve local transparency and accountability.

This Council therefore commits itself to complying with the DCLG recommendations and by 1st January 2011 at the latest will publish and continuing publishing online:

1. Details in full of total cumulative spending over £500;
2. Information on all posts paying over £50,000 per year (including details of benefits and expenses) and their job descriptions;
3. Councillor allowances and expenses in a real time rather than annual format.

None of the above shall include information that:

- a) Relates to a commercial agreement in negotiation;
- b) Is not publishable under the Data Protection Act;
- c) Relates to the protection of vulnerable adults and/or children.

This Council also pledges that this information shall be published at zero cost to the taxpayers, with its collation and presentation forming part of other processes already carried out by the Council.

With some of this information already available, the Council further pledges to make itself even more transparent by requiring that the various strands of information be collected and brought together on the Council website, with a link on the front page, under the heading 'www.york.gov.uk/transparency' to make it easy for residents to find." ³

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

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

(iv) Selective Licensing of Student Properties

Cllr Alexander moved, and Cllr Simpson-Laing seconded, that:

"Council believes that:

- Residents of houses in multiple occupation, including students, can be good neighbours and are valued members of communities. They often work locally and contribute positively to the local economy but sometimes can gain an unfair reputation.
- Some landlords are not living up to their responsibility to maintain properties in the interest of local residents and student tenants. Therefore the Council's Voluntary Code of Best Practice is not working.
- This affects community cohesion.

Council notes:

- The changes to householder profiles, particularly in council wards that surround York's higher education institutions.

- That the recently published Student Housing report was discussed at the Local development Framework Working Group on 6th September 2010, where the recommendation of the former Chair of Liberal Democrats Youth Wing was to do nothing on this issue.
- That 15% of all properties in Hull Road ward currently receive student council tax exemption.
- Hull Road ward residents' concerns about landlords not taking responsibility over the upkeep of their properties, to the detriment of local residents and student tenants.
- That by obtaining "Selective Licensing" powers from the Government, the Council would be able to license student properties.
- That in areas of Leeds where these powers are used, landlords have to prove they are a fit and proper person, and that their property meets certain conditions before they are granted a licence to rent out their properties. Landlords must ensure tenants have appropriate references, keep their properties decent and ensure good management. A fine of £20,000 could result from anybody renting a property without a licence. If a landlord has a licence they can still be fined up to £5,000 if they fail to meet the conditions.

Council requests:

- The Director of Communities & Neighbourhoods to apply to the Conservative / Liberal Democrat Coalition Government for 'Selective Licensing' powers under part three of the Housing Act 2004 to license landlords in Hull Road ward, and other affected areas as appropriate, in the interests of both residents and student tenants."

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

"Under '*Council notes*' in the second paragraph:

In bullet point two, delete all after '*September 2010*'

After bullet point two insert an additional bullet point reading:

- '*That the LDF Working group agreed that work be carried out to assess the possibility of using Article 4 Designation to regulate HMOs through the planning process.*'

In bullet point five, change '*student properties*' to '*rented properties in a defined area*'.

Following bullet point five, insert an additional bullet point reading:

- '*However, to obtain 'Selective Licensing' powers the Council would have to prove that the area either suffered from a significant anti-social behaviour problem, or that housing demand was considerably lower than other areas of the city, which may not be the case.*'

After the final bullet point insert two additional bullet points reading:

- '*That there are very few HMOs in the areas in Leeds where the powers are used and that the powers were obtained to tackle*

issues of low demand and anti social behaviour and not student housing.

- *That a number of other options exist other than using selective licensing powers, including the introduction of an accreditation scheme*

In the third paragraph, delete all after 'Council requests the Director for Communities and Neighborhoods to' and replace with:

'work with the local Development Framework Working Group to bring a report to the Executive outlining the options available to the council to address residents' concerns about HMOs in the city, including the introduction of an accreditation scheme.'

