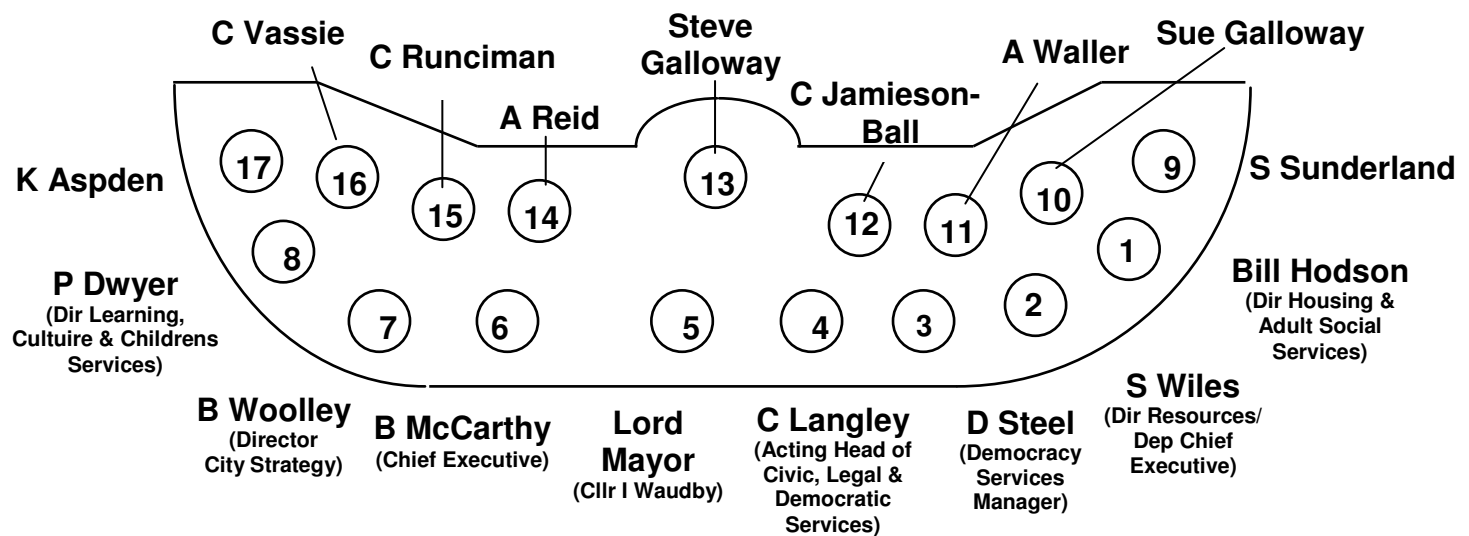
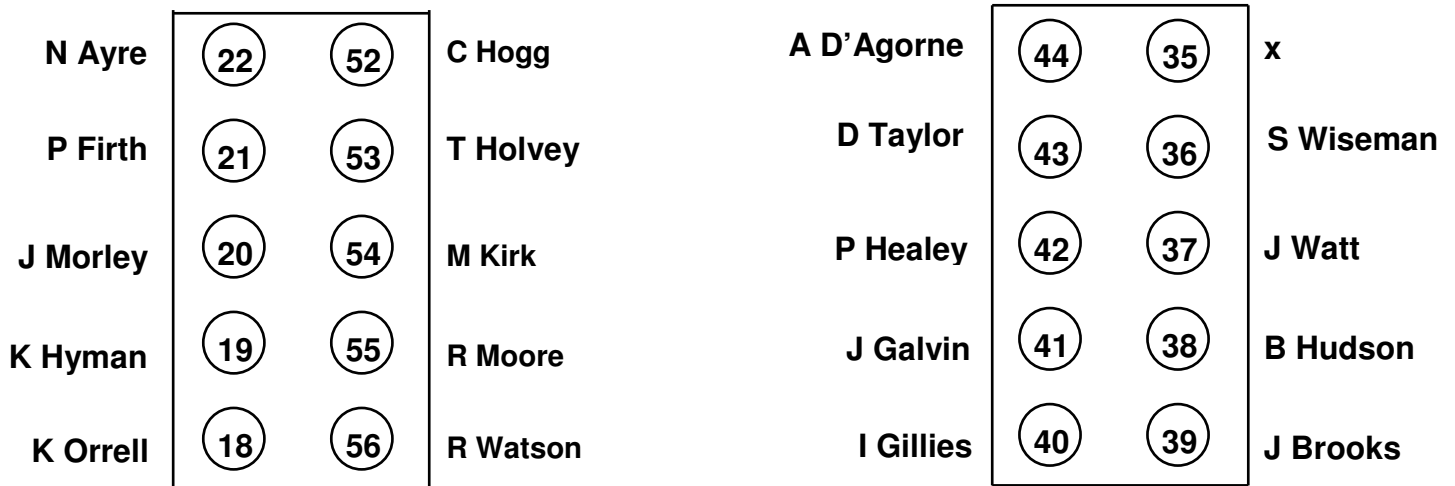
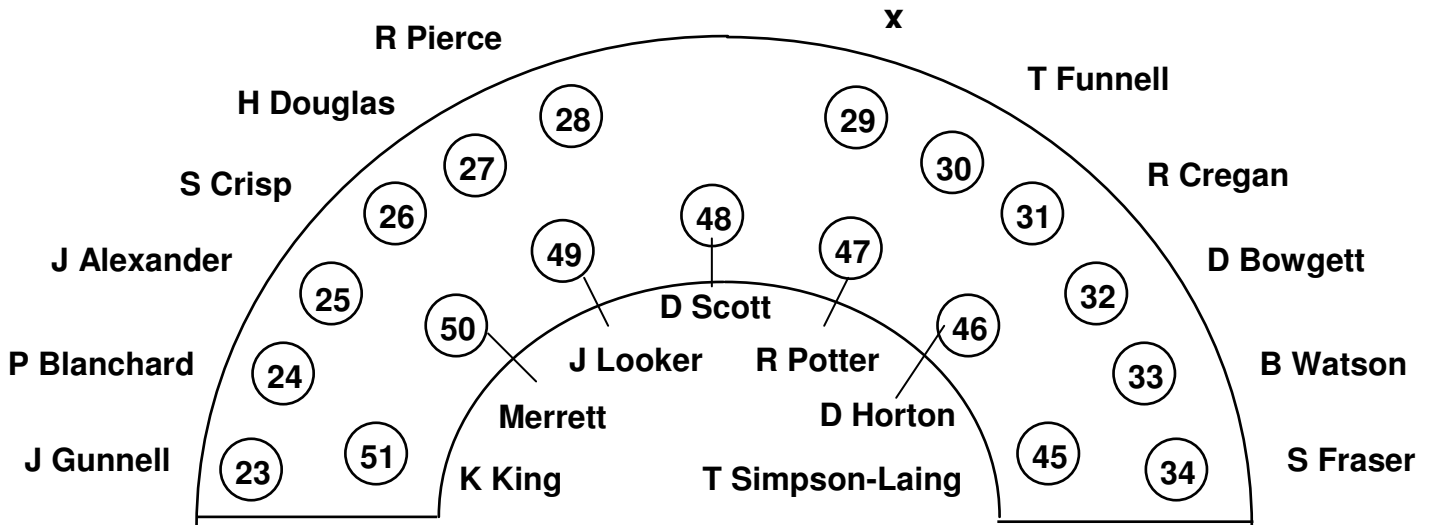


CITY OF YORK COUNCIL SUMMONS

All Councillors, relevant Council Officers and other interested parties and residents are formally invited to attend a meeting of the **City of York Council** at the **Guildhall, York**, to consider the business contained in this agenda on the following date and time:

Thursday, 24 January 2008 at 6.30 pm

COUNCIL CHAMBER PLAN



A G E N D A

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Minutes (Pages 1 - 20)

To approve and sign the minutes of the Special and Ordinary meetings of Council held on 29 November 2007.

3. Civic Announcements

To consider any announcements made by the Lord Mayor in respect of Civic business, including:

A Announcement of Lord Mayor Elect

To announce the Lord Mayor for the 2008/09 Municipal Year

B Appointment of Honorary Recorder

To consider the appointment of Judge Stephen Ashurst, Resident Judge at York Crown Court, as the Honorary Recorder for City of York Council.

4. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the remit of Council may do so. Anyone who wishes to register, or requires further information, is requested to contact the Democracy Officer for this meeting. Contact details are listed at the foot of this agenda. The deadline for registering is **5:00pm on Wednesday, 23 January 2008.**

5. Petitions

To consider any petitions received from Members in accordance with Standing Order No.7. To date, notice has been received of petitions to be presented by:

- (i) Councillor Bowgett, on behalf of residents of Howe Hill Road and Poppleton Road asking for resurfacing and lighting of the alleyway behind their homes.

- (ii) Councillor Moore, on behalf of residents of Skelton, Rawcliffe and Clifton Without, opposing the potential Eco Town proposal.

6. Notices of Motion

To consider the following Notices of Motion under Standing Order 11:

- (i) From Councillor Watt:

“The Council raises its concern at the Government’s selection of Clifton Gate as a potential ‘Eco-Town’ development site. In particular, there are severe infrastructure problems in the vicinity of the proposed site, which will be made worse should the development proceed. Moreover, there are major traffic congestion problems on the major roads feeding the site and the Council does not consider that the measures for transportation links proposed for Clifton Gate will ease the congestion.

Furthermore, the Council is disappointed that the Government selected the Clifton Gate site in concurrence with potential developers without consulting the City of York Council.

Therefore, we call upon the Chief Executive to write to the Minister for Communities and Local government and the Minister for Yorkshire to express the objection of the City of York Council to the selection of Clifton Gate as a potential ‘Eco-Town’, on the grounds that it cannot be sustained by the local infrastructure.”

- (ii) From Councillor Simpson-Laing:

“Council instructs Officers to take up powers given to local authorities under ‘The Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (England) Order 2006’ to help bring forward much needed housing lying empty in York.

Council instructs officers within three months to draft guidance on how the powers might be exercised. Reports

should be submitted to both the Local Development Framework (LDF) Working Group and the Executive Member for Housing Advisory Panel (EMAP), so that proper consideration can be given to the benefits of embedding the Government initiative into Council policy in order to help provide much needed housing in the area.”

(iii) From Councillor Merrett:

“Council welcomes the recent officer report on an 'Action Plan' for tackling climate change within the Council. Council recognises that there will be major challenges for the Council, York residents and businesses which will require greater understanding of the need and measures to tackle 'Climate Change'. Council therefore agrees that an Cross Party Task Force be established to lead on this issue from the Council. Its remit will be to:

1. Monitor the implementation of the current 'Action Plan' within the Council;
2. Examine how the longer term targets can be met to tackle CO2 emissions;
3. Seek consensus between the parties on the Council on the issue of CO2 emissions;
4. Lead the public debate and development of the wider York approach, in conjunction with 'Without Walls' Partnership;
5. That the Task Force report to the Executive on a Bi-monthly basis.

(iv) From Councillor Orrell:

“Council notes that crime levels across the City have fallen significantly in recent years. Whilst this reflects the partnership of the Police, Safer York and local communities, this reduction has relied heavily on the considerable efforts of local Police Officers.

The public expect a high quality of policing, and for the government to be fair in their treatment of police pay.

Government has chosen to reduce the police pay increase with a sleight of hand which has created unnecessary conflict with the officers who patrol our streets.

Council calls upon the Home Secretary to agree to the

Independent Police Arbitration Tribunal's recommendation for the pay increase to maintain police morale.”

(v) From Councillor Morley:

“The Council calls upon the Government to award a funding settlement at least in line with inflation to the North Yorkshire Fire Authority, in the light of representations already made to the Government by the North Yorkshire Fire Authority.”

7. Report of Executive Leader and Executive Recommendations (Pages 21 - 30)

To receive and consider a written report from the Leader on the work of the Executive, and the Executive recommendations for approval, as set out below:

Meeting	Date	Recommendations
Executive	4 December 2007	Minute 119: Lord Mayoralty 2008/09.
Executive Member for Corporate Services and Advisory Panel	11 December 2007	Minute 49: Register Office – Approved Premise Marriage and Register Office Fees for 2008/09, Proper Officer and Employment Status, and Update on Service and Projects.

8. Report of Executive Member (Pages 31 - 36)

To receive a written report from the Executive Member for Housing Services, and to question the Executive Member thereon, provided any such questions are registered in accordance with the timescales and procedures set out in Standing Order 8(2)(a).

9. Questions to the Executive Leader and Executive Members received under Standing Order 10(c)

To deal with the following questions to the Executive Leader and / or other Executive Members, in accordance with Standing Order 10(a):

(i) To the Executive Member for City Strategy, from Cllr Merrett:

“Would the Executive Member agree that the state of the back lane through from Scarcroft Hill to Mill Mount, with major potholes and heave, is completely unacceptable, particularly for what is supposed to be the designated safe walking / cycling route between All Saints’ Upper and Lower Schools, and will she give an undertaking to obtain early action to restore the route to a safe state?”

(ii) To the Executive Member for City Strategy, from Cllr Merrett:

“Would the Executive Member also explain why the agreed latter phase of the safe route to school works to remove the blind turn, widen the gap and eliminate the step down between Mill Mount and the back lane has never been undertaken some several years since it was originally agreed, and will she agree to get officers to expedite this long overdue measure to improve personal safety – especially when it’s dark – and to achieve disabled access standards?”

(iii) To the Executive Member for City Strategy, from Cllr Pierce:

“Would the Executive Member explain why there is no local service bus serving the new Morrison’s development as was expected when planning approval was given for the development with a bus corridor through being specifically provided?”

(iv) To the Executive Member for City Strategy, from Cllr Moore:

“Can the Executive Member confirm that there was no consultation with the Council before developers submitted the ‘Clifton Gate’ Eco-town application to the Government?”

- (v) To the Executive Member for City Strategy, from Cllr D'Agorne:
“Can you please outline the likely budgetary implications for other council services if we enter into PFI 25-year contracts for both Highways Maintenance and Waste.”
- (vi) To the Executive Member for City Strategy, from Cllr D'Agorne:
“Can you report on progress with purchasing sites for waste treatment at Tockwith or elsewhere?”
- (vii) To the Executive Member for City Strategy, from Cllr D'Agorne:
“Can you tell me when the agendas and minutes of the Quality Bus Partnership will be made publicly available and can you supply a report to councillors on the decisions of the Partnership since its ‘relaunch’ in September 2007?”
- (viii) To the Executive Member for Neighbourhood Services, from Cllr Potter:
“Neighbourhood Services EMAP agreed to provide litter bins in the City Centre with compartments to allow for various items to be recycled. These have been very successful in other cities in the UK. When will they eventually be installed in York and what has been the delay?”
- (ix) To the Executive Member for Housing Services, from Cllr Potter:
“The current ‘Discus’ bungalow residents in Heworth and Fishergate Wards are having to move to new properties through no fault of their own. They face a rent increase of over £20 per week. They have no choice in the matter and it is difficult for a pensioner on a fixed income to accommodate such a large increase within their existing budgets. What is the Executive Member going to do to address this unacceptable rent increase to be faced by these elderly and vulnerable residents?”

- (x) To the Executive Member for Housing Services, from Cllr Horton:

“Who initiated, and following what consultation was the decision taken, in respect of expenditure of estate management budgets, that suggestions for estate improvements be limited to only those members of the relevant R.A. who turned up for the estate walkabout and would the Executive Member for Housing not consider that such a decision could be regarded as discriminatory against the disabled and infirm and subject to legal challenge, and if not, why not?”

10. Independent Remuneration Panel on Members Allowances – Final Report (Pages 37 - 80)

To consider the final report of the Independent Panel recently commissioned to review the basic, special responsibility and other allowances paid or reimbursed to Elected Members on City of York Council.

11. Scrutiny - Report of the Chair of the Scrutiny Management Committee (Pages 81 - 82)

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

12. Activities of Outside Bodies

Minutes of the following meetings of outside bodies, received since the last meeting of Council, have been made available for Members to view via the Council's website at

<http://sql003.york.gov.uk/mgListOutsideBodies.asp?bcr=1>

- York & North Yorkshire Waste Management Partnership - 1/11/07
- Yorkshire & Humber Assembly - 6/12/07
- Local Government Yorkshire & Humber - 22/11/07
- North Yorkshire Fire & Rescue Authority - 26/9/07
- Regional Transport Forum - 7/12/07
- Pension Fund Sub-Committee - 27/9/07
- Police Authority - 21/11/07

Copies may also be obtained by contacting Democracy Support Group at the Guildhall, York (tel. 01904 551088)

Questions may be put to the Council's representatives on the above bodies, provided the required notice has been given under Standing Order 10(b). Notice has not been received of any such questions on this occasion.

13. Appointments and Changes to Membership (Pages 83 - 84)

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

14. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer for this meeting:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – fiona.young@york.gov.uk

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

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

Contact details are set out above.

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 29th November, 2007, starting at 6.30 pm

Present: The Lord Mayor (Cllr Irene Waudby) in the Chair, and the following Councillors:

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD**CLIFTON WARD**

Douglas
King
Scott

DERWENT WARD

Brooks

DRINGHOUSES & WOODTHORPE WARD

Holvey

FISHERGATE WARD

D'Agorne
Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
B Watson

HAXBY & WIGGINTON WARD

Firth
Hogg
R Watson

HESLINGTON WARD

Jamieson-Ball

HEWORTH WARD

Blanchard
Funnell
Potter

HEWORTH WITHOUT WARD**HOLGATE WARD**

Alexander
Bowgett
Crisp

HULL ROAD WARD

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
I Waudby

STRENSALL WARD

Kirk
Wiseman

WESTFIELD WARD

Steve Galloway
Sue Galloway
Waller

WHELDRAKE WARD

Apologies for absence were received from Councillors Galvin, Reid, Sunderland and Vassie

42. HONORARY ALDERMAN AND HONORARY FREEMAN

The Lord Mayor declared the object of the meeting, under Section 249 of the Local Government Act 1972. which was to confer the status of Honorary Alderman upon former Councillor Derek Smallwood and the status of Honorary Freeman upon Dr Peter Addyman.

It was then moved by Cllr Steve Galloway and seconded by Cllr Scott:

“That, pursuant to its powers under Section 249 of the Local Government Act 1972, the Council do confer upon:

Derek Smallwood the title of Honorary Alderman of the City of York, in recognition of the eminent services which he has rendered to the Council of the said City during the period he was a Member of the Council

and do confer upon:

Dr Peter Addyman the title of Honorary Alderman of the City of York, in recognition of his contribution to the knowledge and promotion of the City’s archaeological heritage.

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

RESOLVED: That the above motion be approved.

Action Required

Arrange civic presentations for the new Alderman and Freeman.

