

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 2nd April, 2009, starting at 6.30 pm

Present: The Lord Mayor (Cllr Brian Watson) in the Chair, and the following Councillors:

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

HUNTINGTON & NEW EARSWICK
WARD

Hyman
Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Gillies
Healey
Hudson

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

Moore
Watt
Waudby

STRENSALL WARD

Kirk
Wiseman

WESTFIELD WARD

Steve Galloway
Sue Galloway
Waller

WHELDRAKE WARD

Vassie

75. DECLARATIONS OF INTEREST

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

Cllr Potter declared a personal and prejudicial interest in the urgent motion relating to redundancies at Norwich Union (Minute 80 refers), of which notice had been given just before the meeting, as her daughter was employed by Norwich Union.

Cllr Gillies declared a personal interest in the urgent motion, as his daughter also worked at Norwich Union.

Cllr Morley declared a personal and prejudicial interest in Motion no. (iv) at item 13 on the agenda, relating to the sub-division of homes (Minute 88 refers), as the owner of a property that might be sub-divided.

76. MINUTES

RESOLVED: That the minutes of the Special and Ordinary meetings of Council held on 22 January 2009 and the Budget Council meeting held on 26 February 2009 be approved and signed by the Chair as a correct record of those meetings.

77. CIVIC ANNOUNCEMENTS

The Lord Mayor announced that a portrait of ex-Councillor Ken Cooper, which had been formally presented to the Council by Mr Cooper's widow, Mrs Dolly Cooper, was currently on show in the Council Chamber and would later be put on permanent display in the Mansion House.

The Lord Mayor then drew Members' attention to a plaque received from representatives of the Syrian government during their recent visit to York from Damascus and Palmyra. This was also on show in the Council Chamber.

78. PUBLIC PARTICIPATION

The Lord Mayor announced that three people had registered to speak at the meeting under the Council's Public Participation Scheme. Each was invited to speak for three minutes, in accordance with the rules of the scheme.

Mrs Una Dalton spoke on behalf of herself and other residents of Temple Lane, Copmanthorpe, who used the no.21 bus, in support of the petition to be presented later in the meeting by Cllr Healey. She stated that the discontinuance of this service, scheduled to take place on 24 April, would isolate elderly and infirm residents from access to the doctor, hospital, shops and other major facilities, and would compromise their independence.

Mr Mark Warters spoke in relation to the motion on the Regional Spatial Strategy and green belt land to be moved by Cllr Kirk later in the meeting. He expressed support for the motion but accused the ruling group of hypocrisy in not protecting the green belt when allowing development at Osbaldwick.

Mr Tony Bramley spoke in support of the petition to be presented later in the meeting by Cllr Vassie, seeking the installation of a traffic island on the A19 at Deighton. He explained the difficulties caused to village residents who had to cross this busy and hazardous road and pointed out that residents were asking for an illuminated traffic island, rather than the more costly solution previously rejected by Members.

79. PETITIONS

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

- (i) Cllr Potter, on behalf of York residents calling for the introduction of a 20 mph blanket speed limit throughout the City in residential areas.¹
- (ii) Cllr Potter, on behalf of local residents calling for the completion of the link road between James Street and Heworth Green.²
- (iii) Cllr Potter, on behalf of local residents calling for the cancellation of plans to cut direct services from Heworth to Monks Cross and York College.³
- (iv) Cllr Vassie, on behalf of residents of Deighton calling for a traffic island to be built on the A19 in Deighton.⁴
- (v) Cllr Waller, on behalf of residents of The Reeves seeking closure of snickets in their area.⁵
- (vi) Cllr Waller, on behalf of local residents calling for measures to tackle speed on New Lane.⁶
- (vii) Cllr Healey, on behalf of residents of the Temple Lane area of Copmanthorpe calling for the continued provision of a scheduled bus service for their community.⁷

RESOLVED: That the above petitions be referred to the Executive or appropriate committee.¹⁻⁷

Action Required

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|--|----|
| 1. Refer petition to Executive / appropriate Committee, schedule on Forward Plan and keep appropriate Member updated | SS |
| 2. Refer petition to Executive / appropriate Committee, schedule on Forward Plan and keep appropriate Member updated | SS |
| 3. Refer petition to Executive / appropriate Committee, | SS |

- | | |
|--|----|
| schedule on Forward Plan and keep appropriate Member updated | |
| 4. Refer petition to Executive / appropriate Committee, schedule on Forward Plan and keep appropriate Member updated | SS |
| 5. Refer petition to Executive / appropriate Committee, schedule on Forward Plan and keep appropriate Member updated | SS |
| 6. Refer petition to Executive / appropriate Committee, schedule on Forward Plan and keep appropriate Member updated | SS |
| 7. Refer petition to Executive / appropriate Committee, schedule on Forward Plan and keep appropriate Member updated | SS |

80. URGENT MOTION - JOB LOSSES AT NORWICH UNION

At this point in the meeting, Cllr Gillies moved that Standing Orders 12.1, 12.2, 12.4 and 12.5 be suspended to allow an urgent motion to be put to Council. Cllr D’Agorne seconded this proposal, which when put to the vote was unanimously agreed.