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

The motion, as amended, now read as follows:

"Council believes that:

- *Residents of houses in multiple occupation, including students, can be good neighbours and are valued members of communities. They often work locally and contribute positively to the local economy but sometimes can gain an unfair reputation.*
- *Some landlords are not living up to their responsibility to maintain properties in the interest of local residents and student tenants. Therefore the Council's Voluntary Code of Best Practice is not working.*
- *This affects community cohesion.*

Council notes:

- *The changes to householder profiles, particularly in council wards that surround York's higher education institutions.*
- *The recently published Student Housing report was discussed at the Local development Framework Working Group on 6th September 2010*
- *That the LDF Working group agreed that work be carried out to assess the possibility of using Article 4 Designation to regulate HMOs through the planning process.*
- *15% of all properties in Hull Road ward currently receive student council tax exemption.*
- *Hull Road ward residents' concerns about landlords not taking responsibility over the upkeep of their properties to the detriment of local residents and student tenants.*
- *By obtaining "Selective Licensing" powers from the Government the Council would be able to license rented properties in a defined area.*
- *However, to obtain 'Selective Licensing' powers the Council would have to prove that the area either suffered from a significant anti-social behaviour problem, or that housing demand was considerably lower than other areas of the city, which may not be the case.*
- *In areas of Leeds where these powers are used, landlords have to prove they are a fit and proper person, and that their property*

meets certain conditions before they are granted a licence to rent out their properties. Landlords must ensure tenants have appropriate references, keep their properties decent and ensure good management. A fine of £20,000 could result from anybody renting a property without a licence. If a landlord has a licence they can still be fined up to £5,000 if they fail to meet the conditions.

- *That there are very few HMOs in the areas in Leeds where the powers are used and that the powers were obtained to tackle issues of low demand and anti social behaviour and not student housing.*
- *That a number of other options exist other than using selective licensing powers, including the introduction of an accreditation scheme*

Council requests the Director for Communities and Neighborhoods to work with the local Development Framework Working Group to bring a report to the Executive outlining the options available to the council to address residents' concerns about HMOs in the city, including the introduction of an accreditation scheme.”⁴

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

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

(v) New Council Housing

It was moved by Cllr Reid, and seconded by Cllr Waudby that:

“Council welcomes the announcement that 19 new Council homes are to be built on Lilbourne Drive, with funding from City of York Council and the Homes and Communities Agency.

Council also welcomes the fact that the new homes will be one of only a handful of projects nationally to achieve Code Level 5 sustainability, saving future residents money on energy bills and further enhancing York’s reputation as a centre of excellence for eco construction.

Council notes that the new homes will be the first Council houses to be built in the city for 20 years, despite 13 years of the Labour government making numerous promises of support for new Council houses.

Council thanks officers for their hard work and commitment to taking the project forward at a time when opposition Councillors were busy talking down the chances of securing funding for the scheme.

Council resolves to ask the Director of Communities & Neighbourhoods to write to the Housing Minister to urge the government to do all they can to support further construction of new Council houses in York.”⁵

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

“In the third paragraph, delete all from ‘*despite*’ to ‘*houses*’ and insert ‘*but that many more are required to deal with York’s housing costs*’.
In the fourth paragraph, delete ‘*at a time when*’ and insert ‘*and*’; delete all from ‘*were busy*’ to ‘*securing*’ and insert ‘*for their intervention with the Shadow Housing Minister John Healy to secure*’.

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

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

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

Action Required

- | | |
|---|----|
| 1. Write to the Deputy Prime Minister in the terms agreed | KE |
| 2. Write to the Royal Mail Chief Executive in the terms agreed | KE |
| 3. Make arrangements to comply with DCLG proposals by 1 January 2011, as agreed | IF |
| 4. Prepare a report for LDF Working Group re HMOs / schedule item on Executive Forward Plan | SB |
| 5. Write to the Housing Minister in the terms agreed | SB |

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

Eleven questions had been submitted to 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:
“Will the Executive Leader agree to sign a joint letter with the Leader of the Opposition addressed to the Defence Secretary lobbying to maintain the presence and number of Ghurkhas at Imphal Barracks?”

Reply
Yes

- (ii) To the Executive Leader, from Cllr Alexander:
“On 6th July 2010 the Executive delegated power to set pay grading of assistant directors to the Head of Paid Services. Does the Leader think that in this current financial climate it is appropriate for the Executive to delegate senior pay levels to other senior officers?”