SC

Councillor Irene Waudby
LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 6.40 pm]

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CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 29th November, 2007, starting at 6.35 pm.

Present: The Lord Mayor (Cllr Irene Waudby) in the Chair, and the following Councillors:

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD**CLIFTON WARD**

Douglas
King

DERWENT WARD

Brooks

DRINGHOUSES & WOODTHORPE WARD

Holvey

FISHERGATE WARD

D'Agorne
Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker

HAXBY & WIGGINTON WARD

Firth
Hogg
R Watson

HESLINGTON WARD

Jamieson-Ball

HEWORTH WARD

Blanchard
Funnell
Potter

HEWORTH WITHOUT WARD

Ayre

HOLGATE WARD

Alexander
Bowgett
Crisp

HULL ROAD WARD

Cregan
Pierce

HUNTINGTON & NEW EARSWICK
WARD

Hyman
Orrell
Runciman

MICKLEGATE WARD

Fraser
Merrett

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Gillies
Healey
Hudson

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

Moore
Watt
I Waudby

STRENSALL WARD

Kirk
Wiseman

WESTFIELD WARD

Steve Galloway
Sue Galloway
Waller

WHELDRAKE WARD

Apologies for absence were received from Councillors Galvin, Reid, Sunderland and Vassie

43. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. The following interests were declared in Notice of Motion (ii) under Agenda Item 6 (Affordable Housing - Minute 48 refers):

- (i) Cllr Richard Watson – a personal and prejudicial interest, as Chair of the Planning Committee.
- (ii) Cllr Hudson – a personal and prejudicial interest, as the owner of an estate agents which deals with affordable housing on behalf of housing associations.
- (iii) Cllr Pierce – a personal interest, as a former teacher at the University of York and the Council's representative on the Board of York St John University.
- (iv) Cllr Scott – a personal interest, as the previous owner of a buy-to-let property.

44. MINUTES

RESOLVED: That the minutes of the meeting of Council held on 4 October be approved and signed by the Lord Mayor as a correct record.

45. CIVIC ANNOUNCEMENTS

There were no Civic announcements.

46. PUBLIC PARTICIPATION

The Lord Mayor reported that there had been two registrations to speak at the meeting under the Council's Public Participation Scheme.

Janet Hopton spoke in support of the petition on a Local List for York to be presented by Cllr D'Agorne under agenda item 5 (Minute 47 refers).

Philip Crowe spoke in support of the Notice of Motion against the closure of post offices, to be moved by Cllr Kirk under agenda item 6 (Minute 48 refers).

47. PETITIONS

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

- (i) A petition presented by Cllr R Watson, on behalf of residents objecting to speeding traffic on Towthorpe Road.¹
- (ii) A petition presented by Cllr Alexander, on behalf of residents of Leeman Road, requesting removal of Back Park from the list of leisure land for possible sale.²

- (iii) A petition presented by Cllr D'Agorne, on behalf of the Open Planning Forum, seeking the establishment of a Local List for York.³
- (iv) A petition presented by Cllr Gunnell, calling for more recycling for residents of terraced areas of the City.⁴
- (v) A petition presented by Cllr Crisp, on behalf of residents of Poplar Street, calling on the Council to work with Yorkshire Water and Miller Brothers builders to resolve an issue concerning the smell of sewerage in their homes.⁵
- (vi) A petition presented by Cllr Douglas, objecting to proposed closures of post offices in the Clifton ward.⁶

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

Action Required

- | | |
|--|----|
| 1. Refer petition to appropriate committee | JB |
| 2. Refer petition to appropriate committee | SA |
| 3. Refer petition to appropriate committee | JB |
| 4. and 5. Refer petitions to appropriate committee/s | GR |
| 6. Refer petition to appropriate committee | SC |

48. NOTICES OF MOTION

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

(i) Post Office Closures

The first notice of motion had been proposed by Cllr Kirk, as follows:

“This Council regrets the Government’s planned closure of 2,500 post offices across the UK. Council notes with concern the threat to post offices in York and surrounding areas. Council further notes that any closures in York will be announced by Post Office Counters Limited in November 2007.

This Council believes that post offices; fulfil both a social and economic role, offer a lifeline to many vulnerable and elderly customers, and contribute to viable, sustainable communities, especially in rural and suburban areas.

This Council believes that the closure programme is unnecessary and calls on the Government to:

- a) End the branch closure programme and open new branches where needed;
- b) Remove the Royal Mail restrictions on the Post Office to open up further business opportunities for the network;
- c) Stop removing government business from post offices;

- d) Carry out a review of which additional government functions could be carried out through the post offices;
- e) Invest in the Post Office Network.

This Council calls upon the Chief Executive and Leader of City of York Council to write to the Secretary of State for Business, Enterprise and Regulatory Reform to oppose the proposed branch closures in the City of York Council area”.

Cllr Kirk now sought Council’s consent to alter the above motion to read as follows:

“This Council regrets that the Government is allowing the planned closure of 2,500 post offices across the UK and the UK Post Office Ltd.’s announcement this week of the potential closure of sub post offices in York at Clifton Green, Fulford, Haxby Road and Micklegate, plus many others in the North Yorkshire area.

This Council believes that post offices; fulfil both a social and economic role, offer a lifeline to many vulnerable and elderly customers, and contribute to viable, sustainable communities, especially in rural and suburban areas.

This Council believes that the closure programme is unnecessary and calls on the Government to intervene and for Post Office Ltd. to:

- a) Review with a view to ending the branch closure programme and open new branches where needed;
- b) Remove the Royal Mail restrictions on the Post Office to open up further business opportunities for the network;
- c) Stop removing government business from post offices;
- d) Carry out a review of which additional government functions could be carried out through the post offices;
- e) Invest in the Post Office Network.

This Council requests that:

- (1) The Chief Executive and Leader of City of York Council write to the Secretary of State for Business, Enterprise and Regulatory Reform to oppose the proposed branch closures in the City of York Council area;¹
- (2) Officers prepare a report, to be received by Members within three months of this motion being carried, on negotiations with the Post Office and the financial implications to the Council, and residents, of expanding use of ‘over the counter’ transactions at sub post offices for council services, bills and charges;²
- (3) The Chief Executive write to The Press confirming the Council’s support for their ‘Cut the Closures’ campaign.”³

Council having consented to the alteration, the altered motion was then moved by Cllr Kirk and seconded by Cllr Brooks.

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

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

***(ii) Affordable Housing**

It was moved by Cllr Horton and seconded by Cllr Pierce that:

“Council notes:

- a) The shortage of good affordable housing in York to rent or buy;
- b) That York has two thriving Universities, with increasing numbers of students living in the community, some in poor quality rented properties;
- c) That first-time buyers face increasing difficulties in gaining their first foot on the property ladder in the City. This has been exacerbated by the increase in the buy-to-let market and the building of a large number of high price flats in the City in recent years, at the expense of family housing;
- d) That owners of buy-to-let properties enjoy ‘tax breaks’ which are not available to first-time buyers.

Council calls on the following action to be taken:

- a) That Council use its statutory powers to regulate the difficulties being experienced in areas of the City with large student populations and poor quality maintenance by landlords;⁴
- b) That the Government be called upon to investigate and put in place legislation to enable first-time buyers to mitigate the unfair tax advantage that is enjoyed by those buying solely to let and to strengthen the Council’s planning powers in terms of maintaining a sensible housing mix;⁵
- c) That Council establish a task force of representatives from the universities, students’ unions, landlords and ward members, to consider the effectiveness of voluntary, market and regulatory strategies to improve living conditions for long-term residents and students;⁶
- d) That the task force make recommendations for practicable solutions within six months of this meeting;
- e) That Council also join other university cities in their lobby, via the Local Government Association, to central government, for specific powers to enable local authorities to address the impact of the proportion of students residing in specific geographical areas.”⁷

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

RESOLVED: That the above notice of motion be approved.

Note: Cllrs Hudson and R Watson left the Chamber during consideration of the above motion and took no part on the debate or decision thereon.

(iii) Renewable Energy Targets

The Lord Mayor announced that the third notice of motion listed on the Council agenda, relating to post offices, had been formally withdrawn by Cllr Brooks and replaced by a notice of motion from Cllr D'Agorne, relating to renewable energy targets.

It was then moved by Cllr D'Agorne and seconded by Cllr Waller that:

"This Council notes:

- a) The adoption at the November 22nd Planning Committee of an Interim Planning Statement for York for Sustainable Design and Construction, with references to a minimum 10% on-site generation of renewable energy for new developments, in line with policy adopted by Merton and other local authorities.
- b) The proposed removal of the specific on-site target for renewable energy in the Secretary of State's recommended changes to the draft Yorkshire and Humber Regional Spatial Strategy.
- c) That the target was established in consultation with all key regional agencies and local authorities. It had successfully passed through the Examination in Public stage and was endorsed in the recommendations put forward by the Independent Panel.
- d) That only 5 months earlier a similar policy in the North East Regional Spatial Strategy passed through virtually unchanged in the Secretary of State's list of proposed changes to that document.
- e) That once the Planning Policy Statement on Climate Change is published (in its current proposed form) it may become more difficult for councils to implement as policy the modest 10% minimum on-site renewable energy targets for new developments.
- f) That, as a percentage renewable energy target, the policy encourages greater energy efficiency in new developments and is a driver to reduce carbon emissions.
- g) That the policy has been proven to be effective by those councils already implementing this policy, such as the London Borough of Croyden, which has now applied it to over 130 planning applications.

This Council calls on the Chief Executive to write to the Minister for Housing and Planning (with a copy to the Chair of the Yorkshire and Humber Assembly) calling on the Minister to:

- a) Give an unequivocal statement that the forthcoming Planning Policy Statement on Climate Change will allow councils to set at least a minimum 10% on-site renewable energy targets in new developments;
- b) Reconsider her recommendation to delete the specific on-site renewable energy target in new development from the Yorkshire and Humber RSS."⁸

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

RESOLVED: That the above notice of motion be approved.

(iv) Bus Cross Ticketing

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

“Council agrees that Bus Cross Ticketing, within the City of York Council boundary, is adopted as a primary objective of Council’s desire to further develop public transport usage in the City. Council calls for Council Officers to negotiate with local bus operators to achieve this, with a target implementation date being set as being no later than January 2009.”⁹

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

RESOLVED: That the above notice of motion be approved.

(v) Voluntary Work in the City of York

It was moved by Cllr Aspden and seconded by Cllr Sue Galloway that:

“City of York Council notes:

- The huge amount of voluntary work that is done in the City;
- The success of the York Press organised *Community Pride Awards* in giving public recognition to many of the City’s unsung heroes;
- The positive role model for children and young people that volunteering provides and [that it] assists with the development of active citizenship;
- That the devolution of budgets and decision making to the neighbourhood level assists with voluntary work in the City.

City of York Council welcomes:

- The ongoing work of the Council for Voluntary Services, health and environmental voluntary groups, Youth Clubs and sports clubs, Neighbourhood Watch, school governors and other volunteering groups around the City;
- York Cares, which is actively supported by Benenden Healthcare Society, City of York Council, Corus, CPP, Garbutt & Elliott, HSBC, Langleys, Mott MacDonald, Norwich Union, Shepherd Building Group, The Partners Group, the University of York, York and County Press, and others.

City of York Council calls upon:

- The City, residents and employers to celebrate International Volunteer Day on 5th December, as part of a continuing process to improve the opportunities for volunteering in York;
- Employers in the City to recognise the value of volunteering;
- The media to encourage participation with links like the BBC Action Network.”

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

RESOLVED: That the above notice of motion be approved.

Action Required

- | | |
|--|----|
| 1. Write to Secretary of State to oppose branch closures | SC |
| 2. Prepare report to Members on negotiations etc. re expanding Council use of post office transactions | SC |
| 3. Write to The Press in support of 'Cut the Closures' campaign | LE |
| 4. Consider use of stat. powers to regulate housing problems in these areas | LE |
| 5. Call upon Government to investigate this potential legislation | SC |
| 6. Establish a task force | JB |
| 8. Write to Minister for Housing & Planning (with copy to Assembly Chair) | LE |
| 9. Begin negotiations with local bus operators | |
| 7. Join lobby via LGA | |

49. REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS

A written report was received from the Leader, Cllr Steve Galloway, on the work of the Executive. Cllr Galloway then moved, and Cllr Jamieson-Ball seconded, those minutes requiring confirmation from the Executive meeting on 6 November 2007, namely:

- Minute 98 – Resolved: That Council adopt the Statement of Community Involvement, attached as Annex B to the Executive report, as part of York's Local Development Framework.

RESOLVED: That the above minute, and the Executive recommendation to adopt the Statement of Community Involvement as part of the Local Development Framework, be approved.¹

Note: During the debate on the above item, Cllrs Bowgett, Cregan, Crisp, Douglas, Funnell, Gunnell, Horton, King, Simpson-Laing, B Watson, and Wiseman all left the Chamber when issues in relation to the possible siting of an 'Eco-town' on the Outer Ring Road near Clifton Moor were raised. Their reason for so doing was in order not to prejudice any decision they might later take, as members of the Planning Committee, on any future planning application in relation to the 'Eco-Town'.

Action Required

1. Adopt Statement of Community Involvement as part of the LDF JB

50. REPORT OF EXECUTIVE MEMBER

A written report was received from Cllr Runciman, the Executive Member for Children's Services. There were no questions on the report.

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

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

(i) To the Executive Member for Youth and Social Inclusion, from Cllr Fraser:

“Would the Executive Member for Youth and Social Inclusion outline one ambition for his coming year in office?”

The Executive Member replied:

“Cllr Fraser would have seen my previous two written responses to this question. I am enjoying working with a wide range of people and community groups as Executive Member for Youth and Social Inclusion. It is vital that the Council continues to provide good community relations. One ambition, as previously reported, will be in developing the next Equality Strategy (2008-11) for the Council. The new Strategy will be launched in April. There is a lot of work now being done, and over the next five months, to make sure it includes key issues from local minority communities and work to support staff in making equalities improvements in both service provision and employment.”

(ii) To the Executive Leader, from Cllr Brian Watson:

“Could the Leader of the Council explain his definition of ‘mischievous’?”

The Executive Leader replied:

“I would refer the Member to the Oxford English Dictionary. The definitions used in that publication have always been good enough for me.”

(iii) To the Executive Member for Neighbourhood Services, from Cllr Potter:

“Would the Executive Member now reconsider his objections to lobbying the Government to ban or tax the use of plastic bags in the UK and sign our petition, which we will be sending to the Secretary of State for Environment, Food and Rural Affairs, requesting that the Government bans or taxes plastic bags, and is he aware that Brighton and Hove City Council and Norwich Council have recently voted to ask the Government to ban plastic bags?”

The Executive Member replied:

“I’m afraid that the councillor attempts to misrepresent my position, which was put on record during the debate at full Council on 24th January 2006. I do not support the current use of plastic bags. I amended her motion so that it called on the government for a levy on plastic bags similar to that proposed in the Members’ Bill by MSP Mike Pringle in the Scottish Parliament. The advantage of a levy over a tax is that the money would stay in York, rather than being sent to

Government Treasury, something with which Cllr Potter clearly has a problem.

I am aware of the motion from Brighton and Hove Council which, similar to my amendment, calls for a levy on plastic bags, and the motion from Norwich Council, which encourages all consumers in Norwich to reduce their usage of non degradable plastic bags. I suggest that she reads them carefully to find out what they have actually asked for."

In response to a supplementary question from Cllr Potter asking whether he would sign the petition, the Executive Member replied:

"I would be delighted to sign the petition if Cllr Potter will sign a joint letter to the Government requesting the return of our landfill tax."

(iv) To the Executive Member for Youth and Social Inclusion, from Cllr Ayre:

"Could the Executive Member report on any success that the Council and young people had in taking part in the national Takeover Day on 23 November 2007?"

The Executive Member replied:

"Takeover Day was promoted by the Office of the Children's Commissioner to celebrate the contributions of children and young people to our communities and mark the anniversary of the UN Convention on the Rights of the Child. Within the City the day was a great success, with many Council staff and elected Members enabling children and young people to 'Takeover' with the emphasis on avoiding tokenism and helping children to be part of meaningful projects.

A few examples include: pupils from Badger Hill School taking over from the Lord Mayor for the day; in Woodthorpe, pupils worked with members of the Neighbourhood Management Unit looking at planning in their area, and many of the events were documented by pupils from Elvington School. In various ways, hundreds of children and young people have been involved in helping to shape the decisions made within our community."

(v) To the Executive Member for Housing Services, from Cllr Merrett:

"Could the Executive Member for Housing Services explain the reasons for the large number of boiler replacements (indicated in the Press article on Friday 10/11/07) and how much this has cost?"

In the absence of the Executive Member for Housing Services, Cllr Sue Galloway (Executive Member for Adult Social Services) replied:

"The expected industry lifespan for a boiler is 15 years.

We do not automatically replace after this time span if everything is in working order

In the not too distant past, many local authority homes did not have boilers (the source of heat came from coal or gas fires and immersion heaters to heat water).

When the Council started a programme of works to fit central heating and / or boilers, the works on the properties all took place at around the same time line. Some of these boilers are now coming to the end of

their working life and this is why we have an ongoing Capital Programme for boiler replacement.

The number of boiler replacements required is determined by the volume of appliances and installations identified, during their annual service, as being 'immediately dangerous', 'at risk' or 'not to current standards'. A view is taken at this stage whether or not it is more economical to replace the boiler than to repair it.

A boiler may be designated as 'at risk' if it is identified that it carries 2 or more items relating to fluing or ventilation that would be considered 'not to current standards'.

In an attempt to put this into context, since the boiler replacement programme began in 2006 we have replaced 2,178 boilers and fires at an approximate cost of £3.6 million.

Since April 2007 we have spent a further £335k on 93 units through our Tenants Choice scheme.

The new boilers that are being fitted are more efficient, representing better value for tenants and with less impact on the environment."

In response to a supplementary question from Cllr Merrett asking whether there was a need to investigate whether adequate services were being provided by the contractor, as one tenant had had three replacements in four years, the Executive Member replied:

"I have no information on specific cases but can give you general information in relation to boilers if you wish and can raise any specific case with Officers on your behalf if you have not already done so."

(vi) To the Executive Member for Children's Services, from Cllr Healey:

"Will the current review under way for Home to School Transport include those children who attend school out of their catchment area, so that free transport for children who do not have a 'safe route' to school is not restricted to their catchment area school but any that has an existing bus service? This will bring the policy in line with recent appeal decisions and avoid the time and cost for both parties in future."

The Executive Member replied:

"Officers are currently reviewing the Council's home to school transport policy. A report is being prepared for Children's Services EMAP in January that will consider various issues. These will include implications arising from the 2006 Education and Inspection Act.