Cllr Waller then moved, and Cllr Scott seconded, that

“Council regrets today’s announcement from Norwich Union (soon to be Aviva) regarding job losses in York by the end of 2009.

Council invites Norwich Union (soon to be Aviva) to meet urgently with the Chief Executive, Group Leaders and Yorkshire Forward to agree plans to mitigate the impact on local communities.”¹

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

RESOLVED: That the above notice of motion be approved.

Action Required

1. Arrange meeting as agreed between NU, Chief Executive and Group Leaders DB

81. REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS - INCLUDING APPROVAL OF THE COUNCIL'S REFRESHED CORPORATE STRATEGY

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

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

(i) From Cllr Scott:

“I welcome the Executive Leader’s commitment to the ‘York Means Business’ campaign. Taking into account that the members of the National Union of Journalists are taking industrial action to preserve jobs at The Press in York, will the Executive Leader agree to instruct the Chief Executive not to issue press releases from this Council to The Press on days which it is known industrial action is taking place at The Press?”

The Executive Leader replied:

“The Council has an agreed protocol on publicity and media, as set out in the Constitution, which would need to be amended in order for what is being requested to happen. There is nothing to stop political parties from taking their own actions on non-issuing of press releases and comment on days when it is known that industrial action is taking place at The Press newspaper.”

In response to a supplementary question asking whether he would invite all Group Leaders to confirm their agreement to such a constitutional amendment, the Executive Leader replied that this would be a matter for debate at Full Council.

(ii) From Cllr Fraser:

“Can the Executive Leader explain why he considers the acquisition of the land secured for the failed Hungate HQ project to have left the Council with a valuable asset for the future, as he was recently quoted in The Press?”

The Executive Leader replied:

“Land holdings are an asset, and having an area of land on which there is already outlying planning permission for a building of 100,000 square feet close to existing Civil Service jobs at King’s Pool is of value to the future economic development of the City.”

The Executive Leader then moved, and Cllr Runciman seconded, the recommendations of the Executive contained in the minutes of the Executive meetings held on 3 February 2009 and 31 March 2009, namely:

a) *Minute 178 – Minutes of Working Groups:*

“That the recommendation in Minute 32 of the Social Inclusion Working Group meeting on 14 January 2009 be approved and that the membership of the Group be increased accordingly, to include two additional non-voting co-opted Members representing the equalities disability strand.”¹

and

b) Minute 214 – The Refresh of the Corporate Strategy

“That Council approve the draft strategy, subject to the above additions.” [as agreed by the Executive and set out in the resolution].²

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

RESOLVED: That the recommendations contained in Minute 178 of the Executive meeting held on 3 February 2009 and Minute 214 of the Executive meeting held on 31 March 2009 be approved.¹⁻²

Action Required

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| 1. Amend the membership on the committee management system | GR |
| 2. Make the agreed changes to the Corporate Strategy before publication and distribution | SA |

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

A written report was received from Cllr John Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council, on 22 January 2009.

83. RE-STRUCTURE OF SCRUTINY AND DECISION MAKING PROCESS

Cllr Galvin moved, and Cllr Wiseman seconded, the following recommendations contained in a report of the Head of Civic, Legal and Democratic Services, presenting the recommendations of the Working Group tasked with making recommendations on the re-structuring of Scrutiny and the Executive Member decision making process:

- “(1) That Council authorises the Monitoring Officer to make the following necessary constitutional changes to be put into operational effect after the Annual meeting in May 2009:
- i) Public monthly individual Executive Member Decision Making Sessions held on Tuesdays (minor timetabling requirements to be agreed with Democratic Services Manager)
 - ii) A public on-line information log for ‘information only’ reports
 - iii) A Scrutiny Management Committee of 10 members on 4:4:1:1 basis, to include one Member from each of the new scrutiny committees and be set up with the functions and delegated powers agreed by Council in January 2009
 - iv) 5 scrutiny Committees of either 8 or 7 members in principle (subject to proportionality details being resolved at Annual

Council in May 2009), to be set up with the functions and delegated powers agreed by Council in January 2009

- v) external expert advisors to scrutiny from local universities (pro bono excluding expenses), subject to further investigation by the Chief Executive

- (2) Council to commission a report to Audit & Governance Committee investigating a corporate approach to handling petitions (including establishing a public on-line corporate register)."

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

"Add the following paragraph to the proposal:

- "(3) *That the Chairs of the scrutiny committees be allocated to the Groups represented on the Council broadly in proportion to their strengths (i.e. SMC Chair - Conservative. Scrutiny Committees - 2 Labour Chairs, 2 LibDem Chairs and 1 Green Chair) Detailed allocation of the scrutiny committee chairs to be subject to further discussion between the Groups prior to the Council's Annual Meeting.*"

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

Cllr Scott then moved, and Cllr Potter, seconded, the following amendment to the above motion:

"In paragraph (1), sub-paragraph iii., delete '10' and substitute '8' and delete '4:4:1:1' and substitute '3:3:1:1'.

Insert an additional sub-paragraph, as follows:

'vi. That the Chairs of all Scrutiny Committees must be from members of main Opposition parties and in a proportion to be agreed between the parties.'"