Reply

I am always interested in the Labour Leader's interest in financial matters, and I note the comments that his group made to the Executive before the meeting on 6th July:

'Labour Group Spokespersons Comments for 06/07/10

- Has always supported a leaner council that concentrates its resources on front line services*
- Reaffirms that view in the current climate of huge funding cuts for local government*
- Expects the Executive to ensure that effective management and strategic leadership exists in each of the council's directorates.'*

The decision of the Executive to delegate the grading of the new assistant directors posts to the Head of Paid Service (Chief Executive) was not called in. I have confidence in the Chief Executive and her focus on achieving the More For York savings. The decision did not delegate the Assistant Director Pay structure, which is set by Members. No cost of living pay awards have been made to Assistant Directors since April 2008.

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

"Would the Executive Leader explain why the long term assumption for the recycling rate in the proposed Waste PFI contract is so low?"

Reply

York is the forth highest Unitary Authority in England and Wales when it comes to recycling. This puts York well into the top quartile. Our target is to achieve a minimum of 50% recycling going forward. This would put us second, only to Rutland, who's target is high due to their high levels of green waste composted, but lower dry recyclates. The more urban, less prosperous and more deprived an area is the lower its recycling rate is likely to be, a WRAP study has found. (December 2009) the greatest yield per household per year was in 'Rural-80' classed area, meaning authorities were at least 80% of the population lives in rural settlements or larger market towns had the highest levels of total recycling/composting. WYG wrote in April 2010, 'The top performing authorities achieving recycling/composting levels in excess of 50% tend to collect a significant amount of garden waste.

The collection by York of 6 materials on kerbside, including plastic, is envied by many authorities and contribute significantly to our performance. However, there is a diminishing return in the levels of investment to the marginal increase in recycling collected. In other words, to move beyond our 50% to 52.5% targets will be far more expensive, in marketing, collection and processing than any previous investments, yet will give us lower returns. The PFI, with its mechanical separation front end which removes even more recycling, plus the Anaerobic Digester which produces a 'green' fuel is judged to be more cost effective than trying to push the envelope of recycling which is why this is common practice on the continent.

- (iv) To the Executive Member for Neighbourhood Services, from Cllr Crisp:
“Will the Executive Member agree that changes to non-recycling waste collections in Holgate and Westfield have been an unmitigated disaster for local residents?”

Reply

The changes to collections have been far from a disaster. It is true that some residents have taken a time to adapt to the changes but this is not unusual when changes are made to services.

When the changes were made, all residents were advised of the new arrangements and, for the vast majority, this has not proved to be a problem. There are historical issues with waste collections in some areas and the changes have highlighted these and brought them to a head. The storage of waste in back lanes between collections has been a long standing problem in many areas in York. Fortnightly collections have exacerbated the situation in some places, where waste was being left in lanes for 2 weeks. Fortnightly collections from terraced areas work do perfectly well in most other parts of the city – Clifton for example.

It is important that for Health & Safety reasons (including public safety) we move away from back lane collections. Not only is it inefficient, it is fraught with dangers for our staff and the public. I am sure that Cllr Crisp would not want to expose our staff to unacceptable risks. We always work to the Health & Safety Executive’s guidance for this type of operation.

In recent weeks we have consulted all affected residents in the Holgate & Westfield area and further changes made based on their responses. It is interesting to note that despite the various options offered the majority of residents have continued to use the method proposed by the council in April. Over 200 bins have been delivered to residents who had requested wheeled bins to be used in conjunction with central collection points. On the first collection day less than 30 were presented with the remaining homes continuing to present bags at the front of their properties, as per the changes implemented in April 2010, despite them having the option not to.

The change to alternate week collections has been very successful – recycling in the area has been warmly welcomed and the move to alternate week collections has not proved unpopular. What we are in the final stages of implementing is how, and where, residents in the Leeman Rd area present their waste to us but this has to be done in a way that ensures there is no detriment to the aesthetics of any area in between collections.

- (v) To the Executive Member for Neighbourhood Services, from Cllr Aspden:

“Can the Executive Member give Council an update on the progress with the roll out of the new three box recycling system and also give any indication of the effect of the new system on the amount of recycling collected?”