The Act requires LAs to secure fair access to schools for children from low income groups, where lack of affordable transport can act as a barrier for choice.

From September 2008 there are extended rights to free transport for all children from low income families, who must have travel arrangements made to one of their three nearest qualifying schools, where they live more than two miles, but no more than six miles from that school.

Similarly, the same group of pupils have an entitlement from September 2008 to free transport to a choice of schools within six miles of the child's home, and to the nearest school preferred by reason of a parent's religion or belief, up to a maximum of 15 miles from the child's home.

With specific reference to Cllr Healey's question, the Act will extend free school transport, but only to low income families.

The Act seeks to widen parental choice by extending the offer of free transport to their 3 nearest schools (regardless of catchment area).

To extend this provision to all families would require significant additional investment. This and all other key issues will be explained in more detail in the report.

The Act also requires the Council to promote the use of sustainable travel and transport which includes an assessment of the travel and transport needs of children and young people within the authority's area, an audit of sustainable travel and transport infrastructure within the authority, a strategy to develop the sustainable travel and transport infrastructure and the promotion of sustainable travel. These issues will also be considered in the report."

(vii) To the Executive Member for Adult Social Services, from Cllr Hogg:

"Would the Executive Member please update Council on the current situation regarding joint working arrangements with the PCT?"

The Executive Member replied:

"Notwithstanding the current financial position of the NYYPCT five projects have now been agreed with the North Yorkshire & York PCT for joint action. These are as follows:

- Looking at how we can together re-shape dementia and older people's mental health services to increase support in the community.*
- Reducing hospital admissions to residential and nursing care by ensuring that we are collectively making the best use of existing services.*
- Looking at how we can develop more community based preventative services.*
- Investigating the use of technology in the home. This project to be linked with the fifth project to help people manage long term conditions.*

Lead officers have already been identified for these projects in both organisations and initial meetings have taken place."

In response to a supplementary question from Cllr Hogg seeking an indication of how Continuing Care regulations were likely to impact upon the PCT's funding, the Executive Member replied:

"A report going to EMAP in December draws attention to a new national framework for Continuing Health Care, which will not be without cost to the Council. It's not clear whether elected Members will still have to sit on a Panel to decide who is eligible for funded care. I understand that the NYYPCT has forecast that it will need to find £9m to £20m to fund the care that should be provided. I hope that some of that funding will come back to the local authorities. I am keen that the PCT do not drag their heels and will ask Officers to keep Members up to date with progress.

In response to a supplementary question from Cllr Merrett asking whether, in the light of the joint project, she was now happy with the joint working relationship with the PCT, the Executive Member replied:
"Yes."

52. RECOMMENDATIONS FROM THE GAMBLING & LICENSING ACTS COMMITTEE

Cllr Cregan moved, and Cllr Horton seconded, the recommendations of the Gambling & Licensing Acts Committee meeting on 5 October 2007 in relation to the review of the Council's Licensing Policy, namely:

- Minute12 - That the draft statement of licensing policy, subject to the amendments listed above, be approved by full Council.

RESOLVED: That the above recommendation be endorsed and the statement of licensing policy, as amended, be approved.¹

Action Required

1. Implement revised policy

JB

53. AMENDMENT TO DELEGATION SCHEME - REGISTRATION OF COMMON LAND AND VILLAGE GREENS

Cllr Steve Galloway moved, and Cllr Jamieson-Ball seconded, the recommendations, in a report prepared by the Interim Head of Civic, Democratic and Legal Services, to amend the delegation scheme in the Council's Constitution as follows:

"a) Add 'power to determine applications for the registration of common land and village greens' to the delegated powers of the Licensing and Regulatory Committee.

b) Add 'the exercise of any functions in relation to common land and village greens other than the determination of applications to register common land or village greens where representations are received' to the specific officer delegations of the Director of City Strategy.

RESOLVED: That the above recommendations be approved and the delegation scheme amended accordingly.¹

REASON: To enable the Council to discharge its statutory functions in relation to common land and village greens.

Action Required

1. Amend delegation scheme

GR

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

In the absence of the Chair of the Scrutiny Management Committee (SMC), a written report was received from the Vice Chair, Cllr Blanchard, on the work of the SMC since the last report to Council on 4 October 2007.

55. ACTIVITIES OF OUTSIDE BODIES

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

- Association of North Yorkshire Councils – meeting on 12/9/07
- York & North Yorkshire Waste Management Partnership – meeting on 11/7/07
- Yorkshire and Humber Assembly – meetings on 12/7/07 and 4/10/07
- Regional Transport Forum – meeting on 6/9/07
- Safer York Partnership – meeting on 10/10/07
- Police Authority – meeting on 24/9/07

56. APPOINTMENTS AND CHANGES TO MEMBERSHIP

RESOLVED: That the appointments to Committees, Outside Bodies and Working Groups set out in the revised list circulated at the Council meeting (and attached as Annex 1 to these minutes) be approved.¹

Action Required

1. Update committee management system with revised appointments

GR

Annex 1 - Revised Appointments

Councillor Irene Waudby
LORD MAYOR OF YORK

[The meeting started at 6.40 pm and concluded at 9.35 pm]

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1 There have been 3 meetings of the Executive since the last meeting of the Council.

2 **1 Second Performance and Financial Monitor 2007/08**

3 Our overall objective has always been to ensure the prosperity of the City and its residents. I am
4 pleased to report that we continue to see substantial investment in the City, unemployment levels
5 continue at historically very low levels, sectors such as confectionary and retailing report buoyant
6 trading levels and lower quartile earnings continue to rise faster than the upper quartile – reducing
7 the inequality gap.

8 We continue to see, at least, a steady improvement in Council service quality.

9 In some areas such as **crime reduction**, the York Pride **clean streets** initiative and **increased**
10 **recycling** rates, achievements have been spectacular and rank amongst the best in the country.

11 The Councils “**use of resources**” assessment issued by the Audit Commission has improved from
12 a score of **2 to a 3 (performing well)**. We anticipate a better “ability to improve” direction of travel
13 statement.

14 This is being achieved with the lowest expenditure per head of population of any unitary Council in
15 the country.

16 Mainly because of one-off reductions in expenditure the projected budget out-turn is an
17 underspend of around £2.9m.

18 Within the one-off reductions, £1.4m has clearly been identified as slippage due to project delays
19 where the resources will be needed in 2008/09, including £261k on the replacement FMS project,
20 both within finance and in ITT, and £986k on easy@york.

21 A further £1.8m has arisen due to the improved position on interest rates and the ability to defer
22 borrowing, and £0.6m on other central budgets. The budgets for the latter two have been re-based
23 and the reduced need has been built in the budget proposals for 2008/09.

24 Without these items the forecast would have been an overspend of £934k.

25 A 1% of budget overspend at this time of year would be fairly typical of previous years and we
26 would have anticipated out turning on or better than budget. As it is, our year end balances, and
27 hence flexibility to meet new challenges, will be better than anticipated.

28 **2 Capital Programme – Monitor 2**

29 The main highlights of this report were:

- 30 • The £3.7m Moor Lane roundabout scheme which will ease safety issues on the ring
31 road and is on target for completion by February 2008;
- 32 • The reopening of Yearsley swimming pool following the £1m repairs and refurbishment
33 programme;

- 34 • Inclusion of a £0.7m scheme to provide a multi use games area for Derwent Infant and
35 Junior schools;
- 36 • The completion of the £2.8m Skills Centre which has now opened and will provide
37 opportunities to improve vocational training for some of the most disadvantaged
38 secondary school aged children in the city;
- 39 • The rapid progression of the £27m replacement of Joseph Rowntree school, which is
40 now due to start on site in June 2008;
- 41 • Progression of the designs for the new £6m pool on the York High site;
- 42 • The £0.7m Explore@Acomb Library Learning Centre project is on target for completion
43 for February 2008;
- 44 • The start on site of the £1.7m Fishergate homeless hostel as part of the Administrative
45 Accommodation land assembly programme;
- 46 • The £12.2m York High scheme has started and is on target for completion in November
47 2008;
- 48 • The design of the new £29.7m offices at Hungate is progressing well with a planning
49 application due to be submitted by Easter with a start on site in summer 2008.

50 In year capital receipts, are forecast to be down against the target by £3.3m, although this is mainly
51 because of timing issues with the majority of the slippage expected early in 2008/09. The impact of
52 these delays is reduced by there being corresponding slippage, since the start of the year on
53 capital receipt funded schemes of £2.6m. The Council has £5.4m of capital receipt funding carried
54 forward from the £27m raised in 2006/07. Therefore, despite the small anticipated delay in receipts
55 the Council remains in a stable capital funding position.

56 **3 Affordable Housing Policy Review**

57 The Executive received a comprehensive report which outlines the current position. What is clear
58 is that York has a very good record and reputation for delivering affordable homes and, unlike most
59 other Local Authorities, we have done this without public subsidy. It is thanks to our very
60 experienced and skilled Officers that this has been achieved and they continue to negotiate a high
61 level of affordable housing

62 The main issue for current debate appears to be the 50% affordable housing policy target. What
63 needs to be remembered is that whenever there has been a change in the percentage target there
64 has always been an initial dip and forecasts for 2008/9 and 09/10 project a healthy increase as
65 recently granted planning permissions are implemented. Other Authorities show similar patterns
66 but many are now delivering high levels of affordable homes.

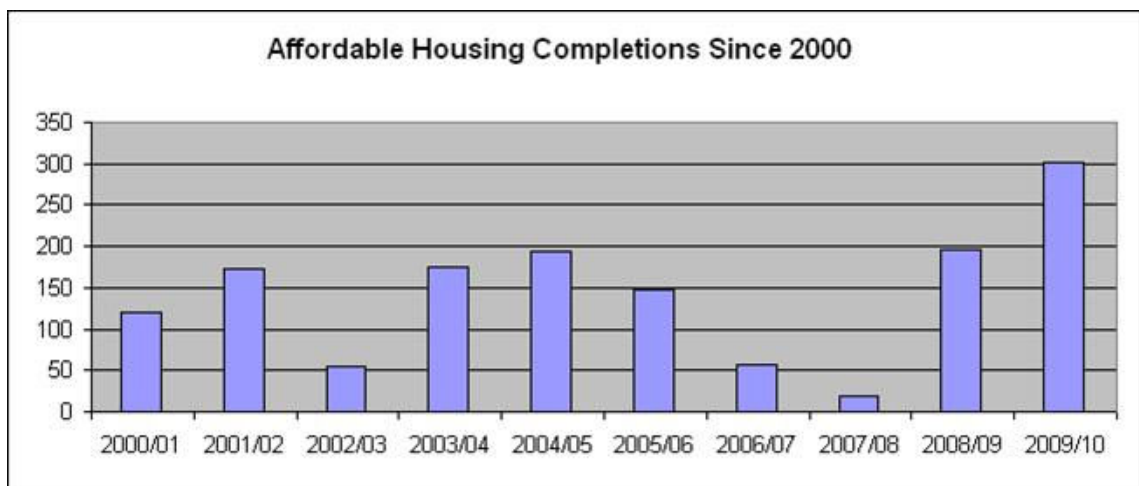
67 The 50% is, of course, a target and is subject to rigorous examination of the viability of the site and
68 the effect of any abnormal development costs. The Regional Spatial Strategy supports “over 40%”
69 affordable housing in “areas of high need” and the report made it quite clear that York is such an
70 area.

71 The Council cannot solve this problem alone and solutions are needed that are outside the
 72 planning system. New build each year represents less than 1% of the city's total housing stock the
 73 impact that new build makes on the overall housing need is small.

74 The affordable housing policy will be revisited through the LDF process where developers will
 75 again have the opportunity to make representations. .

Affordable Housing Completions 2000/01 and Projected to 2009/10

Year	Completions	Comments
2000/01	121	
2001/02	173	
2002/03	54	
2003/04	175	
2004/05	195	
2005/06	148	
2006/07	56	
2007/08	19	Estimate
2008/09	197	Estimate
2009/10	302	Estimate



76
 77 A meeting between interested parties, and to include developers and professional organisations, is
 78 being arranged.

4 City of York Council Response to the Secretary of State on the Proposed Changes to the Regional Spatial Strategy

79
 80
 81 A great deal of hard work across the whole region went into developing the Regional Spatial
 82 Strategy and the recommendations of the Examination in Public (EIP) at least made sense even if

83 we didn't agree with them. The reasons for some of the proposed changes from the Secretary of
84 State are less clear.

85 **Green Belt.** The EIP panel report is that the Green Belt should endure "well beyond" the life of the
86 Regional Plan - 2026. As we are already working towards 2029 there is concern that being forced
87 to extend the time frame further, without the benefit of any evidence base, will lead to the prediction
88 of development needs being based on guesswork. Of course this might be behind the recent
89 revelation that developers have been looking at Greenfield land at Clifton Gate!

90 **Housing.** There has been an increase in possible brownfield sites since the draft RSS was
91 submitted. Because of this some increase in numbers could be accepted with reluctance with the
92 proviso that the EIP recommendation that the increase should not start until 2011 is included.
93 However, removing the use of brownfield windfall sites when calculating site provision seems
94 perverse. York has provided a large amount of housing provision over the last 10 years on just
95 such sites. We also need substantial help with infrastructure costs if we are to deliver increased
96 development targets on brownfield sites.

97 **Economy.** The amazing proposal that we can deliver 2132 extra jobs each year is nearly twice as
98 much (1060) as our modelling work has shown is achievable. These figures are not realistic,
99 include elements of double counting and appear not to be based on any evidence.

100 **Transport.** The Proposed Changes clearly show which way Government policy is moving. No
101 longer are they supporting a national road pricing policy (para 36) but instead they plan to shift the
102 unpopular decisions for congestion charging on to Local Government (para 38) under the guise of
103 "demand management". If Local Authorities refuse to implement such schemes, which the
104 Government will maintain will raise revenue; it is possible that Local Transport Plan money will be
105 cut.

106 **Energy.** The removal of the requirement for 10% of energy on new development to be from on-
107 site Renewable Energy sources was debated at Council and a motion objecting to this change
108 approved. At the recent RPF the whole of the region was bemused by this change and it was felt
109 that it sent out completely the wrong message on our commitment to the environment.

110 **5 Other issues**

111 Other reports considered by the Executive included:

- 112 • Progress to date on a partnership to improve the Council's **internal transport**
113 **provision**, improve service quality and make significant efficiency savings.
- 114 • Report of the **Future York Group** - the Executive received an update report on the
115 implementation of the Future York representations. In the main the Executive was
116 able to support the proposals and noted with thanks the considerable progress that
117 had been made on implementation by members and officers of the Council.

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- Reducing the **Maintenance Backlog** - a proposed strategy for using the limited revenue and capital resources available to deal with the repair and maintenance backlog of the Council's corporate land, buildings and highways, by basing decisions on future investment on the need and viability of the asset.
 - The Chief Officer Search and **Selection Contract** - this report asked the Executive to decide on the award of the corporate contract for the search and selection of Chief Officers, following a full tendering process.
 - An update on the **Environmental Sustainability Strategy and Action Plan** towards a Climate Change Strategy for the City
 - **Carbon Management, Energy and Sustainability Funding Mechanism** - this report outlined the inter-relationships between: managing targets for carbon emissions; energy and water consumption and conservation; sustainability in design and construction, and suggested a funding mechanism for investment in all three of these areas.
 - Future Working Arrangements for the **City Centre Partnership** - this report set out options and proposed actions for sustaining the activities of the City Centre Partnership, following the decision not to proceed with the establishment of a Business Improvement District (BID) at the present time.
 - Service Level Agreement between City of York Council and the new **Single Tourism Organisation** for York - this report sought Member approval for the terms of a Service Level Agreement between the City of York Council and the new Single Tourism Organisation (working title: 'Visit York'), setting out the Council's priorities for action and committing resources to the new company.
 - **Post Office Closures** - this report related to a Notice of Motion approved at full Council on 29 November 2007. The Executive agreed a response to the consultation which was lodged on 16th January
 - A new Approach to **City Management** (Review Report): - This report set out progress on the new approach to city management, as requested by Group Leaders, involving extended public consultation arrangements, improved communications with residents, development of devolved decision making arrangements for local communities and capacity building for the voluntary sector.
 - **Easy@York** Options for Phase 2 - This report presented options for a second phase of the easy@york programme, which will extend the reach of the current York Customer Centre (YCC), and set out a revised analysis of the benefits and savings of the first phase.

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- **Intelligent Transport Systems** (ITS) Strategy (listed on Forward Plan as 'Real Time Travel Communications Strategy') - This report set out the current position of the Council's ITS Strategy, which utilises the Urban Traffic Management and Control (UTMC) and Bus Location and Information Sub-System (BLISS) and sought approval to adopt principles to ensure consistent use of the Variable Message Signs and an ITS Vision to form the basis for developing York's Intelligent Transport Systems.
- 159
- Traffic Management Act 2004: Implications for **Parking** - This report advised Members of the implications for parking services of Part 6 of the Traffic Management Act 2004 and asked them to decide on the level of the penalties that the Council will charge following implementation of Part 6, on 31 March 2008.
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163 Arising out of the minutes of the Economic Development Partnership Board, officers are discussing
164 with the voluntary sector, and other partners, options for a pilot project aimed at **reducing social**
165 **exclusion** in the worst rated *Lower Level Super Output Area* as revealed by the Index of Multiple
166 Deprivation 2007.

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Steve Galloway
16th January 2008

MEETING	EXECUTIVE
DATE	4 DECEMBER 2007
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), ASPDEN, SUE GALLOWAY, JAMIESON-BALL, RUNCIMAN, SUNDERLAND, VASSIE AND WALLER
APOLOGIES	COUNCILLOR REID

PART B - MATTERS REFERRED TO COUNCIL**119. LORD MAYORALTY 2008/09 [RECOMMENDATION TO COUNCIL]**

[See also under Part A Minutes]

Members considered a report which asked them to decide which of the political groups should be invited to nominate the Lord Mayor for the 2008/09 Municipal Year and proposed an amendment to the current nomination policy.

The system for nominating the Lord Mayor was based on an accumulation of points determined by the number of seats held by each political group on the Council. It was proposed to amend the current policy, agreed by Members on 5 January 1996, to permit a group which lost all its seats on the Council to hold over any unspent points it had accumulated up to that time until it once again gained seats on the Council.

The report set out the number of points which would be accumulated by each group under the existing and revised policies. In each case the Labour Group, with a total of 36 points, would qualify to nominate the Lord Mayor for 2008/09. However, the Conservative Group would only qualify for points under a revised policy Members were asked to decide whether they wished to amend the policy (Option 1) or to make no amendments (Option 2).