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

The motion, as amended, now read as follows:

"(1) *That Council authorises the Monitoring Officer to make the following necessary constitutional changes to be put into operational effect after the Annual meeting in May 2009:*¹

- i) *Public monthly individual Executive Member Decision Making Sessions held on Tuesdays (minor timetabling requirements to be agreed with Democratic Services Manager)*
- ii) *A public on-line information log for 'information only' reports*
- iii) *A Scrutiny Management Committee of 8 members on 3:3:1:1 basis, to include one Member from each of the new scrutiny committees and be set up with the functions and delegated powers agreed by Council in January 2009*

- iv) *5 scrutiny Committees of either 8 or 7 members in principle (subject to proportionality details being resolved at Annual Council in May 2009), to be set up with the functions and delegated powers agreed by Council in January 2009*
 - v) *external expert advisors to scrutiny from local universities (pro bono excluding expenses), subject to further investigation by the Chief Executive*
 - vi) *That the Chairs of all Scrutiny Committees must be from members of main Opposition parties and in a proportion to be agreed between the parties*
- (2) *Council to commission a report to Audit & Governance Committee investigating a corporate approach to handling petitions (including establishing a public on-line corporate register)."*²

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

RESOLVED: That the recommendations, as amended, be approved.¹⁻²

Action Required

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| 1. Make the agreed changes to the Constitution | GR |
| 2. Prepare report for Audit & Governance Committee | GR |

84. ESTABLISHMENT OF A MEMBER DEVELOPMENT STEERING GROUP

Cllr Waller moved, and Cllr Runciman seconded, the following recommendations contained in a report of the Head of Civic, Legal and Democratic Services, at page 61 of the Council papers, concerning the establishment of a Member Development Steering Group:

- “(i) Council establishes on its structure a Member Development Steering Group on a 1:1:1 basis and appoints to it those nominees received from Party Groups.
- (ii) Council approves the terms of reference for the Group annexed to this report.”

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

RESOLVED: That the recommendations be approved.¹

Action Required

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| 1. Add Member Development Steering Group to the structure on the committee management system | GR |
|--|----|

85. REPORT OF EXECUTIVE MEMBER

A written report was received from Cllr Runciman, the Executive Member for Learning and Children's Services.

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

(i) From Cllr Waudby:

"I understand that York's Children and Young People's Plan was launched yesterday; can the Executive Member for Children and Young People explain to Council what will happen to it next and how it will improve the lives of children and young people in the City?"

The Executive Member replied:

"The City of York Children and Young People's Plan is the product of widespread consultation, analysis and debate. It summarises in a very user friendly format the issues which matter for the children of York and it will be used to ensure that all our partner agencies are working towards achieving the key improvement priorities that the plan describes. The YorOK Board will receive regular monitoring reports on their 'scorecard' of issues that matter most from the plan. The YorOK Board is well placed to ensure that action is taken across partners when progress is not being made.

Everyone will be working together to improve the lives of York's children and to ensure all agencies make a difference to outcomes for our children and young people."

(ii) From Cllr Merrett:

"With regard to the new Children & Young People's Plan, and her comments about the Looked after children audit, would the Executive Member for Children Services accept that the reduced target N101 (s) of only 1 in 15 and only 1 in 10 children in care achieving 5 A* - C GCSE's (or equivalent) including English & maths at KS4 for the next two years, against 2 out of 13 this year, indicates a failure of both ambition and delivery of learning by the Council for the children we are corporate parents to, and will she agree that we should be setting an ambitious improving target for this?"

The Executive Member replied:

"The education of our looked after children has never been a greater priority. The figures quoted are simply based on a national requirement to track the expected outcomes of children already in the looked after system, as provided by the Fisher Family Trust. Our aspirations for the looked after population are so much greater than that and as the excellent new Children and Young People's Plan says, 'we aspire for every child and young person in York to have the chance to reach their full potential and live their dreams. We will stretch the most able, support those who start at a disadvantage and protect and nurture the most vulnerable.'

However, it is important to recognise that, for many young people, looked after children included, the government's measure of success as 5 A to Cs is not appropriate – their achievements in vocational and applied learning need to be acknowledged. In addition, as I know from my own discussions with those involved, no child should be written off just because they do not achieve 5A* to C at 16 – many gain qualifications as they get older and go on to successful careers as a result.”*

In response to a supplementary question from Cllr Merrett, asking why no target had been set for other qualifications, as discussed at the Executive Member and Advisory Panel meeting, the Executive Member replied that, although she agreed that other qualifications were equally important, the Council had to work towards the targets set by government.

(iii) From Cllr Merrett:

“With regard to the Executive Member for Children Services comments on safeguarding, what are her reactions to the Laming report, and is she that the City of York's systems, including the CAF arrangements, and child social work staffing levels, would prevent major failures such as have recently been highlighted in a number of other authorities?”

The Executive Member replied:

“The Laming report highlights that the changes he proposed following his enquiry into the death of Victoria Climbié are still the right direction of travel. His latest report justifiably challenges the consistency of full implementation of his recommendations.

In York he would find much to be reassured about - as previous inspection and assessments have consistently demonstrated. One can never say that child deaths will be fully prevented – York is faced with the same challenges all authorities face – but what we can say is that we have the systems and quality of staff in place which reduce the likelihood of such sad events occurring in this city.”

