

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 3rd December, 2009, starting at 6.35 pm

Present: The Lord Mayor (Cllr John Galvin) 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
Reid
Sunderland

FISHERGATE WARD

Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
B Watson

HAXBY & WIGGINTON WARD

Firth
Hogg
R Watson

HESLINGTON WARD

Jamieson-Ball

HEWORTH WARD

Boyce
Funnell

HEWORTH WITHOUT WARD

Ayre

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
Waudby

STRENSALL WARD

Kirk
Wiseman

WESTFIELD WARD

Steve Galloway
Sue Galloway
Waller

WHELDRAKE WARD

Vassie

Apologies for absence were received from Councillors D'Agorne and Potter

56. 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:

- Cllr Watt - a personal and prejudicial interest in Cllr Wiseman's Notice of Motion on the closure of RAF Linton-on-Ouse (agenda item 13B(iii)), as the manager of a company which had a contract with the RAF.
- Cllr Fraser - a personal interest in Cllr Gunnell's Notice of Motion on youth training (agenda item 13B(iv)) and in staffing matters generally, as a member of the retired section of Unison and the retired section of the Acts section of the TGWU section of Unite.
- Cllr Crisp - a personal interest in Cllr Gunnell's Notice of Motion, as a member of the retired section of Unison.
- Cllrs Steve Galloway, Merrett and Waller - personal interests in Cllr Vassie's Notice of Motion on the Covenant of Mayors and action on climate change (agenda item 13B(v)), as members of Friends of the Earth.
- Cllr Simpson-Laing - a personal interest in Cllr Gunnell's Notice of Motion, as a member of Unison, and in Cllr Vassie's Notice of Motion, as a member of Friends of the Earth.
- Cllr Scott - a personal interest in the recommendations of the Executive in respect of the More for York Blueprints (agenda item 6) and in staffing matters generally, being married to an employee of City of York Council.
- Cllr Looker - a personal interest in the recommendations of the Executive in respect of the Corporate Debt Policy (agenda item 6), as a member of the York Credit Union.
- Cllr Taylor - a personal interest in the refurbishment of York Central Library, as an employee of City Screen, which was offering discounts to holders of library cards whilst the refurbishment was in progress.

57. MINUTES

RESOLVED: That the minutes of the Council meeting held on 15 October 2009 be approved and signed by the Chair as a correct record, subject to the addition of Cllr Boyce to the list of Members present at the meeting.

58. CIVIC ANNOUNCEMENTS

The Lord Mayor announced the receipt of a framed certificate from the Carbon Trust, which was on display in the Council Chamber.

59. PUBLIC PARTICIPATION

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

Robin Rawson spoke in support of the petition to be presented by Cllr Funnell under agenda item 5 seeking the introduction of a 20 mph zone on Dodsworth Avenue. As a resident of Dodsworth Avenue with two small children, he outlined his concerns regarding traffic in the area and urged Members to support the petition.

Mark Warters spoke in relation to the EU Commission's investigation regarding the proposed Derwenthorpe development in Osbaldwick. He expressed the view that the Council Leader's recent trip to Brussels in respect of this matter had been a waste of time and that the Leader would be to blame if the investigation resulted in the Council being fined.

60. PETITIONS

Under Standing Order 7, petitions were presented by:

- (i) Cllr Simpson-Laing, on behalf of residents calling for the introduction of a 20 mph zone on Cranbrook Road;¹
- (ii) Cllr Horton, on behalf of residents calling for the introduction of a 20 mph zone on Beckfield Lane;²
- (iii) Cllr Funnell, on behalf of residents calling for the introduction of a 20 mph zone on Dodsworth Avenue;³
- (iv) Cllr Boyce, on behalf of residents requesting that council-owned homes in the Monkton Road area be fitted with energy-efficient double glazing;⁴
- (v) Cllr Aspden, on behalf of residents of Fulford Park regarding aspects of the Fulford Road improvements.⁵

It was then

RESOLVED: That the above petitions be referred to the Executive or appropriate Committee.¹⁻⁵

Action Required

- | | |
|--|----|
| 1,2,3 & 5: Schedule reports on Forward Plan for Executive or Executive Member Decision Session and keep relevant Members updated on progress | SS |
| 4. Schedule report on Forward Plan for Executive or Executive Member Decision Session and keep relevant Member updated on progress | SB |

61. REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS

A written report was received from the Executive Leader, Cllr Andrew Waller, on the work of the Executive. In addition to the matters covered in the report, the Leader provided an update on the outcome of the Leeds City Region Summit held on 27 November 2009 and congratulated the Director, department and Executive Member responsible for Housing and Adult Social Services for an excellent Care Quality Commission Assessment result. In reply to matters raised by the Opposition Group Leaders in their responses to his report, the Leader confirmed that the issue of the York Central development was to be considered by the Yorkshire Forward Board and agreed that there should be more engagement between the Council and the Economic Development Partnership.

