

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 13th December, 2012, starting at 6.35 pm

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

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD

Galvin

CLIFTON WARD

Douglas
King
Scott

DERWENT WARD

DRINGHOUSES & WOODTHORPE WARD

Hodgson
Reid
Semlyen

FISHERGATE WARD

D'Agorne
Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
Watson

HAXBY & WIGGINTON WARD

Cuthbertson
Firth
Richardson

HESLINGTON WARD

Levene

HEWORTH WARD

Boyce
Funnell
Potter

HEWORTH WITHOUT WARD

Ayre

HOLGATE WARD

Alexander
Crisp
Riches

HULL ROAD WARD

Barnes
Fitzpatrick

**HUNTINGTON & NEW
EARSWICK WARD**

Hyman
Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Warters

RURAL WEST YORK WARD

Gillies
Healey
Steward

**SKELTON, RAWCLIFFE &
CLIFTON WITHOUT WARD**

Cunningham-Cross
McIlveen
Watt

STRENSALL WARD

Doughty

WESTFIELD WARD

Jeffries
Burton
Williams

WHELDRAKE WARD

Barton

Apologies for absence were received from Councillors Brooks and Wiseman

46. DECLARATIONS OF INTEREST

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

The following **personal** interest was declared:

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

47. MINUTES

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

48. CIVIC ANNOUNCEMENTS AND LORD MAYOR ELECT

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

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

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

49. PUBLIC PARTICIPATION

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

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

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

50. PETITIONS

Under Standing Order 7, petitions were presented by:

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

Action Required

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

51. **REPORT OF CABINET LEADER AND CABINET RECOMMENDATIONS**

A written report was received from the Cabinet Leader, Cllr James Alexander, on the work of the Cabinet.

A Questions

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

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

The Leader replied:

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

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

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

The Leader replied:

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

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

The Leader replied:

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

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

The Leader replied:

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

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

The Leader replied:

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

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

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

The Leader replied:

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

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

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

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

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

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

Reply:

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

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

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

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

Reply:

Yes

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

Reply:

Yes

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

Reply:
Right.

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

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

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

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

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

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

Reply:

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

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

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

Reply:

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

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

Reply:

Yes

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

Reply:

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

B Cabinet Recommendations

2012/13 Capital Programme Monitor 2

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

[That Council] agree:

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

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

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

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

Council Tax Support Decision Paper

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

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

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

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

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

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

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

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

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

Action Required

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

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

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

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

RESOLVED: That the scrutiny report be received and noted.

53. REPORT OF CABINET MEMBER

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

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

(i) From Cllr Healey:

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

Cabinet Member replied:

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

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

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

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

(ii) From Cllr Orrell:

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

Cabinet Member replied:

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

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

(iii) From Cllr Orrell:

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

Cabinet Member replied:

“Yes.”

(iv) From Cllr Orrell:

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

Cabinet Member replied:

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

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

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

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

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

(v) From Cllr Orrell:

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

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

Cabinet Member replied:

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

(vi) From Cllr Healey:

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

Cabinet Member replied:

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

(vii) From Cllr Healey:

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

Cabinet Member replied:

"330"

(viii) From Cllr Orrell:

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

Cabinet Member replied:

"The monthly figures are as follows:

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

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

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

(ix) From Cllr Orrell:

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

Reply:

The monthly figures are:

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

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

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

(x) From Cllr Ayre:

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

Reply:

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

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

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

(xi) From Cllr Orrell:

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

Reply:

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

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

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

(xii) From Cllr Ayre:

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

Reply:

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

(xiii) From Cllr Ayre:

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

Reply:

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

(xiv) From Cllr Ayre:

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

Reply:

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

(xv) From Cllr Reid:

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

Reply:

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

(xvi) From Cllr Reid:

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

Reply:

The numbers of responses are as follows:

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

(xvii) From Cllr Reid:

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

Reply:

None.

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

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

(xviii) From Cllr Ayre:

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

Reply:

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

54. RECOMMENDATIONS OF THE JOINT STANDARDS COMMITTEE

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

APPOINTMENT OF INDEPENDENT PERSONS

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

DISPENSATIONS

[That Council] agree that agenda papers for meetings record dispensations that had been granted.²

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

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

Action Required

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

55. RECOMMENDATIONS OF THE GAMBLING, LICENSING AND REGULATORY COMMITTEE

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

STATEMENT OF LICENSING POLICY – GAMBLING ACT 2005

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

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

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

Action Required

1. Implement new licensing policy. SW, LC

56. ACTIVITIES OF OUTSIDE BODIES

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

- NHS Foundation Trust - 23 May 2012

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

No questions had been submitted to representatives on outside bodies.