(iv) From Cllr Aspden:

“Can the Executive Member of Children and Young People give Council an update on the number of exclusions from schools in the City and why has a fall taken place?”

The Executive Member replied:

“We have seen a very positive reduction in the exclusion figures of children from our schools. There has been a 50% reduction in use of exclusions. Secondary fixed term exclusions have halved, from 434 to 213, compared with the same period last year with only 1 permanent exclusion compared with 12 for the same term. It is a similar picture in Primary Schools, with fixed term reducing from 79 to 40 and no permanent exclusions.

This has been achieved by a considerable amount of hard work between schools and our specialist support services to ensure that as far as possible children receive sanctions within their mainstream school rather than be excluded from that school.”

- (v) From Cllr Fraser:
“With regard to Early Intervention, and the YorOK partnership, does the Executive Member for Children Services agree with the recommendation that there should be general practitioner representation on the trust, and is she satisfied that general practitioners are adequately involved and engaged in early intervention and prevention work?”

The Executive Member replied:

“GPs can and do play an incredibly important role in ensuring that universal provision for children and young people responds positively to individual need. I agree that to date the ability to engage representation of GPs on the YorOK Board has been unsuccessful but we still remain keen to find with the support of the PCT mechanisms to address this.”

- (vi) From Cllr Orrell:
“How many schools in York have been awarded outstanding grades by OFSTED and how does this distribution compare to the national distribution?”

The Executive Member replied:

“We now have 13 of our schools judged outstanding which is approximately 20% of local schools and the highest ever number and percentage in the city. This compares with around 14% of school judged as outstanding nationally. All schools and their staff teams deserve our congratulations for the hard work that has gone into attaining such high standards, and the contributions of the central teams that support them is also a very significant factor in this achievement.”

- (vii) From Cllr Merrett:
“With regard to her comments regarding the new school build programme, would the Executive Member for Children Services confirm how much of this programme has been funded by the Government and how much from local funds, and would she also indicate the cumulative capital investment in York schools since 1997 as against 1979 – 1997?”

The Executive Member replied:

“The current approved Children’s Services capital programme covering the years 2008/09 to 2010/11 totals £85.3m. Of this total, £75.8m is expected to be funded by central government and £9.5m from local funds.

From 1997/98 to 2010/11 the cumulative capital investment in Children’s Services in York is estimated at £163.4m. As the City of York unitary authority only came in to existence in April 1996 we do not hold details for the level of investment prior to this date. However, I can tell you that in 1996/97 annual capital investment in Children’s Services in York totalled £1.4m and this compares to an annual figure of £33.8m for 2008/09.”

In response to a supplementary question from Cllr Merrett, asking whether she agreed that those figures demonstrated the Labour government's commitment to investment, as compared to that of the previous Conservative government, the Executive Member replied that extra funding was always welcome. However, it did not always guarantee success and in fact much of the success achieved was due to the local Liberal Democrat administration.

(viii) From Cllr R Watson:

"I understand the Executive Member met with the Chief Executive of the Schools' Food Trust earlier this week. Could the Executive Member please give Council an update on how the meeting went and how the Schools' Fund Trust plan to work with local schools in the future?"

The Executive Member replied:

"The meeting went well and the Chief Executive of the School Food Trust was pleased to hear that meals in York schools already reach the required nutritional standards. She met the head teachers of the two federated schools that are about to be rebuilt to talk to them about the space and facilities needed to provide hot meals and good food service in modern schools. We discussed the need for "real" cooking and how to overcome heavily promoted advertising about non health food options. The new schools will need to have equipment that cooks like to use and which works well and the visit has helped to guide our thinking on this subject. She praised the use of the Danesgate kitchens for Food Excellence and Skills Training which has enabled staff to achieve appropriate qualifications."

(ix) From Cllr Alexander:

"With regard to her comments regarding consulting young people, would the Executive Member for Children Services advise where the much hoped for central My Place scheme & stage 2 bid has got to, and how children and young people are continuing to be involved in its progression?"

The Executive Member replied:

"Work to prepare for the submission of a "round 2" myplace bid is continuing. The government's timetable for submitting such bids appears to have slipped from the original published date of "spring 2009" to a new date of "later this year". This has us enabled us to continue discussions about an ambitious scheme based around the Railway Institute buildings, as well as to explore other options. We also continue to benefit from the services of Mr Phil Bixby, a local community architect, who has held a number of consultation meetings with young people to ensure their involvement and commitment, including the possibility of establishing a short-term city centre youth cafe as an interim step."

The time limit on this item having expired, Members agreed to receive written responses to the remaining questions, which are reproduced below together with the written replies:

(x) From Cllr Alexander:

“With regard to School's Councils and the schools conference, would the Executive Member for Children Services advise how she is responding to the request for a Youth parliament?”

Reply:

“The new Children and Young People's Plan 2009-2012 published yesterday includes a firm commitment to establish a Youth Council in York linked to involvement with the UK Youth Parliament. A number of possible options for achieving this were discussed at the last Young People's Working Group, and work is continuing to refine these possibilities and to identify the resources necessary to support them. I will bring forward more definite proposals in the near future.”

(xi) From Cllr Funnell:

“With regard to her comments regarding healthy schools school meals, would the Executive Member for Children Services indicate the current take up of school meals in primaries and secondaries compared to five years ago?”