Members noted that the points totals recorded in the report were incorrect. Under the proposed scheme the correct calculation would be as follows:

PARTY	POINTS FOR 2007/2008	LOSS FOR LM	POINTS FOR 2008/2009
Labour	18		18 + 18 = 36
Lib Dem	34	-47	34 - 47 + 19 = 6
Green	8		8 + 2 = 10
Conservatives	21 points carried forward from 2003		21 + 8 = 29

Having noted the comments of the Shadow Executive, it was

RECOMMENDED That Option 1 be approved and the current policy amended to clarify that a group which loses all its seats on the City Council will have any accumulated points frozen until seats are once again won by that group on the Council.

REASON: In order to formalise an assumption that was made, but not fully recorded, when the points system was originally introduced.

S F Galloway, Chair

[The meeting started at 2.00 pm and finished at 2.40 pm].

MEETING	EXECUTIVE MEMBER FOR CORPORATE SERVICES AND ADVISORY PANEL
DATE	11 DECEMBER 2007
PRESENT	COUNCILLORS HEALEY (CHAIR), JAMIESON-BALL (EXECUTIVE MEMBER), LOOKER, PIERCE AND R WATSON

PART B - MATTERS REFERRED TO COUNCIL

49. REGISTER OFFICE - APPROVED PREMISE MARRIAGE AND REGISTER OFFICE FEES FOR 2008/9, PROPER OFFICER AND EMPLOYMENT STATUS, AND UPDATE ON SERVICE AND PROJECTS

Members considered a report which sought approval for the suggested increase in fees for marriage ceremonies conducted at the Register Officer and at Approved Premises in the City of York from 1st April 2008 to 31st March 2009, and the process involved. It also sought approval to adopt a change to charges for certificate supply, based on service quality, and fees charged by competing authorities. It updated Members on the change in employment status of some Members of the Registration Service, and the current services and projects that York Registration and Celebratory Services offer and were embarked upon, and sought a recommendation to Full Council to transfer Proper Officer responsibility from the Head of Public Services to the Director of Resources.

Proper Officers for Registration were introduced by the Local Government Act 1972. In the City of York Council the Proper Officer for Registration was part of the responsibility of the Head of Public Services. As the current postholder was leaving the Council at the end of December, the Council needed to ensure that this duty was covered by another officer. A new Head of Public Services would not be in post by the end of December and therefore the duty and title should be assigned to the Director of Resources to ensure the duty was discharged.

Advice of the Advisory Panel

That the Executive Member be advised:

That the transfer of Proper Officer responsibility from the Head of Public Services to the Director of Finance be recommended to Full Council in accordance with the Council's constitution.

Decision of the Executive Member

That the advice of the Advisory Panel be accepted and endorsed.

RECOMMENDED: That the transfer of Proper Officer responsibility from the Head of Public Services to the Director of Finance be approved in accordance with the Council's constitution.

REASON: To increase income, whilst retaining customer choice, to achieve a self financing service.

(See Part A minute as well)

Action Required

1 To refer to full Council for approval on 24 January 2008 GR

Cllr Healey, Chair

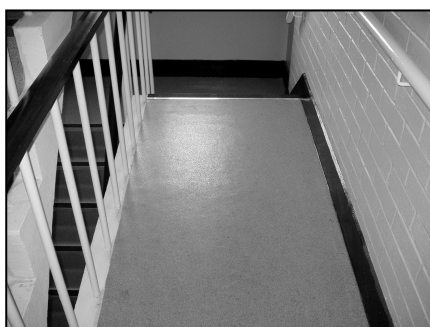
[The meeting started at 5.30 pm and finished at 7.00 pm].

1 **1 Improving housing conditions – Key figures**

2 Excellent progress is being made on improving our housing stock. We are on target to achieve the national
 3 set “decent homes” standards by the target date on 2010.

	2006/7	2007/8 to date
Properties benefited from one or more element of the Tenant’s Choice programme:	417	387
Rewires	402	300
Kitchens	380	265
Bathrooms	352	251
Heating systems	254	86
Heating Only programme	96 (making 350 Heating systems in total)	32 (making 118 planned heating systems installed in total).
Boilers replaced through reactive repairs	335	631
Properties re-roofed	133	39
new windows (completing the current programme)	50	
Properties benefiting from York Pride supplementary works programme		
Alarms	54	34
Doors/Door Entry Systems	111	111
Flooring (Communal areas)	128	118
Lighting (Communal areas)	36	24
Fencing/Groundworks	88	
Drying Areas (communal)		13

2 **Summary**



York Pride improvements exceed national standards

• **Housing repairs:** The % of urgent repairs carried out within the government’s timescales is currently running at 88.23% and is forecast to achieve 90% for 200708. Although this will fall short of the target set for the service of 98%, it is a substantial increase on the 84% achieved last year – and the 72% achieved in 2005/06. The average time taken to make non-urgent housing repairs has also improved slightly (currently 8.7 days compared to 9.7 days last year). The service has recognised that in order to move more towards the

13 target of top quartile performance significant system changes are required and have initiated a repairs
14 service review to facilitate this.

15 • **Housing relets:** The council's housing relet times continue to improve with performance currently running
16 at 19.8 days – a decrease of 4.2 days on the 2006/07 result and significantly lower than the 32 days
17 achieved in 2005/06. This is top quartile and is a housing block indicator for CPA.

18 • **Affordable homes** Building is underway on sites at 5th Avenue and Victoria Way. A development partner
19 for the three Discus Homes sites on has now been approved. This project will replace 100 non-decent
20 bungalows with 60 new bungalows, 40 extra care sheltered homes, 49 other affordable homes and 49 homes
21 for sale on the open market. It will also bring in a significant capital receipt to the HRA budget which will
22 potentially allow us to provide more homes and improve those that already exist in the City.

23 • **Homelessness:** Work has now started on the replacement for the Peasholme Hostel, which will provide
24 improved facilities for residents and free up land needed for the Hungate development. CYC has recently
25 been commended by the Department for Communities and Local Government for its work on preventing
26 homelessness with 250 households prevented from being homeless last year with the number expected to
27 be 300 by the end of this year.

	05/06 result	06/07 result	07/08 latest	Target	Improving
Average time taken to re-let local authority housing (days)	32	24	21	21	Yes
Average length of stay in B&B accommodation of homeless households (weeks)	4.6	3.3	NYA*	3	N/A
Proportion of successful homelessness prevention cases (in proportion to York households)	2	3.43	NYA*	2.4	N/A
Number of private sector rented homes made decent	New for 06/07	38	NYA*	35	N/A
% of tenants in arrears who have had notices seeking repossession	17.65%	20.50%	NYA*	18.50%	N/A

28 * Available monitor 3

29 **3 Affordable Homes**

30 The Homebuy Plus scheme, developed with Golden Triangle Partners, is due to assist up to another 20
31 households (17 helped in York in 06/07) to buy a home in 2007/08 - and we are aiming to target existing
32 council and Housing Association tenants in order to free-up much needed rented homes too.

33 The Golden Triangle partnership is hoping to be successful in a bid for funding incentives to reduce the
34 under-occupation of existing council and HA homes. This funding would be a mix of funds for white goods,
35 carpets etc in a new home as well as funding practical support on changing utilities, ctax, removal, child care
36 on the day of the move etc if needed.

37 The development of affordable 'eco excellent' (eco homes very good standard) homes has started on 5th
38 Avenue and Victoria Way. This will deliver 19 affordable homes.

39 **4 Private Sector**

40 New security grant to help vulnerable customers delivered in partnership with Safer York partnership has
41 resulted in 48 enquiries and 16 grants approved so far.

42 Licensing of houses in Multiple Occupation has been successfully implemented with 305 full licences issued
43 and a further 7 licences drafted in 06/07 and sent to landlords in accordance with the legislation. This work is
44 aims on improving housing conditions in the private rented sector. The team is now focusing on:

- 45 • Identifying properties which require licensing
- 46 • Carrying out full inspections of the properties to ensure that there are no category 1 hazards as
47 defined by the Housing Health and Safety Rating System- 40 such inspections were carried
48 out 2006/07 and inspections this year have resulted in 77 notices served outlining work to
49 remove hazards.
- 50 • Carrying out unannounced monitoring visits to ensure that the licence conditions are being
51 adhered to; 100 such visits are planned for 2007/08

52 **5 Housing Management**

53 **Letting of empty homes** – there has been a significant improvement in the void turn round times for empty
54 homes. In 2006/07 the void period averaged 3.55 weeks this year so far the void period is 2.80 weeks this is
55 below the 3 week target and is at its lowest level this century.

56 Several factors have led to this improvement :

- 57 • The changes in the way properties are allocated as a result of the restructure
- 58 • The golden goodbye incentive scheme encouraging customers to leave their homes in
59 relatable condition (108 awards have been made).
- 60 • Tightening up of procedures and closer monitoring.
- 61 • Redesignation of some of the sheltered street schemes
- 62 • Choice based lettings on hard to let properties (114 lettings)

63 The whole of the voids process has been reviewed and the recommendations from that review are currently
64 being implemented and should lead to further performance improvements

65 **Tackling Anti social behaviour** – The department has reviewed its service in line with the Respect standard
66 in housing management that the government launched in August 2006. A report will be presented member
67 early in the new financial year recommending that York sign up to the standard.

68 The Tenancy enforcement team continue to provide an invaluable service in tackling the most serious issues
69 of anti social behaviour in council accommodation. In 2007 they were directly involved in dealing with 67
70 cases and evicted 18 households for anti social behaviour. In addition to the enforcement work the team
71 have also taken on an interventionist role, trying to ensure that some vulnerable perpetrators sustain their
72 tenancy.

73 **Estate Improvements/Walkabouts**- Housing has been working closely with neighbourhood management,
74 Street Scene, Street Environment to develop a new model for delivering the above. This is being launched
75 this year and is intended to lead to a more focused approach to environmental improvements in each area. It
76 will ultimately lead to ensuring that all the resource available to the area are being used to target specific
77 issue that the community has prioritised.

78 The department has successfully introduced the Tenant In Bloom competition this year will be the third year
79 of the competition that is intended to encourage customers to maintain their gardens.

80 In the next two years the department will be replacing the analogue aerials to it flats providing customers with
81 digital solution in preparation for the digital switch over in 2011.

82 **6 Financial Management**

83 **Income Management** – Performance on arrears recovery continues to improve, in 2006/07 the rent collected
84 as a % of the debit had improved to 97.46% and the arrears as a % of the debit was at 2.60%. The figure in
85 December suggest that we are on target to reduce the arrears by a further £100K this year, this would mean
86 the current tenant arrears would be just over ½ Million pounds, this is remarkable given that 4 years ago the
87 debt was in the region of £1.5 Million.

88 **Former tenant arrears.** - Further initiatives have been introduced such as the prize draw. The CAB debt
89 advice scheme and HARP court advice scheme have ensured that customers are receiving help with
90 management of their debts.

91 **Housing Registrations-** An initial review of the teams work has been completed which has lead to some
92 improved performance. Processing of applications has gone from a situation where the team had a 30 day
93 backlog on processing to a position where the backlog is down to 9 days. Further work is being done on re-
94 engineering processes which hope to bring about further efficiencies.

95 **Customer Services** – the department has significantly improved its performance on answering calls with
96 over 95% of calls being answered in 20seconds.

97 The use of mobile technology is set to dramatically change the way field staff work. A pilot will be run within
98 the income management and surveying teams between January and the year end. If successful it will be
99 rolled out other areas of the department. The indications are it will result in significant improvements in
100 performance and provide a much more responsive service

101 **7 Homelessness and specialist services**

102 The department was successful a bid for refurbishment works
103 programme for the Travellers Sites with joint funding obtained from
104 Government Office for Yorkshire and The Humber (GOYH). This
105 work has now been completed with improvements to electric
106 supply, extending the size of pitches and refurbishment of the utility

107 buildings on Clifton

108 Phase 2 of an extensive refurbishment has been carried out to

109 Howe Hill Hostel during 2006/07, 10 units of accommodation have been upgraded or improved bringing
110 additional units into use. When completed the total number of units will have increased from 13 to 27 and will
111 include a wheelchair accessible unit. The homeless hostel at Ordnance Lane has benefited from increased
112 security following the installation of CCTV cameras

113 The department has increased its temporary accommodation by using 92 Holgate Road which reduces the
114 pressure to use the permanent stock as emergency accommodation.

115 A review of the Homelessness Strategy is progress with extensive consultation with stakeholders and service
116 users. This is due for publication in July 2008



Traveller sites have been
refurbished

117 **8 Looking forward**

118 The Council Executive has approved the Discus Board recommendation for the partnership of Tees Valley /
119 Southdale Homes and York Housing Association to be the developer partners. The site at St Anne's will be
120 vacant and ready for redevelopment by the end of March
121 2008. Temporary moves are being organised for residents
122 that wish to move back into a new bungalow and further
123 consultation for residents and the wider community is on
124 going. Aim for a planning application in late spring

125 The new Arc Light is due to be completed in June 2008 and is
126 progressing well on site. The council has secured £3k worth
127 of training through the Chartered Institute of Housing
128 'Leadership for Places of Change' programme funded from
129 CLG as a result of our successful partnership approach to this
130 project.



**The new Arclight Centre will open
in late spring**

131 The contract for the redevelopment of Peasholme has started on site and is due for completion in July 2008.
132 Planning for the successful transfer of the service from its current location is under way.

133 A Places of Change bid is to be submitted to CLG to provide a foyer type scheme for young homeless 16 /17
134 year olds. Ordnance Lane is a suitable location for this new project and this is being considered along with
135 the redevelopment potential of the whole of the Ordnance Lane site

136 The results of the annual monitor of tenant satisfaction with Housing Services are due soon. I am confident
137 that the results will show an improvement in satisfaction levels.

138

139 Sue Sunderland
140 16th January 2008

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Council

24 January 2008

Report of the Head of Civic, Democratic and Legal Services

**Independent Remuneration Panel on Members Allowances
– Final Report**

Summary

1. This report presents the final report of the Independent Panel recently commissioned to review the basic, special responsibility and other allowances paid or reimbursed to Elected Members on City of York Council.

Background

2. The Council is legally required to establish an independent panel to review the allowances it pays to Members over a reasonable period of time. Historically, the Council has commissioned such a review every 4 years, running in conjunction with the local election cycle in York.
3. The Panel was chaired by Dr Declan L G Hall (Institute of Local Government, School of Public Policy, University of Birmingham). It also comprised:

Wendy Capelin – a human resources specialist.
Suzanne Gilbert – an experienced Company Managing Director.
Roger Shenton – a retired supply chain consultant.
4. The terms of reference, methodology used and key principles of the Panel are set out in its report at Annex A to this report. The recommendations of the Panel in relation to basic, special responsibility allowances, pensions and other expenses, together with the workings and evidence supporting those recommendations are set out in the report at Annex A.
5. A summary spreadsheet showing the Panel's recommended allowances compared to existing basic and special responsibility (SRA) ones is attached at Annex B.

Consultation

6. The Panel consulted extensively with Members during its review period and details are contained in its report. Group Leaders have considered and discussed within their party groups the recommendations contained in the final report since the Panel produced it.

Options

7. Members can choose to support all, none or some of the Panel's recommendations in relation to revising the basic and special responsibility allowances, pension proposals or other expenses paid to Members.

Analysis

8. Full Council must statutorily consider the final report of an Independent Panel and decide upon its scheme of allowances having taken into account the independent recommendations presented to it. Council should also have regard to its overall budgetary position in determining its scheme of allowances.
9. As such, Council will need to:
 - address the financial implications set out below in detail;
 - consider the affordability of the 'package' proposed by the Panel;
 - decide whether to introduce pensions for Members and consider the associated costs;
 - determine what level of increase to current basic and special responsibility allowances it wishes to make, if any, and from when these should be applied; and
 - consider whether it wishes to make any changes to other expenses reimbursed to Members.
10. Giving regard to the above and following discussion with their groups regarding the recommendations which have emerged from the Panel's report, Group Leaders have put forward the following proposals for consideration by Council:
 - 10% approximate increase in basic allowance (bringing it to £7,000 per annum), equivalent to a 4 year inflation increase awarded to local government employees. Effective from 1 February 2007;
 - Increase basic allowance annually in accordance with the annual inflation salary increase awarded to local government employees;

- Members allowances to be pensionable as from 1 April 2007;
- Extend current dependant carers scheme to include a further allowance for additional family members (other than spouse). Paid at £3.50 per hour upto a maximum of 3.5 hours;
- No change to current special responsibility allowances at the present time. Review prior to Annual Meeting in May 2007 when new Council and Committee places are agreed.

Corporate Strategy

11. Determining a scheme of allowances for Members of the Council is not directly relevant to the values, direction statements or priorities for improvement set out in the Council's Corporate Strategy 2007-11. However, it is suggested a fair remuneration package for Members is equally essential in motivational terms as a transparent and equitable salary structure for Council officers.

Implications

12. There are no known implications in relation to establishing a revised scheme of allowances for Members post the 2007 elections, other than those financial implications set out below:

Financial Implications

13. To fully implement the recommendations of the Independent Review Panel the cost to the council would be approximately £879.3k against a current budget of £599.2k. This would lead to a budget pressure in the 2008/09 budget process of £280.1k. The actual increase would be dependant on the actual number of members wishing to join the superannuation scheme. This is shown in Annex B.

14. The cost of the Group Leaders proposals would result in an increase in the cost of the basic members allowances budget of £44.2k. There would also be an increase in 2007/08 totalling £5.9k. It is proposed that the part year cost be funded from reserves (see para 16 below)

15 Should Members agree to allow access to the superannuation scheme it is anticipated that this would lead to an increased cost of £49.6k based on approximately 50% of Members joining the scheme. The impact of the above two proposals is shown in Annex C.

15 The increased cost of the allowances identified above (£93.8k) is £23.8k higher than that identified in the draft budget proposals (£70k) and the additional £23.8k will need to be funded as part of the February budget setting process.

16. The Council has reserves that can be used to fund non-recurring expenditure, which will leave the contingency available to fund recurring items. CPA recommend that a minimum level of revenue reserves is held, and for 2007/08 the minimum recommended level is £5.201m. It is estimated that there will be approximately £2.050m of other revenue reserves available, thus the level of the general fund balance should not fall below £3.151m. The current level of the general fund balance, after deducting Member approvals to date and requests part way through the democratic process, is £4.16m. The balance available, if this application is approved will remain at £4.16m.

Risk Management

17. In compliance with the Councils risk management strategy, there are no risks associated with the recommendations of this report.

Recommendations

18. Members are asked to consider the Independent Panel's Report and recommendations on Members Allowances and in particular whether they wish to support and agree with the Group Leaders proposals set out in paragraph 10 above.