The Leader then moved, and Cllr Runciman seconded, the recommendations contained in the following minutes of the Executive meetings held on 20 October 2009 and 17 November 2009:

- Minute 99 – More For York Blueprints¹
- Minute 111 – Capital Programme Monitor Two²
- Minute 112 – Draft Revised Contract Procedure Rules³
- Minute 113 – Corporate Debt Policy⁴

Each set of recommendations was moved, seconded, debated and voted upon separately and on being put to the vote each was declared CARRIED. It was therefore

RESOLVED: That the recommendations contained in Minutes 99, 111, 112 and 113 of the Executive meetings held on 20 October and 17 November 2009 be approved.¹⁻⁴

Action Required

- | | |
|--|----|
| 1. Make the agreed changes to the capital and revenue budgets to fund work on the efficiency programme | SA |
| 2. Make the agreed adjustments to the capital budget | SA |
| 3. Make arrangements to implement the revised Contract Procedure Rules | SA |
| 4. Make arrangements to implement the Corporate Debt Policy | SA |

62. RECOMMENDATIONS OF THE STANDARDS COMMITTEE

As Vice Chair of the Standards Committee Cllr Horton moved, and Cllr Hudson seconded, the recommendation contained in Minute 30 of the meeting of that Committee held on 20 November 2009, in relation to the Member Training and Development Policy.

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

RESOLVED: That the recommendation of the Standards Committee be approved and the Member Training and Development Policy be adopted, subject to the amendments requested by the Committee.¹

Action Required

1. Make arrangements to implement the Member Training & Development Policy (subject to the amendment requested by Standards Committee) AEO

63. RECOMMENDATIONS OF THE GAMBLING & LICENSING ACTS COMMITTEE

As Chair of the Gambling & Licensing Acts Committee, Cllr Merrett moved the recommendation contained in Minute 25 of the meeting of that Committee held on 20 November 2009, concerning the Triennial Review of the Statement of Policy.

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

RESOLVED: That the recommendation of the Gambling & Licensing Acts Committee be approved and the Statement of Gambling Policy be adopted, subject to the amendments requested by the Committee.¹

Action Required

1. Make arrangements to implement the revised Statement of Gambling Policy (subject to the amendments requested by Gambling & Licensing Acts Committee) KS

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

A written report was received from Cllr Paul Healey, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council, on 15 October 2009.

65. REPORT OF EXECUTIVE MEMBER

A written report was received from Cllr Steve Galloway, the Executive Member for City Strategy.

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

1. From Cllr Brian Watson:

“Can the Executive Member give assurances that they will be pursuing the retention of the ‘Ice Factor’ on the Eye of York for future years, having regard to the fact that they are conforming with all the solutions for alleviating the concerns of the courts?”

The Executive Member replied

The Executive member for Leisure is leading on this issue.

I can confirm though that my understanding is that meetings with the MD of the Ice Factor’s sponsoring company have taken place and alternative sites for this facility are under active consideration. None would in my opinion present insurmountable planning issues although the access requirements for vehicles installing and removing the equipment are a constraint.

It seems unlikely at the present time that the Crown Court will withdraw their opposition to the continued use of the Eye of York for the Ice Rink.”

In response to a supplementary question from Cllr Watson the Executive Member indicated that, although personally he would like to see the Ice Factor return to the Eye of York, accepting an alternative venue would provide greater certainty and was preferably to incurring the risk of legal proceedings.

2. From Cllr Looker:

“Can the Executive Member explain to Council what he is doing to bring the City Strategy overspend back within the budget for 2009/10?”

The Executive Member replied

The overspend reported to Executive at 17th November totalled £239k excluding Property Services.

There were a number of reasons for the potential overspend. The main factors relate to income shortfalls from Planning £500k, Building Control £125k, Car Parking £133k, Section 38 income £40k, Newgate Market £40k and Yorwaste Dividend £130k. These primarily relate to the impact on income budgets as a result of the economic downturn. This has been partially offset by assumed additional income from Housing and Planning delivery Grant (£440k) although it should be noted that this is still to be confirmed. Total net income shortfalls were therefore £528k.

The other key expenditure pressure during the year relates to concessionary fares. There is a forecast overspend of £420k due to continued growth in the number of trips made by bus pass holders.

This overspend has partially been mitigated by the introduction of a reduced reimbursement rate offered to bus companies which should reduce this particular overspend in year to £216k.

Total combined budget pressures for the year are therefore £744k

Already significant management action has been undertaken to mitigate this overspend. Strict vacancy management has resulted in staffing underspends projected to total £369k by year end.