Reply

The 3 box system is going very well and is on schedule to be completed on time, that is by the 15th October 2010. By that date, we will have delivered 170,000 boxes and lids to nearly 70,000 homes across York. 65,000 of these homes have been recycling for a number of years but the remainder will be receiving recycling for the first time.

The impact has been very good indeed. The streets look a good deal tidier, both before and after collections, and in areas where the boxes are being used there have been no complaints of litter as were experienced previously. Residents have welcomed the boxes and so have the collection crews. It is now easier than ever to participate in our service and our crews find them easier and quicker to use. This is important as we will use the capacity freed up within the service to provide recycling to more homes across the city in the future.

Some residents, particularly the elderly and infirm, have contacted us to say that they find the new boxes difficult to store or move. As part of the project, we are reviewing our Equalities Impact Assessment for this service and have held events with staff and the public. We have identified several solutions and alternatives to the boxes for those residents who find using the service difficult and this is in addition to the assisted collection service we already provide. This has been welcomed by those residents attending the event. It is important that we make our services inclusive to everyone and officers are working hard to ensure this happens.

5 of the six rounds that are now collected using this method were monitored for 5 weeks immediately prior to introduction and 5 weeks afterwards. There has been an increase in recycling although it does vary by round. The highest shows an increase of 3.5% and the lowest 1.8%. The average across all 5 rounds is a 2.7% increase in weight collected. Hopefully that will be replicated as we complete the roll out.

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

"Does the Executive Member believe that the possible redirection of resources from local authority schools to free schools is an unwelcome piece of Government legislation?"

Reply

My views on the need for free schools in York have been made very clear, both in the Press and on Radio York. In short, it is difficult to see how the opening of a free school in York would add value to the education of either children attending it or to the ability of existing schools to continue to make the excellent progress that is so consistently evident. York has an excellent education service with schools that serve their local communities well and is nationally recognised as doing so.

As I understand it, this is not the case in every authority – and it may be that in those areas the provision of a free school is one possible answer. There are also gaps in provision in some very rural areas of the country which may need to be filled.

However, my preference would always be to ensure that every child can access a good or outstanding local school and that local

authorities have the mandate and resources required to ensure that is the case everywhere.

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

"Would the Executive Member please inform the Council about the plans for Local Democracy Week?"

Reply

The cross party Member Development Steering Group, which I chair, has been considering plans for Local Democracy Week alongside other ways of involving more members of the public in the democratic life of the city.

Monday 11th October sees the start of Local Democracy Week across the country. Here in York an interesting programme of events has been planned, which include Meet A Lord Mayor, A Councillor, who me?, Corridors of Power (the history of the Guildhall, then and now) and tours of the Mansion House.

There will also be a Schools Council Meeting in the Council Chamber and newly elected Members of the Youth Council for this session will be welcomed by the Lord Mayor and then meet to decide their campaigning priorities.

Finally I would like to thank all Officers and Members who have contributed to the recent assessment of the Council for Charter Status in Member Development. We do not have a confirmed outcome yet but we are optimistic that it will be positive!

It is by holding events such as those I have mentioned and by ensuring that elected members have plenty of opportunities for their training and development, that we raise the standards of the democratic process and make sure that the next generation of local politicians are encouraged and supported.

- (viii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Cregan:

"Can the Executive Member inform the Council of the response received from Sarah Teather on requesting York to keep some of the playbuilder funding earmarked for claw back?"

Reply

We have still not heard from the Government about the outcome of the review of Playbuilder funding. It is clear that the Government are currently making many difficult decisions about spending as part of the Comprehensive Spending Review, the results of which are due to be announced later this month.

I wrote to Children's Minister Sarah Teather to express my support for the Playbuilder scheme and to ask that the enormous benefits of the scheme be taken into account during the review and to stress the importance of many of the planned sites to their local communities. I have been reassured that the Department of Education are aware of the benefits of Playbuilder and that they will be taking these into account when making a decision.

The financial mess that Labour left means that some difficult decisions will have to be taken and unfortunately some good schemes will lose funding. Once the Government have made their announcement a report will come to an Executive Member Decision Session setting out the consequences of any decision.