Reply:

“In the period 2004/5 to 2008/09 take-up of school meals fell from 32.7% to 31.3% in primary schools and from 30.4% to 27.7% in secondary schools.

We are currently undertaking a marketing pilot sponsored by the School Food Trust which, although only half way through its 19 week timetable is showing a higher uptake of approx 5% overall in both. The pilot began in February and runs until April. Full findings will be published by School Food Trust in July.”

(xii) From Cllr Looker:

“With regard to the Joseph Rowntree school, would the Executive Member for Children Services advise where the original proposal for a windmill to help power the school and to achieve the BREAAAM excellent rating has got to?”

Reply:

“The installation of a wind turbine on the Joseph Rowntree School site was considered in the early stages of the project. This was omitted due to lack of funding and with advice from the Planning Department to submit a separate planning application at the end of the school building project for the wind turbine. If funding is available at the end of the project it will be a priority of the Project Board to use it to fund and invest in green technology, such as a wind turbine.

The Project Board feel that this will be a way of moving closer towards achieving a carbon neutral school. A feasibility study has been commissioned to establish the costs and benefits for the installation of a wind turbine, and the best position on the school site.

The BREEAM rating for the project will be "very good" although there are benefits for all to achieve a higher rating if possible."

86. ACTIVITIES OF OUTSIDE BODIES

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

- North Yorkshire Fire & Rescue Authority - Meeting on 11 February 2009
- Police Authority - Meetings on 8 December 2008 and 9 February 2009
- Without Walls Partnership - Meeting on 19 February 2009
- Yorkshire and the Humber Assembly - Meeting on 12 February 2008

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

87. APPOINTMENTS AND CHANGES TO MEMBERSHIP

It was noted that the appointments to the Golden Triangle Partnership Board would be removed from the list, as they did not require the approval of Council.

RESOLVED: That the appointments and changes to membership of committees, working groups, partnership and outside bodies set out on the revised list circulated around the Council Chamber (and attached as an Annex to these minutes) be approved. ¹

Action Required

1. Make the agreed changes to the membership record GR

88. NOTICES OF MOTION

(i) Regional Spatial Strategy

A notice of motion had been submitted by Cllr Kirk in the following terms:

"Council views with concern the recent government advice to the Yorkshire and Humber Region that there should be a further increase in land allocations for house building over the next 20 years. Council reasserts its view that even the current Regional Spatial Strategy (RSS) assumption (providing for 850 additional homes per year) will be difficult to achieve without having an adverse impact on the City's setting, its built and natural environment, and that these numbers will place even further pressures on the City's transport, education, health and leisure infrastructure.

Council therefore advises the Executive to endorse the recommendations of the Local Development Framework Working Group to defend land previously identified as draft green belt from the option of building thousands of new homes in the period up to 2030.”

Cllr Kirk now sought leave to alter the above motion, to read as follows:

“Council views with concern the recent government advice to the Yorkshire and Humber Region that there should be a further increase in land allocations for house building over the next 20 years. Council reasserts its view that even the current Regional Spatial Strategy (RSS) assumption (providing for 850 additional homes per year) will be difficult to achieve without having an adverse impact on the City's setting, its built and natural environment, and that these numbers will place even further pressures on the City's transport, education, health and leisure infrastructure.

Council therefore advises the Executive to **take account of** the recommendations of the Local Development Framework Working Group to defend land previously identified as draft green belt from the option of building thousands of new homes in the period up to 2030.”¹

Council having agreed to that alteration, Cllr Kirk moved, and Cllr Orrell seconded, the motion as altered.

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

“In the first paragraph:

- delete the words *‘views with concern’* in the first sentence and substitute *‘notes’*
- delete the whole of the second sentence and substitute *‘This is welcomed in the City of York Council area due to the Fordhams Strategic Housing Market Assessment formal calculation of housing need which shows an overall need for 1,218 new affordable dwellings per annum.’*

In the second paragraph:

- delete the words *‘to endorse’* in the first line and substitute *‘that’*
- delete all after *‘Local Development Framework Working Group to’* and insert *‘deem possible sites in the draft green belt as unsuitable for housing is premature as it prevents a fully informed debate by York Residents on all of the options available to the Council that could meet the future housing needs of York people.’*”

In accordance with Standing Order 15.2.1, a named vote of those Members present was requested and put on the above amendment, with the following result:

For	Against	Abstained
Cllr Alexander	Cllr Aspden	
Cllr Blanchard	Cllr Ayre	
Cllr Bowgett	Cllr Brooks	
Cllr Cregan	Cllr D'Agorne	
Cllr Crisp	Cllr Firth	
Cllr Douglas	Cllr Sue Galloway	
Cllr Fraser	Cllr Steve Galloway	
Cllr Funnell	Cllr Galvin	
Cllr Gunnell	Cllr Gillies	
Cllr Horton	Cllr Healey	
Cllr King	Cllr Hogg	
Cllr Looker	Cllr Holvey	
Cllr Merrett	Cllr Hudson	
Cllr Pierce	Cllr Hyman	
Cllr Potter	Cllr Jamieson-Ball	
Cllr Scott	Cllr Kirk	
Cllr Simpson-Laing	Cllr Moore	
Cllr B Watson (Lord Mayor)	Cllr Morley	
	Cllr Orrell	
	Cllr Reid	
	Cllr Runciman	
	Cllr Sunderland	
	Cllr Taylor	
	Cllr Vassie	
	Cllr Waller	
	Cllr R Watson	
	Cllr Watt	
	Cllr Waudby	
	Cllr Wiseman	
18	29	0

In accordance with this vote, the amendment was declared LOST.