Reason:

To determine the Panel's recommendations, make any consequential changes to the current scheme of allowances for Members.

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Report Approved **Date** 16.1.08

Specialist Implications Officer(s) None

Wards Affected: All

For further information please contact the author of the report

Annexes

Annex A – Independent Panel Remuneration Report – November 2007

Annex B – Cost comparison of existing scheme and Panel's proposals

Annex C - Costs of Group Leaders' proposals

Background Papers

Independent Panel Remuneration Report on Members Allowances –
November 2007

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Annex A

A Review

Of

**Members'
Allowances**

For

City of York Council

The Fourth Report

By

**The
Independent
Remuneration
Panel**

**Wendy Capelin
Susanne Gilbert
Dr Declan Hall
Roger Shenton**

November 2007

Foreword

This is the fourth report produced by the Independent Remuneration Panel for City of York Council. The original Panel, established in 2000 as a precursor to the wider modernisation agenda rolling out across England at the time, produced its first report in the autumn of 2000. This review took place in a context of limited experience of the new roles and structures but nonetheless the Independent Remuneration Panel made recommendations that at the time were very much in spirit with the new roles and responsibilities envisaged for local government. Consequently, the City of York Council was ahead of many of its contemporaries in the levels and range of allowances paid to Members.

The City of York Council was required (as were all local authorities) under the *Local Authorities (Members' Allowance) (England) Regulations 2003*¹ and subsequent amendments to re-establish its Panel to make recommendations on certain associated allowances before 31 December 2003, which was duly done. However, the review in 2003 was viewed very much as an interim measure to comply with the 2003 Regulations rather than an opportunity to undertake a wider review of allowances in light of experience by Members on the new roles and responsibilities they were required to undertake; thus, the essential framework was maintained.

A new Panel appointed at the end of 2003, charged with carrying out a more detailed review in the first half of 2004, which it duly did – producing a report in October 2004. However, while some minor changes arose out of the 2004 review – such as a marginally increased Basic Allowance and the abolition of some minor allowances – it did not result in any major changes in the current scheme. Nor did it result in the Council availing itself of the right to exercise discretion in other areas, such as indexation, pensions, and Co-optees' Allowance.

As required by the 2003 Regulations the Council is required to seek advice from its Independent Remuneration Panel (IRP) before it can amend or change its allowances scheme. The Regulations also require that a Council seek advice from its IRP at least every four years and that time line is one driver of this review; the Council would be required to reconvene this Panel within the next six month or so regardless. This review has not recommended major changes to the current scheme bar in relation to the Basic Allowance; the framework for current scheme is still broadly appropriate. The Panel has sought to address any anomalies in the current scheme rather than revisit the fundamental framework.

The Panel recognises that the Council (as with all Councils) should seek to attract a wider range of candidates, particularly from underrepresented groups, such as younger people who are employed, ethnic minorities, and adults charged with home caring responsibilities. A Members' Allowances Scheme can play a part in making standing and remaining as an elected Member a more feasible proposition for those from underrepresented groups. But, the reality is that if the Panel were to make recommendations that ensured being an elected Member was financially attractive it would be recommending levels of remuneration that would make Members in York by far the highest paid in the UK. The Panel is aware that the Council could not afford to pay such suggested levels nor was there any suggestion from the evidence received that it should do so.

This is not to suggest that the driver for this review is financial. While the Panel was aware of its fiduciary responsibilities in ensuring value for money for the Council Tax Payers of York it was concerned primarily with arriving at the appropriate allowances for the roles that Members are required to undertake. Moreover, the Panel did not feel entirely comfortable with making being an elected Member financially attractive even if it was affordable. The role of the Panel has been to balance the

¹ See Statutory Instruments 2003 Nos. 1021, 1022 and 1692 for further details.

requirements that the Council provides proper remuneration for being an elected Member (within a sensible framework) while ensuring that a degree of public accountability is brought to bear on the Council's right to determine its own Members' Allowances Scheme.

Dr Declan Hall
Chair of the Independent Remuneration Panel
November 2007

Summary of Remuneration Panel's Recommendations

Post	Maximum Payable	Basic Allowance	Special Responsibility Allowance	Total Allowance Per Member	SRAs Total Payable
Basic Allowance	47	£8,880			
Leader	1	£8,880	£26,640	£35,520	£26,640
Deputy Leader	1	£8,880	£18,648	£27,528	£18,648
Executive Portfolio holders	7	£8,880	£15,984	£24,864	£111,888
Main Opposition Group leader	1	£8,880	£11,988	£20,868	£11,988
Chair of Scrutiny Management	1	£8,880	£7,992	£16,872	£7,992
Chair of Planning Committee	1	£8,880	£7,992	£16,872	£7,992
Main Opposition Deputy Group leader	1	£8,880	£5,328	£14,208	£5,328
Principal Minority Group Leader	1	£8,880	£5,328	£14,208	£5,328
Chairs of Planning sub-committees	2	£8,880	£5,328	£14,208	£10,656
Chairs of Standing Scrutiny Committees	2	£8,880	£5,328	£14,208	£10,656
Chairs of Ad Hoc Scrutiny Committees	4	£8,880	£5,328	£14,208	£21,312
Chair of Licensing & Regulatory Committee	1	£8,880	£5,328	£14,208	£5,328
Chair of Gambling & Licensing Committee	1	£8,880	£5,328	£14,208	£5,328
Shadow Executive	7	£8,880	£3,996	£12,876	£37,296
Chair of Audit & Governance	1	£8,880	£2,664	£11,544	£2,664
LM as Chair of Council	1	£8,880	£2,664	£11,544	£2,664
Group leader of third minority party	1	£8,880	£2,100	£10,980	£2,100
Chairs of Licensing Sub Committees	2	£8,880	£1,332	£10,212	£2,664
Sub Totals	36	£417,360			£296,472
Total					£713,832
Co-Optees' Allowance Chair of Standards	1			£2,664	£2,664
Co-Optees' Allowance Other Independent Members on Standards	2			£440	£880

The Panel considered the following posts but decided not to recommend they receive a SRA:

- The ordinary Members of the Licensing Committee
- The Chairs of the EMAPs
- All Vice Chairs
- Member Champions

The Independent Remuneration Panel also recommends the following; namely:

An Expenses (Telecommunications and Support) Allowance

- I. The current allowance for telephone line rental is discontinued and replaced by an annual £300 Expenses (Telecommunications and Support) Allowance.

Access to the Local Government Pension Scheme (LGPS)

- II. All Members should be eligible to join the LGPS, to include both their Basic Allowance and SRAs, if so agreed by the Council.

The Dependants' Carers Allowance (DCA)

- III. The DCA is paid at and indexed to minimum wage relevant to age of carer for child care element and to York Social Services hourly cost of home help for other care. The amount claimable capped at 12 hours per week.

Travel and Subsistence Allowances

- IV. The current terms and conditions and applicable rates for which Members can claim travel and subsistence allowances on approved duties continue.

Member Performance

- V. The Council publish attendance records alongside the annual publication of allowances and expenses received by Members and the publication of attendance records should take into account such things as illnesses, holidays, etc.

Confirmation of Implementation and Indexing

- VI. The recommendations contained within this report (with any amendments) implemented from the Annual Meeting of the Council in May 2007.
- VII. Furthermore, the Panel recommends and confirms the use of the following index for allowances:
 - Basic Allowance, SRAs, Co-optees' and Expenses (Telecommunications and Support) Allowances: increased by the annual percentage increase in the LGA daily session rate as published each year in March to be implemented the following May in that year from the date of the Council Annual Meeting commencing in 2008.
 - Travel and Subsistence: maintain current indices, namely Officer casual user rate or AMAP rates where relevant, unless related to actual cost re-imburement.
- VIII. That as per regulations the indices recommended by the Panel be utilised for four years, or until the Council requires a further review.

Limits on SRAs

- IX. That as per current practice Members should draw one SRA only regardless of number of remunerated posts they may hold.

The Lord Mayor and Sheriff – Civic Allowances

- X. That the Civic Allowance for the Lord Mayor and Sheriff be increased, and suggests a sum of £6,000 and £3,000 respectively.

Independent Remuneration Panel:

Review of Members' Allowances

For

City of York Council

Introduction: The Regulatory Context

1. The following is a synopsis of the proceedings and recommendations made by the Independent Remuneration Panel appointed by City of York Council to consider the current Members' allowances scheme and advise the Council on a revised scheme.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* and subsequent amendments, to the regulations (*SI 1022 and SI 1692*).
3. These regulations require local authorities to set up and maintain an advisory Independent Remuneration Panel (IRP) to review and provide advice on their Members' allowances scheme. All Councils are required to convene their IRP before they make any changes to their allowances' scheme, and the Council must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.

The Panel

4. City of York Council reconvened its Allowances' Panel and the following Members carried out its independent remuneration review; namely:
 - Wendy Capelin, a HR professional with over 20 years experience
 - Susanne Gilbert, a Managing Director with over 30 years experience, a Member of the Institute of Directors, a Director of the York Chamber of Commerce, Diploma in Company Directing
 - Dr. Declan L. G. Hall, Chair, (Institute of Local Government, School of Public Policy, The University of Birmingham), an academic specialising in the field of Members' allowances and support
 - Roger Shenton, a retired supply chain consultant
5. The Panel was supported by the Democratic Services Team. The Panel would like to record its gratitude to the Members and Officers of City of York Council for making themselves available to meet with the Panel and to Member Support Staff in ensuring that the Panel was organised and operated in efficient and effective fashion.

Terms of Reference

6. The Panel was given terms of reference that reflected the requirements of the 2003 Regulations, namely to:
 - 1) Advise the City of York Council on what would be the appropriate level of remuneration for councillors having regard to:
 - (a) Their role as elected ward councillors and council business common to all (Basic Allowance)
 - (b) Any additional allocated roles/responsibilities special responsibility allowance
 - 2) Advise the Council on the payment of other allowances to its members such as travel and subsistence allowances, dependants' carers' allowances, co-optees, etc.
 - 3) Make recommendations as to which Members of Council are to be entitled to pensions in accordance with the scheme made under Section 7 of the Superannuation Act 1972; and as to treating Basic Allowances and Special Responsibility Allowances as amounts in respect of which such pensions should be payable regarding the Local Government Pension Scheme (LGPS)
 - 4) Make recommendations and provide advice to the Council on any other issues referred to the panel by regulation or by the council e.g., indexation, provision for suspension, backdating, etc.

Methodology

7. The Panel met at the Mansion House, York, 8th - 9th August, and 21st September 2007. The Panel meetings were held in private session to enable the Panel to interview Members and Officers in confidence. The details of the range of elected Members and Officers of the Council that met with the Panel are provided in Appendix 1.
8. The Panel's activity fell into 4 parts:
 - **One:** Review of background information; including, the current political structures and composition, briefing by the Panel Chair on the issues concerning allowances' reviews, other relevant information such as Council meetings schedule, membership of the Council, the previous report and the current allowances scheme, allowances paid in comparator authorities and copies of the regulations and statutory guidance. Full list of information considered by the Panel is reiterated in Appendix 2 and Appendix 3
 - **Two:** Interviews with Members and Officers of the Council
 - **Three:** Review of oral and written submissions and examples from other relevant authorities.
 - **Four:** Arriving at recommendations.

Principles of the Review

9. Before the Panel arrived at its recommendations it decided that its deliberations should be underpinned by the following principles; namely that :
 - (i) The recommendations would seek to minimise barriers to public service without allowances becoming a motivating factor in serving the Council.
 - (ii) The recommendations should be based on a transparent and logical construct that is understandable and justifiable.

- (iii) Any scheme recommended should be simple to administer.
- (iv) Recommendations should seek to reflect the way of working and responsibilities held by Members in City of York Council.

10. The Panel has set out its deliberations in this report to assist Members and the public to understand its approach. The role of the Panel has been to consider the worth of Members' roles. It is for the Council to consider issues of public perception and affordability. The recommendations presented in this report at the present represent the view of the Panel and not the official view of City of York Council.

The Evidence Considered

Arriving at the Basic Allowance

11. As per the previous review took into account the statutory guidance to which it must pay regard to before arriving at its recommendations. In particular, the Panel was made aware that the authority's scheme of allowances must include provision for a Basic Allowance that is payable at an equal flat rate to all Members. The statutory guidance on arriving at the Basic Allowances further states:

Having established what local Councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, Councillors ought to be remunerated.²

12. The Panel based its underlying approach to setting the recommended Basic Allowance on the statutory guidance as published by Department of Communities and Local Government (DCLG) and the Inland Revenue and Customs (IR&C), par. 67. Based on the above statutory guidance the Panel was under a duty to arrive at answers for the following three variables:³
- * What time is necessary to fulfil the role of the ordinary Member?
 - * What amount of that time should be viewed as given as public service, known as the public service discount (PSD)?
 - * At what rate of pay should be the remunerated hours?

Recalibrating the Basic Allowance

13. If the Panel was simply to use the original variables from the 2004 review with an up dated rate for the job, which is £138.75 per day (the Local Government Association 'daily session' rate⁴) it would result in the following recalibrated Basic Allowance:
- [time required to undertake roles multiplied by rate for the job] minus public service discount
 - = [72 days per year X £138.75] – 30%
 - = £9,990
 - = £6,993
14. The current Basic Allowance (£6,300) has not kept pace with the LGA daily session rate as the Council made a decision not to accept an annual index. Thus, the up dated Basic Allowance should at least be just under £7,000, simply to maintain parity with the Basic Allowance set in 2004.
15. The Panel decided to revisit the original variables to test whether they were still appropriate. In other words, it wanted to find out whether the recalibration was robust in light of the current context in York Council.

² Department of Communities and Local Government and Her Majesty's Revenue and Customs, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, par 67

³ See *Consolidated Guidance* July 2003 paragraphs 68-69 for further details.

⁴ see LG Alert 55/07, *Members' Allowances* 7 March 2007

Setting the Basic Allowance – Expected Time Inputs

Original Time Estimate

16. The Panel in 2004 deliberated at length on the time required fulfilling the backbench role[s] - not what Members put in on average but what was the minimum necessary to put in to fulfil the role of a Member. The time that many Members have to supply can exceed the time necessary to do the job. The evidence from the interviews in 2004 on what was necessary to do the job of the Member effectively generally viewed the input necessary within the 12-15 hours per week range. The Panel opted for the lower end of this range and utilised 12 hours per week, as the minimum necessary to do the job of a Member as it sent out the message that most employed people would find their normal work compatible for standing for Council. The Panel then equated this to 1½ days per week or 72 days per year (on a notional 48 week working year) while recognising this was not in a formal 9-5 context and many members actually put in much more time in their backbench roles.

The 2007 Time Estimate

17. A consistent theme coming out of this review was that an average of 12 hours per week did not recognise the required time commitments needed to be an effective backbench Member. Indeed, strong representation was made that the minimum time commitment needed was at least 15-20 hours per week (although that was by no means the only view). Nonetheless, the general view was that 1½ days per week was an underestimate of the time needed to fulfil all backbench roles.

The LGAR Analysis

18. The Panel in 2007 had the advantage of having the results of the very recent (23 March 2007) Local Government Analysis and Research (LGAR) on Members' Allowances and Members' workloads available to it for this review. The LGAR analysis reported that Members not holding "a senior position" spent on average 18.1 hours per week on their Council duties – this includes the London Boroughs, Metropolitan Boroughs, County and Unitary Councils as well as District Councils where the expectation exists that backbenchers' roles and responsibilities are less onerous.
19. The Panel did not accept the argument that 20 hours per week was the minimum time requirement to be an effective backbencher – the latest bench marking analysis bears out it should be no more than 18 hours per week.
20. Yet, it was clear that being an effective backbencher does require a greater commitment than is currently notionally allocated, the current assessment of 12 hours per week does not reflect reality.
21. Without undertaking a more extensive review, the Panel has limited means by which to judge the current size of the role of the backbencher. However, it did test out in interview whether 12 hours was still appropriate with the interviewees, and attempted to map out what was expected of a back bencher and what time commitment it entailed.

22. The Panel noted the following aspects of the backbenchers roles as a minimum:
- **Full Council:** all Members are expected to attend 7-8 Council meetings per year
 - **Executive Member Advisory Panel (EMAP):** all non-executive Members are expected to sit on at least 1 EMAP and attend at least 4 meetings per year
 - **Overview & Scrutiny Committees (ad hoc or standing),** including all subsequent sub committees and panels, working groups, and other associated activity: all non-executive Members are expected to sit on an O&S Committee and attend at least 6 meetings per year
 - **Quasi Judicial Role:** all Members are expected to sit on least one quasi judicial committee, appeals panels, including sub committees and sub panels and attend at least 6 meetings per year on average.
 - **Representing the Council on outside bodies,** whether formally or informally: all Members are expected to sit on those outside bodies that the Council has to appoint to and where appropriate undertake other civic/representative duties such as attending religious services as a council representative at least 8 times per year
 - **Member Training and Development:** All members are expected to fulfil their on-going obligation to undertake member development and training activities at least 4 times per year
 - **Ward Committees:** all Members are expected to attend their own ward committee at least 6 times per year
 - **Constituency Representation/Advocacy:** all Members have to attend to ward concerns, dealing with constituents' complaints, holding surgeries, and acting as the advocate for their local community and community groups.
 - **Other community leadership roles:** all Members have wider community leadership roles that they generally are expected to undertake but not specifically as representative of Council. These activities include being on School Governor Boards, attending tenants and community group meetings, serving on their boards, and being on other public boards such as colleges of further education, and local charities.
 - **Other research, correspondence, emails, preparation, and ad hoc meetings:** all Members will have ad hoc demands on their time such as occasional meetings with Officers, as well as having to undertake research, reading and preparation associated with all the above activities and in relation to a Councillors' particular interests.
23. The delineation of backbench roles outlined above was useful to the Panel as it enabled a conceptualisation of what can reasonably be expected from an elected Member in return for their Basic Allowance. **Based on the various elements of the role it is the view of the Panel that a more considered estimation of the expected time input for the Basic Allowance is now 96 days per year, or at least 2 days per week.** The Panel accepts that some Members have the capacity to put more than 96 days per year into their backbench roles as an individual choice. The Panel has based its recommended Basic Allowance on a minimum of 96 days per year as a reasonable expectation to undertake the job of ordinary Member with no significant responsibilities in an effective manner, compatible with outside activities, whether it is employment, other public duties or caring responsibilities.

The Rate for the Job

24. In 2004, the Panel continued to utilise the LGA 'daily session' rate as the most appropriate benchmark to assess a Councillor's worth. In other words, to establish a rate for the job, it was recommended that a Member time is worth the daily session rate as put forward each year by the LGA. This is commonly known as the Local Government Association (LGA) 'daily session'

rate which the LGA publishes each year as a means to assist remuneration panels in arriving at a rate for the job when setting the Basic Allowance. The current LGA daily session rate is £138.75 per day (2007/08) and is weighted towards the median male non-manual wage for Great Britain. The Panel sees no reason to deviate from this accepted rate for the job in York Council.