- (ix) To the Executive Member for Leisure, Culture & Social Inclusion from Councillor Hogg:
“Can the Executive Member tell Council how visitor numbers for the new York Explore compare with the figures before the refurbishment?”

Reply

Before the refurbishment the library was attracting an average of 8,760 visitors per week. Since the opening of the new York Explore the average number of visitors has risen to 10,500 per week and continues to rise steadily.

During the summer visitor numbers were especially high rising above an average of 11,000 per week. The numbers were boosted by special events over the summer, including the successful Big City Read, which attracted large numbers of visitors to libraries across the city and the children’s reading challenge, Space Hop, in which 530 children took part.

There are also an increasing number of community groups using the Centre - Borders Book Group came over after the closure of the shop. We host a range of reading groups and writers groups and there will be a Craft Club starting this month.

Adult and Community Education classes have now started for the Autumn and we anticipate a further increase to the number of visitors as this develops. We are planning a partnership with the University of York School of Continuing Education to deliver adult learning for family and local history as well as archives, using our collections to support the classes.

- (x) To the Executive Member for Corporate Services, from Cllr Brian Watson:
“Will the Executive member agree to postpone the publication of *Your City* until after the next local elections in order to avoid any allegations of it being used for political propaganda?”

Reply

This administration goes to great pains to make sure ‘Your City’ is apolitical, so it expects there would be no upheld allegation of political propaganda and therefore no reason to stop publishing. There has never been an upheld allegation of that sort before.

This publication is more apolitical than the vast majority of councils, as publications do not carry quotations from councillors or any photographs of any councillors, except for the Lord Mayor, in any of its publications. This is stipulated in the Protocol on Publicity and Media (Constitution Part 5D, section 18), which states:

‘The Council communicates through its own publications as well as through the media. All of the content of Council publications

will abide with Paragraph 12 of the Code of Conduct (see above).

Members will not be featured in photographs for use in publications except in 3 below. Only the Lord Mayor will be actively featured in Council publications (with an overlap of two months when Lord Mayors change to allow for the lead in times in publications).

Simple 'head and shoulders' photographs of Councillors that allow the public to identify them are acceptable, providing they are not linked to any text that in any way promotes the Councillor in question. Factual information, such as contact details, is acceptable.'

Further, paragraph 6.4 of the media protocol states:

'No publicity or press releases issued by the Council will quote the comments of Councillors, although publicity or media releases concerning any decision of the Council will make it clear who was responsible for that decision'.

As a basic principle, the media protocol recognises the need for Council communications in paragraph 2.2, which states:

'The Code notes that, increasingly, local authorities see the task of making the public aware of the services available as an essential part of providing all kinds of services. Good, effective publicity, aimed at improved public awareness of a Council's activities, is to be welcomed.'

Paragraph 12 of the Code of Recommended Practice on Local Authority Publicity (a new version of which is currently being consulted on) states:

'Any publicity describing the council's policies and aims should be as objective as possible, concentrating on facts or explanation or both'.

I believe that 'Your City' achieves the above aims - it is good, effective publicity aimed at improving public awareness of the Council's activities. Should there be any risk of any story being seen as political the Marketing & Communications team would take and abide by the advice of the Head of Legal Services, and they are increasingly cautious in the run up to all elections.

There are two more 'Your City' publications this financial year - one to consult on the budget in December, which I hope that he will agree is important and one to provide feedback in February. 'Your City' is the only method the Council has for that consultation, and it is already budgeted for.

(xi) To the Executive Member for City Strategy, from Cllr Alexander:

"Can you please direct me to where and when 'some Labour Councillors' have made 'contrary claims' to elderly people who are unable to walk to the nearest bus stop, being entitled to £50 worth of travel tokens?"

Reply

First, may I congratulate Cllr Alexander on his pending award for the 'most obscure question of the year'.

I suspect that he is referring to an edition of the Liberal Democrat Focus newsletter – which I can understand is a much appreciated source of factual information for the Councillor – and which I understand indicated that some Labour Councillors had claimed in a leaflet circulated a few weeks ago ‘that travel tokens for the elderly had been abolished altogether’.

Cllr Sue Galloway

LORD MAYOR OF YORK

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