A named vote was then requested and put on the original (altered) motion, with the following result:

For	Against	Abstained
Cllr Aspden	Cllr Alexander	Cllr D'Agorne
Cllr Ayre	Cllr Blanchard	
Cllr Brooks	Cllr Bowgett	
Cllr Firth	Cllr Cregan	
Cllr Sue Galloway	Cllr Crisp	
Cllr Steve Galloway	Cllr Douglas	
Cllr Galvin	Cllr Fraser	
Cllr Gillies	Cllr Funnell	
Cllr Healey	Cllr Gunnell	
Cllr Hogg	Cllr Horton	
Cllr Holvey	Cllr King	

Cllr Hudson	Cllr Looker	
Cllr Hyman	Cllr Merrett	
Cllr Jamieson-Ball	Cllr Pierce	
Cllr Kirk	Cllr Potter	
Cllr Moore	Cllr Scott	
Cllr Morley	Cllr Simpson-Laing	
Cllr Orrell	Cllr Taylor	
Cllr Reid	Cllr B Watson (Lord Mayor)	
Cllr Runciman		
Cllr Sunderland		
Cllr Vassie		
Cllr Waller		
Cllr R Watson		
Cllr Watt		
Cllr Waudby		
Cllr Wiseman		
27	19	1

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

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

(ii) Local Bus Fares and Services

A notice of motion had been submitted by Cllr Kirk in the following terms:

“This Council notes:

- that the cost of First York bus fares has increased 8 times over the past 6 years;
- that the cost of tickets has increased over this period between 25% and 100%;
- that increased prices are a major factor in the decrease in the number of paying passengers;
- that there is an inconsistency of bus services in rural areas;
- with great regret the recent announced bus service cuts.

Council requests the City of York Council’s Executive to make an application to take up the available powers to impose a Quality Contract scheme as set out in Section 124 of the Transport Act 2000, as amended by the Local Transport Act 2008, with a view to exercising control over the maximum fares, frequency and timing of local bus services with a view to addressing the above problems and achieving a more satisfactory and effective local public transport service.”

Cllr Alexander now sought leave to alter the above motion to read as follows:

“This Council notes:

- that the cost of First York bus fares has increased 8 times over the past 6 years;
- that the cost of tickets has increased over this period between 25% and 100%;
- that increased prices are a major factor in the decrease in the number of paying passengers;
- that there is an inconsistency of bus services in rural areas;
- with great regret the recent announced bus service cuts.

Council requests the City of York Council’s Executive to make an application to take up the available powers to impose a Quality Contract scheme as set out in Section 124 of the Transport Act 2000, as amended by the Local Transport Act 2008, with a view to exercising control over the maximum fares, frequency and timing of local bus services with a view to addressing the above problems and achieving a more satisfactory and effective local public transport service.²

The City of York Council also requests that the Chief Executive makes a submission to the Office of Fair Trading market study regarding the experience in York of the extent of competition that currently exists between bus operators, the impact this has on fares, falling standards and subsidies by the Council to bus operators.”³

Council having consented to that alteration, Cllr Alexander then moved, and Cllr Potter seconded, the motion as altered.

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

“Delete all from “Council requests” in the second paragraph to the end of the motion and insert:

‘Council notes with regret the recent threat to several evening bus services in the City, and endorses the successful action initiated by the Executive Member for City Strategy in finding alternatives to the proposed cuts.

Council looks forward to the time when government will return to Local Authorities powers which will allow them to have real influence on bus fares, routings, and frequencies for the benefit of residents.

In the meantime, Council invites the Executive to consider the powers, including any contained in the Transport Act 2008, which might allow the Authority to successfully resist any further reduction in the public transport system in the City.’”

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

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

RESOLVED: That the above notice of motion, as altered, be approved.²⁻³

The guillotine fell at 10:00 pm. All the remaining business requiring a vote was moved, seconded and voted upon without debate.

(iii) Traffic Arrangements at York Railway Station

It was moved by Cllr Wiseman and seconded by Cllr Brooks that:

“Council believes that the traffic layout, signposting and related infrastructure at York Railway Station concerning the entrance/exit to the short-stay car park, the gyratory known as ‘Tearoom Square’, and the entrance/exit onto Station Road are confused, congested and therefore cause difficulties for all road-users attempting to negotiate this area. The Council moves to request the Executive to investigate in detail the issues related to his area, with a view to improving the access and traffic flow in and out of this part of the station.”⁴

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

“After the first sentence, insert: *‘Council further notes that proposals to close off pedestrian access from the short stay car park to the railway platform (as part of the station barrier scheme will increase pedestrian flows through Tea Room Square and could increase ‘dropping off’ vehicle manoeuvres in Tea Room Square, adding to congestion.’*”

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

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

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

(iv) Sub-Division and Amalgamation of Homes

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

“This Council believes that the both the sub-division and amalgamation of homes should be regulated to reduce the harm they can cause to the City's housing stock and neighbouring residents.