The Voluntary Principle – Or Public Service Ethos

25. The statutory guidance requires that the principle of public service is maintained when setting an appropriate Basic Allowance. This is the notion that an important part of being a Councillor is serving the public and, therefore, not all of what a Councillor does should be remunerated - a portion of a Councillor's time should be given voluntarily.
26. The Panel in its 2004 review assessed the Public Service Discount (PSD) at 30 per cent. In other words, the recommended Basic Allowance should be discounted by 30% to take into account the public service principle. The Panel noted that the most common level of the PSD chosen by other reviews is one third.
27. The 2006 national consensus of councillors points out that "Engaging with constituents, conducting surgeries and answering enquiries accounted for 7.2 hours of the week ..." This equates to just over 39% of the 18.1 hours per week that all councillors (without responsibilities) on average report that they put into council activities. The same survey also points out that councillors from districts spend on average less time on this (and all over) activities.⁵ Thus, the Panel felt that a one third PSD was appropriate on the grounds that it is the common standard across the country and district councillors spend at least that proportion of their time on ward and constituent issues.
28. **Thus, the discounted daily session rate for Councillors in the City of York Council is £92.50 per day.**

Calculating the Basic Allowance

29. Consequently, the Panel calculated that the Basic Allowance for Members of City of York Council (2007/08) should be based on the following formula:
 - 96 days minimum annual expected mean input X [£138.75 per day minus one third Public Service Discount]
 = 96 remunerated days per year X £92.50
 = **£8,880**

Benchmarking the Basic Allowances

⁵LGAR, *National census of local authority councillors in England 2006*, March 2006, p. 14. The survey also points out that the total number of hours councillors report doing and how they it break down don't always match up

30. The Panel benchmarked its recommended Basic Allowance against the Basic Allowances paid in comparable, namely CIPFA⁶ Near Neighbour authorities – those authorities deemed by CIPFA to be the closest to York on a range of demographic criteria such as population, socio-economic profile, etc. The Panel wanted to test whether its recommended Basic Allowance was comparable with that paid in similar authorities – see table 1 below.
31. The Panel noted that the average Basic Allowance paid last year in English Unitary Councils was £7,406 (See LGAR survey of allowances 23 March 2007 – which relate to figures collected in autumn 2006). However, the City of York’s peers are not simply other unitary authorities; it is also compared with metropolitan authorities, where the average Basic Allowance was £9,512 last year. A closer benchmarking (see table 1) shows that amongst its near neighbours York pays the lowest Basic Allowance. The average Basic Allowance paid amongst the six near neighbours is £8,653 with the median being £8,334, although these figures include some Councils on 2006/07 rates as they have not yet indexed their allowances as the local government pay settlement has yet to be finalised. Nonetheless, even in this context the recommended Basic Allowance (£8,880) for City of York Council by this Panel is only marginally above the average and median currently being paid in comparable authorities – and once the indexing for some of the councils has been applied it will be even closer to the mean and median.

Table 1: BA in CIPFA Near Neighbour Authorities 2007/08

Council	Basic Allowance
York	£6,300
Bath & NE Somerset	£7,215
North Lincolnshire	£7,302
Calderdale	£9,366
Wakefield	£10,330
Kirklees	£11,405
Mean	£8,653
Median	£8,334

32. The Panel was confident in its recommendation; based on the variables it had utilised. The benchmarking exercise shows that a Basic Allowance of £8,880 is appropriate for a council the size of and with the responsibilities of the City of York Council.

Expenses, and Communication and Support Allowance

33. Presently Members are expected to pay for a number of expenses out of the Basic Allowance, including headed stationery, their own postage, council related telephone calls both land line (but the cost of a land line rental is provided for up to £12.48 per month) and mobile, and other incidental expenses. IT and internet access is provided separately to Members.

⁶ CIPFA – Chartered Institute of Public Finance Accountants

34. The Panel noted that the statutory guidance⁷ on Members' Allowances states, the:

*Basic allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes.*⁸

35. Thus, the Basic Allowance is deemed to cover incidental expenses yet representation was received that there are expenses that go beyond 'incidental' and merited recognition in the Panel's recommendations. **The Panel has some sympathy with this view and recommends that the current provision for line rental is discontinued and replaced with an annual £300 expenses allowance to pay for *inter alia* the following:**

- Telephone land line rental
- Mobile phone rental
- Council related telephone calls from land line and mobile line
- Headed stationery,
- Minor office equipment
- Office furniture

36. It is recommended that this allowance is paid upon the production of receipts for the reimbursement of actual expenditure incurred up to an annual maximum of £300 per annum.

37. The Panel also notes that this should not negate the current level of provision and access by elected Members to those services provided by Democratic Services, such as broadband provision.

Arriving at the Special Responsibility Allowances

Testing the Leader's SRA

38. The Panel discussed the Leader's SRA in some depth before deciding on the appropriate level. It has summarised the approaches considered below and laid out the deliberations in Appendix 4 for a more in depth explanation of each approach.

Replicating the Previous Approach

39. If the previous approach were replicated and the formula utilised for arriving at the Leader's SRA in 2004 up dated with the current daily session rate it would produce a sum of **£22,378**. The Panel felt that this approach is no longer appropriate as it maintains a public service discount for SRAs, it is not a statutory requirement and it penalises the post holders twice, as they already have their public service accounted for in the Basic Allowance.

Utilising Time and Responsibility without the PSD

⁷ DETR, *Guidance on Members' Allowances for Local Authorities in England*, paragraph 14, 9 April

⁸ DETR and Inland Revenue 2003 Consolidated Guidance, par. 10.

40. The Panel also developed a variant of the previous approach by making an assessment of the time required to fulfil the role **and** the responsibility the post carries without factoring in a public service discount which produces a figure of **£31,968**. The problem with this approach is that the responsibility factor of an extra 60% is not necessarily appropriate when the public service discount is not built in: it was always a means to dilute the responsibility factor, thus the latter was never a true measure in its own right.

Time and Responsibility (Via a Points System)

41. A variation on the above approach is to look afresh at the Leader's post and responsibility assign the responsibility on a points system while maintaining the current time assessment. The approach the Panel utilised arrived at a SRA of **£26,640**. The Panel also developed a more straightforward variant of the time + responsibility approach
42. Another approach, a somewhat more straightforward variant developed by the Panel arrived at a SRA of **£25,980**.

Comparing the Leader to peers

43. The average SRA paid to Leaders of unitary authorities in 2006 as reported by LGAR was £20,338, while the average paid to Leaders of Metropolitan authorities was £25,690. Thus, the current SRA (£23,520) for the Leader is in between unitary and metropolitan peers nationally. However, the LGAR figures are up to 12 months old and more importantly do not take into account those Leaders who are still able to pick up multiple SRAs, e.g., as Leader and a Group Leader, whereas the York IRP has always factored the multiple roles into the single SRA paid to the Leader of City of York.
44. The average SRA paid to Leaders in the six Near Neighbour cluster of authorities is £25,015, with a median figure of £26,158. This benchmarking shows that the Leader of York's SRA is on a par with Leaders of Councils deemed closer to York. Yet, once the total package is taken into account the Leader's remuneration is below peers in the Near Neighbours.

Table 2: Benchmarking the Leader's SRA to Near Neighbours

Near Neighbour	BA	Leader's SRA	Leader's Total
North Lincolnshire	£7,302	£18,000	£25,302
York	£6,300	£24,218	£30,518
Kirklees	£11,405	£19,728	£31,133
Bath & NE Somerset	£7,215	£28,523	£35,738
Calderdale	£9,366	£28,098	£37,464
Wakefield	£10,330	£31,521	£41,851
Mean	£8,653	£25,015	£33,668
Median	£8,334	£26,158	£33,436

As a multiple of the Basic Allowance

45. The statutory guidance shows one method of arriving at the Leader's SRA: as a multiplier of the Basic Allowance. The Statutory Guidance (July 2003 paragraph 76) states

One way of calculating special responsibility allowances may be to take the agreed level of basic allowance and recommend a multiple of this allowance as an appropriate special responsibility allowance for either the elected mayor or the leader.

46. The Panel applied the maximum factor of 3 to the recommended Basic Allowance, which equates to **£26,640**.

Applying a Retrospective Index

47. By applying a retrospective index to the Leader's current SRA (£23,520) it produces an up rated SRA of £25,613, a figure that is only marginally less than produced by utilising a factor of 3 on the Basic Allowance (£26,640). It is also similar to that paid in near neighbours (median of £26,158 and an average of £25,015) and the time and responsibility approach when responsibility is allocated on time-derived points (£26,640).

48. **The above extensive deliberations of the Panel shows that there is a range of figures it could realistically recommend for the Leader's SRA, but at least four of the approaches indicate that a more appropriate SRA is closer to the £26,000 mark.**

49. **The Panel recommends the factor and time-derived points approaches be adopted to arrive at the Leaders SRA and should be set at £26,640.**

Arriving at Other SRAs

50. In arriving at the other SRAs the Panel took cognisance of the 2003 Statutory Guidance (paragraph 76) which states

A good starting point in determining special responsibility allowances may be to agree the allowance which should be attached to the most time consuming post on the Council (this maybe the elected mayor or the leader) and pro rata downwards for the other roles which it has agreed ought to receive an extra allowance.

51. In other words, this approach assesses the Leaders' post (SRA) as 100% and relates all other posts as a percentage of the Leaders' SRA, e.g., 70%, 50% and so on. The advantages of this approach are that the Panel is able to maintain current differentials between SRAs (unless in any particular case there is reason to alter a differential), is transparent and relatively simple to understand as it assesses posts in a hierarchical fashion based on the council political structures. Moreover, if the IRP was to maintain a factor and time plus responsibility points approach for all SRAs throughout the political structure it leads to convoluted fractions at the lower end. The pro rata approach simply uses the current differentials unless there is a case to alter them. As a general rule if a current post holder is remunerated comparatively well then the IRP has rounded its present ratio down and vice versa where a post is paid at a comparatively low level.

52. The Panel also maintained the approach of the previous Panel in that for any new posts to be considered for an SRA it had to carry a level of time commitment and significant responsibility above and beyond what could be expected from that of the backbencher.

The Deputy Leader

53. Currently the Deputy Leader receives a SRA of £16,905 which is 71.9% of the Leader's current SRA. This ratio is at the high end of the normal range and the Panel simply decided to round it down to 70% of the recommended SRA for the Leader, which equates to £18,648.

Other Executive Portfolio Holders

54. Currently the 7 Executive Members (or Executive Portfolio Holders) each receive a SRA of £14,700, which is 62.5% of the Leader's SRA. This ratio is towards the higher end of the normal range particularly in the absence of formal individual decision-making powers for Executive Portfolio Holders. The Panel decided to round it down to 60% of the Leader's recommended SRA. This equates to £15,984.

Scrutiny Management Committee

55. The previous overview and scrutiny structures have been replaced, with the Scrutiny Boards being replaced by two standing Scrutiny Committees – Education and Health – which reflect the Council's statutory obligations vis-à-vis these areas; and ad hoc Scrutiny Committees (see below). The Scrutiny Management Committee has been retained and continues to exercise overall responsibility for the scrutiny work programme and budget.
56. Currently, the Chair of the Scrutiny Management Committee receives a SRA of £6,300, which is 26.8% of the Leaders current SRA. Although not all councils have a Scrutiny Management Committee where it does exist it is often remunerated on a higher ratio than is currently the case in York. A 26.8% ratio is very much at the low end of the normal range and indeed is the lowest among the Near Neighbours. The IRP decided to round it up to 30% of the recommended SRA for the Leader to compensate. This equates to £7,992.

The Health and Education Scrutiny Committees

57. Currently the Chairs of the Health and Education (standing) Scrutiny Committees each receive a SRA of £4,200, which is 17.9% of the Leader's current SRA. This ratio is at the low end of the normal range and the Panel decided to round it up and set it at 20% of the recommended SRA for the Leader. This equates to £5,328.

The Ad Hoc Scrutiny Committees

58. Currently the Chairs of the ad hoc Scrutiny Committees are not eligible to receive a SRA. It is difficult to draw meaningful comparisons as the ad hoc model of scrutiny is not commonly deployed. Nonetheless, the Panel took the view that they performed a useful function; being tasked to examine particular issues that reflect Council priorities. Thus, the Panel felt that the Chairs of the ad hoc Scrutiny Committees should be placed on a par with the Chairs of the standing Scrutiny Committees and paid a SRA set at 20% of the Leader's recommended SRA

which is £5,328 – subject to two restrictions to ensure that these SRAs do not proliferate; namely:

1. That within each municipal year there should be no more than 4 SRAs payable to Chairs of the ad hoc Scrutiny Committees, on a pro rata basis.
2. That any SRA payable should be limited to a maximum of 12 months, after that period if the ad hoc Scrutiny Committee is still in place the SRA should lapse automatically.

The Planning Committee

59. Currently the Chair of the Planning Committee receives a SRA of £6,300, which is 26.8% of the Leaders current SRA and on a par with the Chair of the Scrutiny Management Committee. It is difficult to draw meaningful comparisons, as this two-tier model is not a particularly common one. If anything, the Panel was inclined to view the Chair of this committee as having a lesser time commitment than the Chair of the Scrutiny Management Committee, particularly as the vast bulk of the development control decisions are made by its two Planning Sub Committees. On the other hand, the Chair does have a large workload and responsibility when the committee exercises its powers vis-à-vis the major developments in York, which occurs on a regular basis. On this basis, the Panel decided to maintain this post on a par with the Chair of the Scrutiny Management Committee and set the SRA at 30% of the recommended SRA for the Leader. This equates to £7,992.

The Chairs of the Planning Sub Committees (East and West & City)

60. The area Planning Sub Committees meet fortnightly and also have a site visit associated with each meeting, so they meet for up to one day per fortnight to ensure planning applications are dealt within statutory timelines. Currently the Chairs of the Planning Sub Committees receive a SRA of £4,200, which is 17.9% of the Leaders current SRA and on a par with the Chairs of the Scrutiny Committees (both standing and ad hoc). Again, it is not easy to draw meaningful comparisons since this two-tier model with area Planning Sub Committees is not a particularly common one. The only other Council in the Near Neighbour group that has an area planning model, Kirklees, pays their 2 Chairs of their Planning Sub Committees £2,851, which makes the York Council SRAs appear generous particularly as Kirklees does not have a parent planning committee, making the planning function in York even more relatively well remunerated in total.
61. Nonetheless, planning remains a high profile topic in York and the chairs of the sub committees exercise a great deal of responsibility in terms of decision making (even if much of it is directed by legislation) and the Panel felt that these posts should be maintained at their current relative level and on a par with the chairs of scrutiny.
62. Thus, the Panel recommends that the SRAs for the two Chairs of the Planning Sub Committees are set at 20% of the recommended SRA for the Leader. This equates to £5,328.

Licensing and Regulatory Committee

63. Currently the Chair of the Licensing and Regulatory Committee receives a SRA of £6,300, which is 26.8% of the Leaders current SRA and on a par with the Chairs of the Scrutiny Management and Planning Committees. Yet again, it is difficult to draw meaningful comparisons, but amongst

the Near Neighbours Calderdale appears to have a similar committee and the Chair is paid £5,620, it also pays a SRA of £1,900 to the Chair of the Licensing and Safety Committee.

64. The Panel was inclined to view the Chair of this committee as having a lesser time commitment than the Chair of the Scrutiny Management Committee, and in all probability less responsibility than the Chair of the Gambling and Licensing Act Committee (see below). Yet, the Chair does exercise decision-making powers on a wide range of issues affecting the Council and an SRA is merited; although not on current ratios.
65. The Panel decided to place this post on a par with the Chairs of the Scrutiny Committees and Planning Sub Committees and set the SRA at 20% of the recommended SRA for the Leader. This equates to £5,328.

Gambling and Licensing Act Committee

66. This committee in present formation is relatively recent – the gambling responsibility is a new addition. Its prime function is to exercise all the functions of the ‘Licensing Authority’ under the Licensing Act 2003 – when the Council became responsible for liquor licensing in York. The gambling responsibility refers more to the future than the present but nonetheless the Council is also the licensing authority under the Gambling Act 2005 (assuming full implementation of the Act).
67. Presently, the Chair of the Gambling and Licensing Act Committee does not receive an SRA and the Panel could find no example of a comparable committee. While much of the work vis-à-vis liquor licensing is carried out by the licensing sub panels and/or officers the Chair of the Gambling and Licensing Act Committee does have a broad policy responsibility as well as definite time commitment in the wider community not necessarily reflected in the formal meetings. On this basis the Panel felt that the post merited an SRA.
68. As the impact of the gambling legislation is yet to be known the Panel took a relatively cautious view of this post and placed it on a par with the Chairs of the Scrutiny and Planning Sub Committees. Thus, the Panel recommends that the SRA for the Chair of the Gambling and Licensing Committee is set at 20% of the recommended SRA for the Leader. This equates to £5,382.

Licensing Sub Committees

69. The Panel considered whether there was a case to remunerate the Chairs of the Licensing Sub Committees. Indeed, some representation was made to the Panel presenting a case for remuneration for these posts. The Panel noted the Chairs of the Licensing Sub Committees are paid in 3 out of five of Near Neighbours, and they are not necessarily modest payments, namely:

- Bath & NE Somerset: £3,799
- Kirklees: £ 950
- Wakefield: £8,277 (3 chairs rather than 5)

70. In effect, the Licensing Sub Committees are the appeals panels to adjudicate over objections to any application from a licensed premise to vary hours of business. Each Sub Committee meets with three members drawn from the 15 members on the Gambling and Licensing Committee. The Panel is required to appoint a chair for each hearing and in theory the post rotates between

all Members as indeed each Member of the G&LC is supposed to sit in turn on a Licensing Sub Committee, which means on average they sit on one out of every five sessions. However, the reality is that the bulk of the work is carried out by a core of members from the G&LC – often those who are available to meet throughout the day.

71. The Panel had available the meetings schedule for Licensing Sub Committees for the previous year, including records of which Members sat on them and who chaired them. It noted that actual workload, i.e., sitting on the Licensing Sub Committees was not onerous, even taking into account that the majority of hearings are carried out by a core of 7-8 members. For the previous 12 months ending 30th June 2007 there were 23 hearings which means on average a member of the Gambling and Licensing Committee would have been called upon no more than 5 times last year assuming strict rotation. Even without proper rotation, the 7-8 core members were called upon no more than 9 times on average – a workload that is not as onerous as being on a Planning Sub Committee.