There has also been a review of projects where expenditure has slipped or been controlled. This includes the Local Development Framework, speed camera trial and road safety projects. This is resulting in projected savings totalling £155k.

There remains a projected overspend of £239k which is being closely monitored. A freeze on non-essential expenditure has been introduced including controls on stationary, training courses, hospitality, office equipment etc however it is too soon to see what impact that will have on the overall budget.

It has been considered, but no decision yet made, that the remaining overspend could be funded by reducing the expenditure on the Local Transport Plan by £250k within the year. It will then be necessary to undertake an exercise to create a revenue underspend by capitalising legitimate revenue expenditure elsewhere in the council budget e.g. highway maintenance / IT.

This will be undertaken as a year end exercise if necessary. In the normal course of events unexpected savings do accrue during the course of a financial year so at this stage I am not anticipating the cost control measures will have any major impact of service quality or the implementation of the capital programme.”

In response to a supplementary question from Cllr Looker, the Executive Member stated that the reason for the overspend was the current national economic position and it had nothing to do with the additional proposals approved at the last Budget Council meeting.

3. From Cllr Merrett:

“Can the Executive Member update Council on progress with the Waste PFI solution for York as this is not included in your report and tell us what the type of ‘plant’ will be built, the likely location and timescales for development?”

The Executive Member replied

“North Yorkshire County Council and City of York Council are currently tendering for a long term solution for the treatment of residual municipal waste. The competitive process requires tenderers to develop detailed proposals demonstrating how they would manage municipal waste to meet the Council’s obligations to reduce the reliance on landfill.

The competitive environment of the procurement, and associated confidentiality constraints, means that officers are not in a position to enter into any discussions about any of the solutions offered or offer any further information at the moment. However, a range of solutions have been developed by the companies participating in the PFI tender

and we are currently evaluating proposals on their merits without pre-judging what the outcome will be.

We expect to announce the Preferred Bidder for the long term waste contract early in 2010. That announcement will include details of their proposed solution, including locations and technology. A period of public and stakeholder consultation will then commence where people will have the opportunity to ask questions and make their views known. Any proposal for new waste treatment facilities will of course be subject to normal regulatory consents including detailed planning permission and granting of a permit to operate by the Environment Agency.”

In response to a supplementary question from Cllr Merrett, the Executive Member replied that the joint scheme with NYCC had nothing to do with the public outcry against plans for an incinerator at Tockwith and that it would be inappropriate for CYC to bring any pressure to bear on NYCC in respect of the planning application for that site.

The time limit for questions on the Executive Member’s written report having expired, Members agreed to accept written answers to the remaining questions submitted, as set out below.;

4. From Cllr Brian Watson:

“Will the Executive Member inform Council on progress with the following projects:- York North West, particularly that part previously known as York Central, the Community Stadium, the Barbican site and the new Council HQ?”

Reply:

Cllr Watson will be aware that most of these projects fall outside the Strategy Portfolio responsibilities.

However my understanding is as follows:

- *Currently no developer has been found for the York Central site. Consequently it is unlikely that further work will be possible on the North West Area Action Plan until it is clearer when a developer could be appointed. It is hoped that some development work will be possible in a 1-3 year time frame on the former British sugar site and we are currently awaiting a formal decision from central government on an application for funding to help to kick start this part of the development. I understand though that a Ministerial announcement earlier in the week, on how £10 million of funding intended fro Eco Towns, might be distributed does give some cause for optimism.*
- *Expressions of interest for the Barbican site are I understand due to be received by the Council by 17 February.*
- *A report on the tenders for the new Council HQ is due to be published on Friday (tomorrow).*

The remaining item – the Community Stadium – is my responsibility. I would refer the member to the answer given to the question tabled under Standing Order 10C by Cllr Gillies and which appears at Agenda Item 14 on the Council agenda”.

5. From Cllr Merrett:
“What measures is the Executive Member taking to address the decline in air quality around the inner ring road?”

Reply:

Measures to improve air quality are in the second Air Quality Action Plan (AQAP2), which in turn forms part (Annex U) of the second Local Transport Plan (LTP2):

Many of the measures in AQAP2 have already been delivered. These include:

- *New planning guidance on sustainability*
- *A car club*
- *Cleaner, lower emission taxis*
- *Graduated parking charges based on emission levels and size.*
- *New cycle network facilities which has seen a 7% increase in cycling in the City*

We are currently progressing:

- *3 New Park & Rides*
- *A low emission zone feasibility study*

Other measures to improve air quality will be progressed via the Local Development Framework, the City Centre Area Action Plan, the third Local Transport Plan (LTP3) and the emerging Low Emission Strategy. These include:

- *Extension of the foot streets and their hours of operation*
- *A freight transshipment centre to remove heavily polluting diesel lorries from the city centre and AQMA*
- *Promotion of low emission and zero emission biomethane and electric vehicles and the infrastructure to support them.*

The low emission strategy will build on the existing air quality action plan, LTP3 and the Climate Change Strategy and look holistically at emissions of CO₂, nitrogen dioxide and particulates from all sources and not just transport or development.”