This Council believes that the sub-division of homes should be stopped due to its detrimental effect on the City's housing stock. Council calls upon the Director of City Strategy to bring forward a Supplementary Planning Document (SPD) on the ‘Sub - Division of Terraced and Semi Detached’ properties in the City of York Council area.⁵

The SPD should address:

- the impact sub-division has on starter and family homes in the City, including their supply and affordability

- the housing needs of the City as set out in the 2007 City of York Council Strategic Housing Market Assessment and
- should clearly state minimum floor space, as practiced in a number of other Local Authorities..

The drafting of the SPD should take place as a matter of urgency so that it can be adopted during September 2009.

Council also requests that the Chief Executive write to the Secretary for State to request that Government brings under planning control the conversion of two dwelling houses into one as the longstanding exemption contributes to the loss of 'more affordable' terraced houses particularly in conservation areas and York's rural fringe.”⁶

Cllr Reid then moved, and Cllr Moore seconded, the following amendment to the above motion:

“In the second paragraph:

- delete *‘stopped due to its detrimental effect on’* and substitute *‘reviewed to determine the effect on’*
- delete *‘Sub-division of Terraced and Semi Detached’* and substitute *‘all types of residential’.*”

In the third paragraph:

- delete the third bullet point and substitute *‘should clearly state the need for minimum floor space standards, as practiced in a number of other Local Authorities’*
- delete *‘September 2009’* and substitute *‘autumn 2009 following the appropriate consultation.’*”

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

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

RESOLVED: That the above notice of motion be approved.⁵⁻⁶

(v) **Local Bus Services**

Leave was sought and granted to withdraw the notice of motion submitted by Cllr Holvey in relation to local bus services.

Action Required

- | | |
|---|----|
| 1. Ensure that Council's decision is referred to in the report to Executive on this issue | SS |
| 2. Bring report to Executive seeking authority to make a formal application under s124, Transport Act | SS |
| 3. Write to the Office of Fair Trading in those terms | DB |
| 4. Bring report to Executive seeking authority to investigate these issues | SS |
| 5. Prepare an SPD as agreed , with a view to adoption in September 2009 | SS |
| 6. Write to the Secretary of State in those terms | DB |

89. QUESTIONS TO THE EXECUTIVE LEADER AND EXECUTIVE MEMBERS RECEIVED UNDER STANDING ORDER 11.3

Six questions had been submitted to the Executive Leader and Executive Members under Standing Order 11.3. The guillotine having fallen, Members agreed to receive written responses to these questions. The questions and the written responses are set out below:

- (i) To the Executive Leader, from Cllr Watt
“Following last year's petition from the residents seeking council action to address Anti-Social Behaviour in the Rawcliffe Grange area, a Safer York Partnership Multi-Agency Working Group (WG) was convened to address the concerns raised by the petition. The Executive Leader is requested to advise the Council:
- a) which of the WG's recommendations have been implemented;
 - b) which WG recommendations is it intended to implement;
 - c) which of the recommendations the Executive does not intend to follow up and why each of these recommendations is not being pursued?”

Reply:

The working group has implemented the extension of an Alcohol Exclusion Zone. SYP have funded three months targeted detached youth work to engage with the young people in the area. Neighbourhood policing patrols were increased and action taken where possible. Target hardening funds for 50% of the value of a range of physical works was allocated to the area.

The erection of two kissing gates to the access paths to prevent motorcycle access, and raised height fencing to the play areas with a lockable gate to the play park to prevent youths gathering at night, are yet to be implemented. Such works are subject to funding being obtained and consent from the land owners.

There are no further recommendations to implement other than those already outlined above, which as I have already said, are subject to funding and land owner consent.

- (ii) To the Executive Leader, from Cllr Holvey
“Local democracy is helped by a local press, and York benefits from two local newspapers and two locally based radio stations. However, across the country local media outlets are suffering from budget pressures, job losses and other reductions in capacity which are also affecting the City of York. Would the Leader agree that a properly funded and staffed local run newspaper, like "The Press" is vital to local democracy?”

Reply:

There is no doubt that Local news is going through a difficult time, advertising revenues are falling and the recession is hitting hard resulting in significant job losses. I recognise the importance of local

journalism and the commitment of 'The Press's staff and NUJ to maintain a newspaper in the City. I have met with the management earlier in the year to discuss the situation and recognise the pressure that they are under from the American parent company owners.

Many residents rely on the local newspaper for local news, to hear about local events, and to keep connected as a community. The local paper is a vital source of information and a key link to the local area.

Even politicians who have been at times been exasperated by some of the articles written by the newspaper recognise the broader view that local newspapers play a vital role in scrutinising and reporting the work of the council and local elected representatives, holding public authorities to account and campaigning on behalf of local residents, all of which, in a time of economic uncertainty, are more important than ever."

- (iii) To the Executive Member for City Strategy, from Cllr Sunderland
What action has been taken to safeguard the evening bus services which First plan to cut with effect from the end of April?"