Members of Licensing Sub Committees

72. **The Panel recommends that the ordinary Members serving on the Licensing Sub Committees are not paid an SRA, their workload associated with this area is part of the reasonable expectation of all Members to undertake a quasi-judicial role on behalf of the Council for which they are remunerated via the Basic Allowance.**

Chairs of Licensing Sub Committees

73. The Panel felt there was a stronger case to remunerate the Chairs of the Licensing Sub Committees, not necessarily in terms of workload and responsibility carried compared to other remunerated posts on the Council but more to provide a small incentive to serve as a Chair to ensure the Council discharges its statutory responsibilities vis-à-vis the Licensing Act 2003. The Panel felt it would be problematic to recommend a standing SRA for Licensing Sub Committee Chairs when potentially all 15 Members of G&LC could reasonably expect to undertake the role within the life of the Council. Moreover, it appears a somewhat tighter circle of Licensing Members are shouldering the chairing responsibilities for licensing appeals hearings and an SRA payable in normal sense, i.e., as a fixed per annum sum, would not recognise the differences in input.
74. **The Panel recommends that the Chairs of Licensing Sub Committees receive a one off SRA that is only applicable when a Member chairs five Sub Committees within a municipal year.** Thus, if a Member only chairs four in a municipal year no SRA is payable.
75. In deciding the appropriate sum the Panel decided that it should be set at 5% of the Leaders' recommended SRS (£26,640), which equates to a one off SRA of £1,332 once the threshold has been reached.
76. By extension, in the unlikely event that a Licensing Member chairs 10+ Licensing Sub Committees within a municipal year the SRA payable should be increased to £2,664 (10% of the Leader's recommended SRA) and in corresponding increments for further increases in chairing responsibilities by 5 per annum.

The Audit and Governance Committee

77. Currently the Chair of the Audit and Governance Committee is paid a SRA of £2,100, which equates to 8.9% of the Leader's current SRA. The Audit Chair is not always remunerated in other authorities but in York it has also been allied to the Governance function, e.g., reviewing the constitution and how the Council operates. The Panel felt that it merited a SRA and marginally increased to reflect dual responsibilities and set at 10% of the Leader's recommended SRA, which is £2,664.

Executive Member Advisory Panel (EMAP) Chairs

78. The Panel decided not to recommend an SRA for the Chairs of the Executive Member Advisory Panels. These Panels are an arrangement that is peculiar to York and while they may fulfil a valuable function there is limited evidence to suggest the chairs merit a SRA.

The Chair of Standards as a Co-Optee

79. As per government guidance, the Chair of the Standards Committee is a non-elected appointee or Co-optee and as such is eligible for a Co-optees Allowance, which is currently not payable. The regulations specify that the Co-optees' Allowance must be paid as a specified sum and if a Co-optee is Chair of the Standards Committee then they must be paid a Co-optees' Allowance equal to what would be payable to a Chair who was an elected Member.
80. The Panel was informed that Standards Committee continued to meet relatively infrequently, usually no more than three times per year. But it has acquired some extra functions and powers (from central government) vis-a-vis local determination of complaints against Councillors and the power to suspend Councillors. This is potentially a major area of work that the Panel felt needed further recognition. The Panel took the view that Chair of Standards should be placed on a par with the Chair of the Audit Committee, set at 10% of the Leader's recommended SRA.
81. **The Panel recommends that the Chair of the Standards Committee receive a Co-optees Allowance of £2,664 per annum.**

Other Co-optees on Standards Committee

82. The Panel also decided to revisit the Co-optees Allowance for the other statutory appointees to the Standards Committee. Currently they are not remunerated but the Panel felt that they merited a recognition via a Co-optees' Allowance. The regulations require that the ordinary Co-optees' Allowance is paid as a percentage of the Basic Allowance. The Panel felt that that the ordinary Co-optees' Allowance should be set at 5% of the recommended Basic Allowance (£8,880), which equals £440 per annum.
83. **Thus, the recommended Co-optees' Allowance for the statutory members on the Standards Committee is £440.**

Main Opposition Group Leader

84. Presently the Leader of the main Opposition Group (which is the Labour Group with 18 members) receives an SRA of £10,500, which equates to 44.6% of the Leader's current SRA. Even though this level is generous in the comparative context the Panel felt that this ratio was appropriate due to the large size of the group. Thus, the Panel rounded the current ratio up to 45% of the recommended SRA (£26,640) for the Leader.

85. **Thus, the recommended SRA the Leader of the Main Opposition Group is £11,988.**

Main Opposition Group Deputy Leader

86. The Deputy Leader of the main Opposition Group receives an SRA of £6,300, which is on a par with the Chair of the Scrutiny Management and the Planning Committees. It is currently set at 26.8% of the Leader's present SRA. Comparatively this is also a generous SRA. The Panel recognised the case to continue remunerating this post but not at present levels. The Panel decided to place this post on a par with the Chairs of the Scrutiny and Licensing and Regulatory Committees, and Planning Sub Committees and set the SRA at 20% of the recommended SRA for the Leader.

87. **Thus, the recommended SRA the Deputy Leader of the Main Opposition Group is £5,328.**

The Shadow Executive

88. At present the main opposition Group forms a shadow executive with 7 members who each receive a SRA of £4,200 (not including the Leader and Deputy Leader of the Main Opposition Group). This is set at 17.9% of the Leaders current SRA and on a par with the chairs of the planning sub committees and chairs of Scrutiny Committees. Again, this is generous in the comparative context. The Panel accepted the need to ensure a well-resourced opposition but decided that it should be set at 15% of the Leader's recommended SRA.

89. **Thus, the recommended SRA the 7 other members of the shadow executive is Deputy Leader of the Main Opposition Group is £3,996.**

Leader of the Principal Minority Opposition Group

90. Presently the Leader of the Second Opposition Group receives the same SRA (£2,100) as the Leader of the Third Opposition Group – both receive a 'Minority Group' Leaders' SRA despite the fact that the former has eight members and the latter has two members. The Panel felt that there was a case to differentiate between the two minority group leaders based on size of group. In the present context the Leader of the principal minority group plays an important role and the Panel felt that this post should be placed on a par with the Chairs of the Scrutiny and Licensing and Regulatory Committees, and Planning Sub Committees and Deputy Leader of the Main Opposition Group, and set at 20% of the Leader's recommended SRA.

91. **Thus, the recommended SRA the Leader of the Principal Minority Group is £5,328.**

Leader of the Third Opposition Group

92. At present, the Leader of third Opposition Group receives an SRA of £2,100, which is 9% of the Leader current SRA. The Panel confirms this SRA at this level. **Thus, the recommended SRA the Leader of the Third Opposition Group is £2,100.**

SRAs for Vice Chairs

93. The Panel considered whether SRAs for committee Vice Chairs should be reinstated. The Panel decided not to make such a recommendation as Vice Chairs in York do not meet the significant

responsibility threshold. While they are important roles and expected to work closely with their respective chairs the Panel also noted:

- It was a reasonable assumption for all Councillors to hold a vice chair in course of council lifetime and therefore the Basic Allowances takes this into account
- The Panel was keen to abide by statutory guidance and make recommendations that ensured the majority of councillors were not in receipt of an SRA

Member Champions

94. The Panel considered whether Member Champions merited an SRA but decided against it, as the Panel does not wish to see a profusion of SRAs nor did it receive enough information to support such a SRA.

Councillors and the Local Government Pension Scheme

95. The legislation provides for the Council to pay pension contributions on allowances to all Members, specifically through membership of the Local Government Pension Scheme (LGPS). It is the only pension scheme that Members are permitted to join that attracts the 'employers' contribution. The Panel can make recommendations on whether all or some Members should be permitted to join the LGPS. It can also recommend whether pensionability should apply to the Basic Allowance, SRAs or both. This is the one binding recommendation that the Panel can make in a negative sense. In other words, if the Panel does not recommend that any Members should be able to join the LGPS then the Council cannot alter that recommendation to allow all or some Members to join. However, if the Panel recommends that all Members be permitted to join the LGPS and it should apply to both the Basic Allowance and SRAs then the Council can revise the scope of this recommendation downwards by, for instance by limiting it to SRA holders only, or just the Leader. Furthermore, individual Members can decline to join the LGPS if they feel it does not suit them. Presently, the Council does not have the option to decide on whether it should permit Councillors to join the LGPS as a previous Panel decision prevents the Council from doing so.
96. The Panel noted that within the Near Neighbour group of authorities, Bath & North East Somerset, Calderdale, Kirklees and Wakefield have the right to offer their Councillors members of the LGPS, this option has been blocked by the local panel in North Lincolnshire but is under reconsideration.
97. However, it is the view of this Panel that the Council *should* be offered the right to decide if Councillors should be able to join the LGPS, on the following grounds:
- It is not for the Panel to consider the personal circumstances of individual members and their suitability regarding the LGPS
 - Exercising its only binding power removes the element of choice from both the Council and individual Member on deciding if the LGPS is appropriate on first a collective and then individual level
 - To do otherwise means that Members are being financially penalised by not having their remuneration benefiting from pension provision.

98. The Panel recognises that for most Members membership of the LGPS will not provide a living pension for their retirement but is designed to compensate for 'damage' that might have been done to their occupational pension by being a Member due to one or more of the following situations:
- Having to take unpaid leave from work
 - Restricted overtime over working career
 - Lack of normal career progression
99. Moreover, the Panel feels that pensionability could reduce a potential barrier to public service; which is one of its guiding principles. To 'close the door' by exercising its one binding power by taking a restrictive view vis-à-vis the LGPS would be inequitable. As such, the Panel also **recommends that all Members should be eligible to join the LGPS, applied to both their Basic Allowance and SRAs.** This recommendation then leaves the Council and individual Members to decide on issues of affordability, public perception and, if relevant, suitability for individual circumstances.

Dependants' Carers' Allowance (DCA)

100. **The Panel recommends that the current terms and conditions and applicable rates for which Members can claim DCA on approved duties are maintained.**

Travel and Subsistence Allowances

101. **The Panel recommends that the current terms and conditions and applicable rates for which Members can claim travel and subsistence allowances on approved duties are maintained.**

Member Performance

102. Member performance was not a major issue for this review; the Panel was informed that generally Members were assiduous in attending to the duties for which they are paid. However, the Panel took the view that increased allowances should at least lead to a more transparent means by which to judge Members performance.
103. **The Panel recommends that the Council publish attendance records alongside the annual publication of allowances and expenses received by Members.** The Panel recognises that attendance at meetings is but one measure of performance, and a formal one at that. Yet, it is a start, and the Panel also recommends that the publication of attendance records should take into account such things as illnesses, holidays, etc.

Confirmation of Implementation and Indexing

104. The Panel recommends that the recommendations contained within this report (with any amendments) are implemented from the Annual Meeting of the Council in May 2007.

105. Furthermore, the Panel recommends and confirms the use of the following index for allowances:
- Basic Allowance, SRAs and Co-optees' Allowances: increased by the annual percentage increase in the LGA daily session rate as published each year in March to be implemented the following May in that year from the date of the Council Annual Meeting commencing in 2008.
 - Travel and Subsistence: maintain current indexes, namely Officer casual user rate or AMAP rates where relevant, unless related to actual cost re-imburement.
106. The Panel further recommends that as per regulations the indices recommended by the Panel be utilised for four years, or until the Council requires a further review.

Limits on SRAs

107. The Panel recommends that as per current practice Members should be able to receive one SRA only regardless of number of remunerated posts they may hold.

The Lord Mayor and Sheriff

108. The Panel received representation that the Civic Allowance for the Lord Mayor and Sheriff of York is too low. They are currently paid as a direct Civic Allowance £4,000 and £2,000 respectively. While this issue is not within the Panel's terms of reference the Panel did agree with the representations made to it and recommends that the Civic Allowance for the Lord Mayor and Sheriff should be increased, and suggests a sum of £6,000 and £3,000 respectively. Furthermore, to recognise the role the Lord Mayor plays in chairing the full council, the Panel further recommends that the Lord Mayor is paid an SRA of £2,664, which is 10% of the Leader's recommended SRA.

Appendix One: Members and Officers who met with the Panel

Members

Cllr Denise Bowgett, (Lab)

Cllr Dave Sandy Fraser, (Lab) Shadow Exec Member

Cllr Tina Funnell, (Lab) Chair of Health Scrutiny Committee

Cllr Keith Hyman, (LD) Sheriff

Cllr Ceredig Jamieson-Ball (LD) Exec Member and Deputy Leader of the Council

Cllr Dave Merrett, (Lab) Shadow Exec Member

Cllr Richard Moore, (LD) Chair Planning Sub-Committee

Cllr Keith Orrell, (LD)

Cllr Roger Pierce, (Lab) Chair of Audit and Governance Committee

Cllr Ann Reid, (LD) Executive Member

Cllr David Scott, Labour Group Leader

Cllr Dave Taylor, (Green)

Cllr Brian Watson, (Lab)

Cllr Irene Waudby, (LD) Lord Mayor

Cllr Siân Wiseman, (Con)

The Leader of the Council, Cllr Stephen Galloway, was unable to be interviewed as he was on holiday when the panel met.

The following Members also made written submissions:

Cllr Ian Gilles, Leader Conservative group

Cllr Paul Healy, (Con), EMAP Chair

Cllr David Scott Lab Group Leader (1 as Group Leader and 1 from the Labour Group)

Officers

Suzanne Hemingway, Head of Legal, Civic and Democratic Services

Dawn Steel, Democratic Services Manager

Appendix Two: Information Received by the Panel

1. Terms of Reference
2. The Local Authorities (Members' Allowances) (England) Regulations 2003
3. Guidance on Consolidated Regulations for Local Authority Allowances 2003
4. Power point Presentation on Reviewing Allowances by D. Hall
5. Current Members' Allowances Scheme 2007/08
6. Summary of expenses and allowances paid for financial year 2006/07
7. Committee structure, schedule of meetings and compositions of Committees for 2007/08
8. Details of Member Allowances Schemes for Near Neighbours and LGAR analysis
9. Previous Reports of IRP
10. Schedule of Licensing & Appeals Hearings 06/07 and May 2007/August 2007
11. Co-optees' Leaflet from City of York Council
12. Council guide to decision making
13. Summary of Local Government White Paper *Strong and Prosperous Communities 2006*

Appendix Three: Allowances in Near Neighbour Councils 2007/08

COMPARISONS OF KEY POSTS
IN THE 'FAMILY' OF AUTHORITIES

ALLOWANCES	AUTHORITIES (£)					
	YORK	BATH & NTH EAST SOMERSET	CALDERDALE	KIRKLEES	NORTH LINCS	WAKEFIELD
Basic Allowance	6,300	6,649 £566 incidental cost add-on to Basic Allowance	9,366	11,405	7,302	10,330 (£700 supplement for T & S and telephone to add-on to Basic Allowance)
Leader of the Council	23,520	28,523	28,098	19,728	18,000	31,521
Deputy Leader	16,905	22,819	14,049	14,256	13,902	16,489
Leader of the Opposition	10,500	4,749	11,239	5,702	8,802	4,172
Leader of minority party	2,100					
Executive Member	14,700	22,819	11,239	11,690	12,000	12,383
Shadow Executive Member	4,200					
Chair of Scrutiny	6,300	9,498	7,025	7,603		8,277
Scrutiny Cttee Chairs (standing)	4,200	9,498	7,025		11,850	8,277
Chair of Planning	6,300	3,799	8,429		11,850	8,277
Chair of Planning Sub-Committees	4,200			2,851		
Chairs of Licensing Sub-Committees		3,799		950	11,850	8,277
Chair of regulatory Access Committee		3,799				
Chair of Regulatory and appeals Committee						8,277
Chair of Licensing & Regulatory Committee	6,300		5,620			
Chair of Licensing & Safety Committee				1,900		

ALLOWANCES	AUTHORITIES (£)					
	YORK	BATH & NTH EAST SOMERSET	CALDERDALE	KIRKLEES	NORTH LINCS	WAKEFIELD
Chair of Audit Committee					7,002	
Co-optees Allowance			322		£20.50 per meeting attended	
Chair of Standards Committee				1,900		8,277

Please note that in addition the above it appears that one of our neighbours also pays an allowance to it's Member Champions (£1,060). Some Member Champions here in York attract more responsibility than others.

- Older People's Champion
- Information Management Champion
- Children and Young People's Champion
- Procurement Champion
- Efficiency Champion
- E-Government Champion
- Risk Management Champion
- Energy & Efficiency Champion

Appendix Four: The Panel's Approaches to Arriving at the Leaders' Explained

Replicating the Previous Approach

- I. The previous Panel arrived at the Leader's Basic Allowance by assessing time and responsibility in relation to the SRAs for the executive members. The formula up dated formula would be as follows:
 - Executive Post
 - = full time post = extra 3 days per year X 48 weeks = 144 remunerated days per year
 - Day rate = £138.75 per day
 - 144 days X £138.75 = £19,980
 - Public Service Discount = 30%
 - = £13,986
 - Leader's Post = £13,986 (Executive SRA) + 60% responsibility factor
 - = £22,378

- II. The Panel felt that this approach is no longer appropriate, as the time element allotted to the Leader has decreased by half a day per week. In addition, the public service discount has increased marginally by 3 percentage points, although the day rate is up rated. Moreover, the Panel does not feel that applying the public service discount is appropriate, it is not a statutory requirement as with the Basic Allowance. Furthermore, it penalises the post holders twice, as they already have their public service accounted for in the Basic Allowance.

Utilising Time and Responsibility without the PSD

- III. The Panel also developed a variant of the previous approach by assessing the time required to fulfil the role **and** the responsibility the post carries without factoring in a public service discount.

- IV. The time element is by far the simplest – there is general acceptance that the of Leader's post is full time. This is not necessarily within a 9-5 context as a lot of the work required from the Leader is outside normal working hours but the post demands such a time commitment that it precludes employment in the normal sense. As the Leader is allocated the Basic Allowance on a notional two days per week already it that leaves a notional 3 days per week remuneration, which on a 48-week working year at the LGA daily session rate equals £19,980.

- V. The previous Panel arrived at the responsibility element by simply assigning the Leader at 60% on the time, which is the equivalent of £19,980 multiplied by 160%, which equals £31,968. The problem with this approach is that the responsibility factor of an extra 60% is not necessarily appropriate when the

public service discount is not built in, as it was always a means by which the responsibility factor was diluted, thus it was never a true measure.