57. NOTICES OF MOTION

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

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

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

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

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

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

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

RESOLVED: That the above motion be approved. ¹.

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

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

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

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

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

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

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

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

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

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

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

Add the following after rejection:

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

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

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

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

RESOLVED: That the original motion be not approved.

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

“City of York Council

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

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

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

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

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

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

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

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

(g) further resolves to

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

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

RESOLVED: That the above motion be approved. ².

(iv) Acomb Team (proposed by Cllr Burton)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RESOLVED: That the original motion be approved.³

Action Required

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

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

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

i) To the Cabinet Leader from Cllr Doughty:

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

Reply:

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

(ii) To the Cabinet Leader from Cllr Doughty:

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

Reply:

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

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

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

(iii) To the Cabinet Leader from Cllr Doughty:

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

Reply:

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

iv) To the Cabinet Leader from Cllr Ayre:

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

Reply:

“See separate attachment.”

(v) To the Cabinet Leader from Cllr Reid:

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

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

Reply:

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

(vi) To the Cabinet Leader from Cllr Reid:

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

Reply:

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

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

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

Reply:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reply:

"See separate attachment."

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

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

Reply:

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

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

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

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

Reply:

“The total number of seats is 2507:

1,160 task chairs (for sitting at desks)

793 for Customer Centre and Meeting Rooms

153 Cafe

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

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

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

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

Reply:

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

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

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

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

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

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

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

Reply:

Pricing history

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

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

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

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

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

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

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

Reply:

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

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

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

Reply:

Complaints Report Sept – Nov 2012

Stage One Response Times

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

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

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

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

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

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

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

Reply:

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

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

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

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

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

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

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

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

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

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

Reply:

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

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

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

Reply:

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

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

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

Reply:

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

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

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

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

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

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

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

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

Reply:

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

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

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

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

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

Reply:

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

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

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

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

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

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

Reply:

“See answer to same question above.”

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

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

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

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

Reply:

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

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

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

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

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

End September 2012 York 4674 (Sub Regional Partnership 17416)

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

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

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

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

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

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

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

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

Reply:

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

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

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

Reply:

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

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

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

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

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

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

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

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

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

Reply:

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

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

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

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

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

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

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

Reply:

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

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

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

Reply:

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

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

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

Reply:

“See separate attachment.”

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

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

Reply:

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

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

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

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

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

Reply:

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

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

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

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

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

Reply:

"Yes."

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

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

Reply:

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

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

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

Reply:

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

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

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

Reply:

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

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

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

The most recent trend data available is for the period between 2010 and 2011. Nitrogen dioxide concentrations at most continuous monitoring sites within the existing AQMAs in 2011 showed no significant change when compared with 2010 levels. The exceptions to this were the monitoring sites at Gillygate and Holgate Road, where annual average concentrations increased by 8µg/m³ and 6µg/m³ respectively. Outside the AQMAs, annual average nitrogen dioxide concentrations appeared to have generally stabilised, with the exception of a few small areas. A new AQMA was declared in the Leeman Road area (covering Salisbury Terrace and the surrounding roads) in April 2012 and further areas of the city centre (Queen St and Rougier St/George Hudson) Street were brought within the AQMA boundary in September 2012. A further comprehensive update will be provided as part of City of York Council's next Air Quality Progress Report, due in April 2013."

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

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

Reply:

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

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

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

Reply:

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

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

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

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

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

Reply:

“See separate attachment.”

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

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

Reply:

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

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

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

Reply:

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

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

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

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

Reply:

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

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

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

Reply:

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

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

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

Reply:

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

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

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

Reply:

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

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

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

Reply:

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

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

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

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

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

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

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

Reply:

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

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

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

Reply:

“See separate attachment.”

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

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

Reply:

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

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

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

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

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

Reply:

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

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

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

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

Reply:

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

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

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

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

Reply:

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

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

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

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

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

Reply:

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

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

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

Reply:

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

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

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

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

Reply:

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

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

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

Reply:

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

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

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

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

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

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

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

Reply:

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

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

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

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

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

Cllr Keith Hyman

LORD MAYOR OF YORK

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