Reply:

"Discussions took place immediately and I am happy to confirm that:

(i) *The number 10 evening bus service from Poppleton to Stamford Bridge via Acomb and Dunnington will be taken over by Pullman as a, self funding, commercial service.*

(ii) *The number 13 evening service will be supplemented by the diversion of the Coastliner number 843 service into Copmanthorpe. This will also be at no cost to the Council*

.At the time of writing negotiations are still taking place regarding the future of the evening number 12 service which links the City Centre to Haxby. I am confident that we will be able to sustain the service although in this case the replacement may be subject to tender and possible subsidy."

- (iv) To the Executive Member for City Strategy, from Cllr Firth
"What opportunities will residents have to influence the LDF core strategy and land allocations over the next few months?"

Reply:

"Subject to Member approval, the Preferred Options draft of the Core Strategy should be available for public consultation in late May. Consultation will run for at least 6 weeks.

In addition we are currently working on a site specific development plan document (the Allocations DPD) this is likely to be available for public consultation in the Autumn. I have agreed that consultation on this important document will involve a door to door distribution of consultation information."

- (v) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Morley
"Can the Executive Member give Council an update on the performance of the City's libraries?"

Reply:

“The last year has been a really successful one for York library service. We have more people using our services - engaging with thousands of children and adults across the city. Key points include:

- National year of reading our campaign was the most successful in the country, as we achieved the biggest increase in people joining up to the library: during the NYR (April to Dec 08) we signed up 14,453 people, which was a increase of 57% on the same period in the previous year. We now plan to work hard to ensure these new members become regular library users.*
- Explore Acomb library learning centre visits have more than doubled - average daily visits up from 180 to 435 and still growing; in it's first year we signed up 2,600 new members (diverse ages and backgrounds - postcode mapping); we've saved 20.7 tonnes of carbon by using 26 tonnes of wood pellets (saving equivalent to 16 return flights to New York)*
- Explore New Earswick library learning centre both issues and visits are now up by 50% on the old library (and still growing as word spreads)*
- Summer reading challenge we signed up 3,527 children which was equivalent to 1 in 5 children in York*
- Big city read - we gave away 2,200 copies of The Railway Children and created a real buzz around reading in the city. Our work has been recognised as good practice nationally and we have had lots of requests on how we did it. Our plans for this summer's big city read are even more ambitious.*
- We have moved from 63rd nationally in 03/04 for issues at our busiest library to 18th in 07/08 - demonstrating real improvement over the last 5 years. The biggest increase can be seen in adult fiction paperbacks and children's books*
- The smart meter library scheme is proving a huge success with 600 people having borrowed smart meters between the start of January and the end of February, and 150 people still on the waiting list. Over 20 local authorities have approached the council with a view to copying this initiative, among them South Gloucestershire County Council and Bristol City Council who have both formally decided to launch smart meter lending schemes of their own.*

We plan to continue and build on that improvement in the 3 years - achieving 1 million visitors at our new York explore library learning centre.”

(vi) To the Executive Member for Neighbourhood Services, from Cllr Jamieson-Ball

“Could the Executive Member tell Council what action has been taken to ensure activities at Elvington Airfield have minimal impact on local residents?”

Reply:

“When the MoD sold Elvington Airfield in 2000, the new owners were made aware that planning permission would be required for any outdoor sports and recreation uses that occurred for more than 28 days

per year. Despite this the new owners soon introduced Formula 1 testing and other noisy motor sports events, without planning permission or consulting City of York Council (CYC) or local residents. The council's environmental protection unit (EPU) tried unsuccessfully to work with the new owners.

In response to complaints from local residents, EPU monitored the noise and found that there was a statutory noise nuisance due to the cumulative, total noise impact of Formula 1 and other motor sports and the frequency of all of these events.

A simple noise abatement notice was served in March 2005, together with advice to stop Formula 1 testing, reduce the number of other noisy events and notify residents when these would happen and also provide respite to local residents. The airfield owners appealed against the notice but admitted at the appeal that a statutory noise nuisance existed. The judge varied the notice to restrict Formula 1 to 10 days a year, to restrict other activities and to provide 2 quiet weekends a month.

The airfield owners not only appealed this decision but also intensified the use of the airfield and the noise nuisance to local residents, increasing Formula 1 testing to 21 occasions in 2007. The second appeal was heard at York Crown Court in May 2008 and was dismissed.

The judge said residents should have a period of respite from noise as had endured noise for so long. He banned any Formula 1 testing as even a single event could be a statutory nuisance and also said there should be at least 2 quiet weekends per month and that other noisy activities should be reduced.

100% of the council's costs of £127,000 were awarded to the council, together with 75% of our costs from the previous appeal.

In July 2008 Elvington Airfield appealed the judge's decision and asked to state their case before the High Court. The case will be heard at Leeds Combined Court later this year.

Our Environmental Protection Unit has been very proactive and have supported residents in their concerns about excessive noise and the Courts have so far supported the view that there is a statutory noise nuisance. EPU continue to respond to complaints from the public and monitor noise from events at the airfield.

The owners of the airfield have been informed that the abatement notice is in force (pending the outcome of their High Court Appeal) and that any breach of the notice may result in a prosecution."

Cllr Brian Watson

LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 10.07 pm]