Time and Responsibility (Via a Points System)

- VI. A variation on the above approach is to look afresh at the Leader's responsibility assign the responsibility on a points system. For instance, the time element remains at £19,980, while the additional responsibility element is a proportion of the rate for the job. For instance, Members receive £6,660 for a day's work per week over a year (48 paid days per year multiplied by £138.75). Factor that notional one days' salary by 20%, which equals £1,332, and then equate this to one responsibility point. Assuming that the Leader is assigned a maximum of, for example, five responsibility points the recommended SRA would equate to the following:

Basic Allowance:	£ 8,880
SRA (3 days per week X 48 weeks at LGA rate):	£19,980
SRA (5 points @ £1,332 per point):	£ 6,660
Total SRA:	£ 26,640

- VII. The advantage of this approach is that it can be utilised to arrive at all the SRAs, enabling the identification and reward of additional time spent in a particular post and any *significant* decision making responsibility the post carries independently of each other. Each post can be assessed on its own and not in relation to another fixed point. Of course, the two main disadvantages are the arbitrary nature of valuing and assigning responsibility points (but that is an inherent problem in arriving at all allowances in a political context regardless of the approach utilised to a greater or lesser extent); secondly, it is not the most transparent and simple to understand approach.
- VIII. Another approach, a somewhat more straightforward variant on the one outline above is to assign a number of responsibility points to the Leader at say £25 per point, which equals £1,200 per point assigned to the post over a year. If the Leader is assigned 5 points, which equates to £6,000 annual responsibility points for the Leader on top of the time related SRA of £19,980. It would then lead to a remuneration package for the Leader which follows:

Basic Allowance:	£ 8,880
SRA (3 days per week X 48 weeks at LGA rate):	£19,980
SRA (5 points @ £25 per point X 48 weeks):	£ 6,000
Total SRA:	£ 25,980

- IX. What this approach gains in greater transparency and simplicity it loses in logic, in the sense that £25 per responsibility point bear little relationship to anything in particular.

Comparing the Leader to peers

- X. The average SRA paid to Leaders of unitary authorities in 2006 as reported by LGAR was £20,338, while the average paid to Leaders of Metropolitan authorities was £25,690. Thus, the current SRA (£23,520) for the Leader is comparable with peers nationally. However, the LGAR figures are up to 12 months old and more importantly do not take into account those Leaders who are still able to pick up multiple SRAs, e.g., as Leader and a Group Leader, whereas we have factored the multiple roles into the single SRA paid to the Leader of City of York.
- XI. The average SRA paid to Leaders in the six Near Neighbour Councils is £24,898, with a median figure of £25,809. Again, when contrasted against that paid to the York Leader, the latter is on a par with Leaders of Councils similar to York, and even marginally below the comparative figures, particularly when total package is taken into account.

	BA	Leader's SRA	Leader's Total
Bath & NE Somerset	£7,215	£28,523	£35,738
Calderdale	£9,366	£28,098	£37,464
Kirklees	£11,405	£19,728	£31,133
North Lincs	£7,302	£18,000	£25,302
Wakefield	£10,330	£31,521	£41,851
York	£6,300	£24,218	£30,518
Mean	£8,653	£25,015	£33,668
Median	£8,334	£26,158	£33,436

As a multiple of the Basic Allowance

- XII. The statutory guidance does suggest however, a particular approach to arrive at the Leader's SRA and that is as a multiplier of the Basic Allowance. The Statutory Guidance (July 2003 paragraph 76) states

One way of calculating special responsibility allowances may be to take the agreed level of basic allowance and recommend a multiple of this allowance as an appropriate special responsibility allowance for either the elected mayor or the leader.

- XIII. The subjective element in this approach is deciding on what multiple of the Basic Allowance to utilise. Currently, the Leader's SRA (£23,520) is a factor of 3.75 of the Basic Allowance. The LGAR figures show that for Unitary Councils in 2006 the average Leader's SRA (£20,338) was a factor of 2.75 of the average Basic Allowance (£7,408) while the same ratio was 2.7 in Metropolitan Councils – a factor that is similar in the other types of

authorities (see Appendix 3). Similarly, the ratio between the average Basic Allowance and average SRA for Leader in near neighbour authorities is 2.85, while the ratio using median figures is 3.1.

- XIV. Whereas if the Panel was to replicate the current ratio between the Basic Allowance and the Leader's SRA in York it would mean multiplying the recommended BA by 3.75 which equates to £33,330. Comparatively, the differential between the Leader's SRA and the BA is relatively large and a more common differential is a factor of three (or more often slightly less on average). If the Panel was to use a factor of three to multiply the recommended Basic Allowance to arrive at a SRA for the Leader, it equates to £26,640.

Applying a Retrospective Index

- XV. As the Basic Allowance has been up dated by applying up dated variables the Panel also considered the Leader's SRA by applying the recommended index (local government annual percentage pay increase – see above) since 2004. The public sector trade union UNISON reports that between 2004 and 2006 pay in local government rose by 8.9% (see UNISON Press Release 11 July 2007 – the national percentage increase has not been announced for 2007).
- XVI. **By applying retrospective, index to the Leader's current SRA (£23,520) it produces an up rated SRA of £25,613: a figure only marginally less than that produced by utilising a factor of three on the Basic Allowance (£26,640). It is also similar to that paid in near neighbours (median of £25,809 and an average of £24,898) and the time and responsibility approach when responsibility is allocated via points at £25 per (£25,980).**

Appendix Five: Declarations of Interest

Susanne Gilbert declared a non-fiduciary interest regarding Cllr Ceredig Jamieson-Ball, who is the City of York Council's representative on the York Science Park (Innovation Centre) Ltd's Board.

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Comparison of Members Allowances Current Scheme to Remuneration Panel Proposed Scheme

Current Allowances	Post election 3rd May 07			Remuneration Panel's Recommendations	Recommendations		
	Basic £	SRA £	Total £		Basic £	SRA £	Total £
Leader	6,300	23,520	29,820	Leader	8,880	26,640	35,520
Deputy Leader	6,300	16,905	23,205	Deputy Leader	8,880	18,648	27,528
Exec Member	6,300	14,700	21,000	Exec Portfolio Holder	8,880	15,984	24,864
Exec Member	6,300	14,700	21,000	Exec Portfolio Holder	8,880	15,984	24,864
Exec Member	6,300	14,700	21,000	Exec Portfolio Holder	8,880	15,984	24,864
Exec Member	6,300	14,700	21,000	Exec Portfolio Holder	8,880	15,984	24,864
Exec Member	6,300	14,700	21,000	Exec Portfolio Holder	8,880	15,984	24,864
Exec Member	6,300	14,700	21,000	Exec Portfolio Holder	8,880	15,984	24,864
Leader of Opposition	6,300	10,500	16,800	Exec Portfolio Holder	8,880	15,984	24,864
Chair of Licensing & Regulatory	6,300	6,300	12,600	Main Leader of Opposition	8,880	11,988	20,868
Chair of Gambling & Licensing Act Committee	6,300	6,300	12,600	Chair of Scrutiny Management	8,880	7,992	16,872
Chair of Scrutiny Management Committee	6,300	6,300	12,600	Chair of Planning Committee	8,880	7,992	16,872
Deputy Leader Main Opposition	6,300	6,300	12,600	Main Opposition Deputy Group Leader	8,880	5,328	14,208
Planning Chair	6,300	6,300	12,600	Principal Minority Group Leader	8,880	5,328	14,208
Chair of Children's Services Advisory panel	6,300	4,200	10,500	Chair of Planning Sub-Committee	8,880	5,328	14,208
Chair of Neighbourhood services Advisory Panel	6,300	4,200	10,500	Chair of Planning Sub-Committee	8,880	5,328	14,208
Chair of Leisure & Culture Advisory Panel	6,300	4,200	10,500	Chair of Standing Scrutiny Committee	8,880	5,328	14,208
Chair of City Strategy Advisory Panel	6,300	4,200	10,500	Chair of Standing Scrutiny Committee	8,880	5,328	14,208
Chair of Corporate services Advisory Panel	6,300	4,200	10,500	Chair of Ad Hoc Scrutiny Committee	8,880	5,328	14,208
Chair of Housing & Adult Social Services Adv Panel	6,300	4,200	10,500	Chair of Ad Hoc Scrutiny Committee	8,880	5,328	14,208
Chair of Scrutiny Board	6,300	4,200	10,500	Chair of Ad Hoc Scrutiny Committee	8,880	5,328	14,208
Chair of Scrutiny Board	6,300	4,200	10,500	Chair of Ad Hoc Scrutiny Committee	8,880	5,328	14,208
Opposition Spokesperson	6,300	4,200	10,500	Chair of Licensing & Regulatory Committee	8,880	5,328	14,208
Opposition Spokesperson	6,300	4,200	10,500	Chair of Gambling & Licensing Committee	8,880	5,328	14,208
Opposition Spokesperson	6,300	4,200	10,500	Shadow Executive	8,880	3,996	12,876
Opposition Spokesperson	6,300	4,200	10,500	Shadow Executive	8,880	3,996	12,876
Opposition Spokesperson	6,300	4,200	10,500	Shadow Executive	8,880	3,996	12,876
Opposition Spokesperson	6,300	4,200	10,500	Shadow Executive	8,880	3,996	12,876
Opposition Spokesperson	6,300	4,200	10,500	Shadow Executive	8,880	3,996	12,876
Opposition Spokesperson	6,300	4,200	10,500	Shadow Executive	8,880	3,996	12,876
Chair of East Area Planning Sub-Committee	6,300	4,200	10,500	Shadow Executive	8,880	3,996	12,876
Chair of West and City Centre Area Planning Sub-Committee	6,300	4,200	10,500	Shadow Executive	8,880	3,996	12,876
Leader of Minority Party	6,300	2,100	8,400	Shadow Executive	8,880	3,996	12,876
Chair of Audit & Governance (interim allowance)	6,300	2,100	8,400	Shadow Executive	8,880	3,996	12,876
Basic Only £6,300 * 13 members	81,900	0	81,900	Shadow Executive	8,880	3,996	12,876
				Chair of Audit & Governance	8,880	2,664	11,544
				LM as Chair of Council	8,880	2,664	11,544
				Group Leader of third minority party	8,880	2,100	10,980
				Chair of Licensing Sub Committee	8,880	1,332	10,212
				Chair of Licensing Sub Committee	8,880	1,332	10,212
				Basic Only £8,880 * 11 members	97,680	0	97,680
Sub Totals	296,100	260,925	557,025	Other Recommended Allowances	417,360	287,148	704,508
				Co-Optee's Allowance Chair Of Standards		2,664	2,664
				Co-Optee's Allowance Other Ind Mem on Stds		440	440
				Co-Optee's Allowance Other Ind Mem on Stds		440	440
Totals	296,100	260,925	557,025		417,360	290,692	708,052
National Insurance			42,111	Assumed Price increase from 1/4/08 (2.5%)			17,701
Total Members Allowances			599,136	National Insurance			88,223
Budget Available			599,210	Superannuation (assumes 50% take up)			65,318
				Total Members Allowances			879,294
				Budget Available			599,210
				Shortfall			280,084

Comparison of Members Allowances Current Scheme to Proposed Scheme

	Post election 3rd May 07				Proposals		
	Basic £	SRA £	Total £		Basic £	SRA £	Total £
Current Allowances				Proposed Allowances			
Leader	6,300	23,520	29,820	Leader	7,000	23,520	30,520
Deputy Leader	6,300	16,905	23,205	Deputy Leader	7,000	16,905	23,905
Exec Member	6,300	14,700	21,000	Exec Member	7,000	14,700	21,700
Exec Member	6,300	14,700	21,000	Exec Member	7,000	14,700	21,700
Exec Member	6,300	14,700	21,000	Exec Member	7,000	14,700	21,700
Exec Member	6,300	14,700	21,000	Exec Member	7,000	14,700	21,700
Exec Member	6,300	14,700	21,000	Exec Member	7,000	14,700	21,700
Exec Member	6,300	14,700	21,000	Exec Member	7,000	14,700	21,700
Exec Member	6,300	14,700	21,000	Exec Member	7,000	14,700	21,700
Leader of Opposition	6,300	10,500	16,800	Leader of Opposition	7,000	10,500	17,500
Chair of Licensing & Regulatory	6,300	6,300	12,600	Chair of Licensing & Regulatory	7,000	6,300	13,300
Chair of Gambling & Licensing Act Committee	6,300	6,300	12,600	Chair of Gambling & Licensing Act Committee	7,000	6,300	13,300
Chair of Scrutiny Management Committee	6,300	6,300	12,600	Chair of Scrutiny Management Committee	7,000	6,300	13,300
Deputy Leader Main Opposition	6,300	6,300	12,600	Deputy Leader Main Opposition	7,000	6,300	13,300
Planning Chair	6,300	6,300	12,600	Planning Chair	7,000	6,300	13,300
Chair of Children's Services Advisory panel	6,300	4,200	10,500	Chair of Children's Services Advisory panel	7,000	4,200	11,200
Chair of Neighbourhood services Advisory Panel	6,300	4,200	10,500	Chair of Neighbourhood services Advisory Panel	7,000	4,200	11,200
Chair of Leisure & Culture Advisory Panel	6,300	4,200	10,500	Chair of Leisure & Culture Advisory Panel	7,000	4,200	11,200
Chair of City Strategy Advisory Panel	6,300	4,200	10,500	Chair of City Strategy Advisory Panel	7,000	4,200	11,200
Chair of Corporate services Advisory Panel	6,300	4,200	10,500	Chair of Corporate services Advisory Panel	7,000	4,200	11,200
Chair of Housing & Adult Social Services Adv Panel	6,300	4,200	10,500	Chair of Housing & Adult Social Services Adv Panel	7,000	4,200	11,200
Chair of Scrutiny Board	6,300	4,200	10,500	Chair of Scrutiny Board	7,000	4,200	11,200
Chair of Scrutiny Board	6,300	4,200	10,500	Chair of Scrutiny Board	7,000	4,200	11,200
Opposition Spokesperson	6,300	4,200	10,500	Opposition Spokesperson	7,000	4,200	11,200
Opposition Spokesperson	6,300	4,200	10,500	Opposition Spokesperson	7,000	4,200	11,200
Opposition Spokesperson	6,300	4,200	10,500	Opposition Spokesperson	7,000	4,200	11,200
Opposition Spokesperson	6,300	4,200	10,500	Opposition Spokesperson	7,000	4,200	11,200
Opposition Spokesperson	6,300	4,200	10,500	Opposition Spokesperson	7,000	4,200	11,200
Opposition Spokesperson	6,300	4,200	10,500	Opposition Spokesperson	7,000	4,200	11,200
Opposition Spokesperson	6,300	4,200	10,500	Opposition Spokesperson	7,000	4,200	11,200
Chair of East Area Planning Sub-Committee	6,300	4,200	10,500	Chair of East Area Planning Sub-Committee	7,000	4,200	11,200
Chair of West and City Centre Area Planning Sub-Committee	6,300	4,200	10,500	Chair of West and City Centre Area Planning Sub-Committee	7,000	4,200	11,200
Leader of Minority Party	6,300	2,100	8,400	Leader of Minority Party	7,000	2,100	9,100
Chair of Audit & Governance (interim allowance)	6,300	2,100	8,400	Chair of Audit & Governance (interim allowance)	7,000	2,100	9,100
Basic Only £6,300 * 13 members	81,900	0	81,900	Basic Only £7,000 * 13 members	91,000	0	91,000
Totals	296,100	260,925	557,025	Totals	329,000	260,925	589,925
National Insurance			42,111	Assumed Price increase from 1/4/08 (2.5%)			8,225
				National Insurance			37,665
				Superannuation (assumes c. 50% take up)			57,198
Total Members Allowances			42,111	Total Members Allowances			693,013
Budget Available			599,210	Budget Available			599,210
				Budget Shortfall 2008/09			93,803

Scrutiny Report to Council

Report of Chair, Scrutiny Management Committee

Since the last report to Council, there has not been a meeting of Scrutiny Management Committee (SMC).

The next meeting is scheduled for 29 January 2008 and we are expecting an interim report from the Traffic Congestion Ad-hoc Scrutiny Committee. We also continue to receive updates on the implementation status of recommendations arising from previously completed scrutiny reviews.

Ad-Hoc Scrutiny Committees

Barbican

This ad-hoc committee have recently held their first meeting to consider a scoping report for this review and agree a timetable and the level of officer involvement required.

Highways

This review has now been completed and the Ad-hoc committee are scheduled to meet at the end of this month to consider their draft final report prior to its presentation to SMC.

Traffic Congestion

An interim report will be presented to SMC at the end of January detailing the work completed to date. It will request an extension to the timeframe of the review in order that full consideration can be given to the remaining objectives. It will also include a request for additional funding as the Committee would like to carry out a survey of residents on the recommendations arising from the review so that their views can be incorporated into the Committee's final report.

Education Scrutiny Committee

The review of School Governors is ongoing. A survey has been sent out to each individual school governor to gather information about the current make-up of governing bodies in regard to their age, gender, socio-economic and ethnic diversity. The survey also seeks governors views on the training they've received and the skills they bring to their role.

The findings will be fed into the Governor Support & Development Service database, and used to identify improvements to the training provided. They will also be compared to statistics held on ward residents to check if the current governing bodies reflect the diversity of pupils in the school and the local community, and used to identify ways of attracting a more diverse mix of individuals to the role of Governor.

At their next meeting the committee will consider a scoping report for part B of the review – 'To investigate the role of Governors and current clerking arrangements in extended schools'.

Health Scrutiny Committee

In December members heard from representatives of North Yorkshire and York Primary Care Trust on the provision of NHS dental services in York. This has been an ongoing concern of committee members for the last two years, and they have regularly asked about the allocation of York patients to dental practices and the numbers of people waiting on the database. They have also recently had a presentation from the Director of Public Health at the PCT on the priorities and expenditure of the trust. Discussions were held with the Medical Director on clinical guidelines for treatments and referral to secondary care.

As NHS Trusts are in the process of completing their self-assessments for the "Annual Healthcheck" required by the Healthcare commission, three members are currently involved in planning how the committee can best provide their comments on whether some or all of these standards have been met, along with their evidence for this opinion.

On 31 January, members and relevant officers will be hosting a stakeholder event for partners interested in Local Involvement Networks (LINKs) - a network of organisations and individuals whose role will be to promote and support the involvement of local people in the commissioning and delivery of health and social care.

Councillor John Galvin
Chair of Scrutiny Management Committee
January 2008

Membership of Committees, Working Groups and Outside Bodies**York Joint Consultative Committee**

Liberal Democrat	(1)	Cllr Jamieson-Ball (substitute - Cllr D'Agorne)
Labour	(1)	Cllr Fraser
Conservative	(1)	Cllr Healey

Regional Environment Protection and Advisory Committee (REPAC)

To approve Cllr as the City of York Council's nominee to represent the Yorkshire and Humber region on the above committee (*TBA, if any nominations are received*).

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