6. From Cllr Alexander:
“What measures is the Executive member taking to improve bus reliability, punctuality, reduce bus fares and introduce cross ticketing in the City?”

Reply:

The Executive decided earlier this year to request officers to seek access to 'bus operator reports' which, because they are based upon real time bus operator data, will provide us with details of bus punctuality along a majority of routes in the City.

This will allow us to analyse problems/time delays on specific corridors/sections of route at different times of day/week.

In turn this will help to inform infrastructural schemes, traffic light timings, etc. Officers are due to receive training on the programme in December/January.

We are working with local bus operators to draft 'Punctuality Improvement Partnerships' for a number of routes experiencing poor

punctuality. These will be presented for company directors' and members' consideration early in 2010 to ensure that officers and members can move forward in confidence that both sides will be able deliver.

Five further junctions around York will be fitted with traffic light priority which will reduce delays to buses.

In addition of course the Council continues to invest heavily in bus priority measures work on the next of which, concerning the Fulford Road corridor, is due to commence in a few days time

The Council has no direct influence on stage carriageway bus fare levels in the City. Although we have over many years enjoyed relatively low fares on our contracted park and ride services.

The predominant operator in the City, First, review their charges in January of each year. TransDev recently introduced fare changes on some of its routes.

There are a number of commercial influences on fare levels. The most obvious is passenger numbers and, as with most other transport modes, the recession has reduced the numbers travelling by bus.

While average fares paid have actually decreased as a result of the "free travel" concession implemented for pensioners, paradoxically a revision to the rebate rate paid to bus companies to compensate for this concession, is putting pressure on their income. It may be that any fare increase will reflect this change.

There is little evidence that central government is planning a fundamental shake up of local bus services which would control any profit made by bus companies on particular networks. Nor do they seem willing to provide subsidies which would see bus fares generally reduced.

Cross ticketing continues to be discussed with First and other operators. Members will recall that an officer report presented to Executive in September 2008 indicated the cheapest cross-ticketing option would involve one off set up costs of £187k as well as ongoing running costs of £130k (other options were not realistically affordable). This is mainly due to the need for a manual apportionment of revenue system which would require a significant back office operation.

Officers have been asked to see whether – on a trial basis- it might be possible to introduce limited cross-ticketing, for example, for those visiting the hospital. Implementation of a wider system is likely to rely on the introduction of payment using smartcard technology."

7. From Cllr Simpson-Laing:

"Can the Executive Member for City Strategy, with regard to Safe Routes to School, confirm whether all York schools will have meaningful green travel plans in place by the Government's deadline for their introduction, and what the emerging pattern of targets relative to existing travel patterns to & from them is in terms of the shift of pupil and staff travel away from motorised to green transport modes?"

Reply:

Members will appreciate that schools now enjoy a large measure of autonomy on the way that they choose to run their facility. The fact that there is no compulsion for schools to implement and monitor travel

plans makes it very difficult for the Council to otherwise persuade schools that do not wish to implement a travel plan.

Currently, I understand that the following schools have not so far fully implemented green travel plans:

- *Burnholme*
- *Manor*
- *Fulford*
- *Applefields*
- *St Aelreds*
- *Burton Green*
- *Acomb Primary*
- *The Danesgate Centre*
- *Bootham*
- *Minster*

All of the above are engaged in the process. It is not possible to forecast whether all will achieve the target by the deadline of the end of March 2010.

All of the submitted and approved travel plans have actions plans attached to them with targets to decrease their car use and increase the sustainable modes split. Following the census last January we produced maps for each school in York demonstrating their modal splits and intend to do so again following this January's census - these have been given to the schools.

We have been analysing the preferred mode of travel data provided by students earlier this year and are targeting resource at schools with the maximum potential for movement to more sustainable modes from the car.

Copies of the draft sustainable travel to schools strategy are available on request."

66. ACTIVITIES OF OUTSIDE BODIES

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

- North Yorkshire Fire & Rescue – meeting on 09/09/09
- Quality Bus Partnership – meeting on 10/09/09
- Safer York Partnership – meetings on 11/08/09 and 13/10/09
- Without Walls Partnership – meeting on 23/11/09
- Yorkshire & Humber Assembly – meetings on 18/03/09 and 23/03/09
- York NHS Foundation Trust – meetings on 01/07/09 and 02/09/09
- Economic Development Partnership Board – meeting on 09/03/09
- Local Government North Yorkshire & York – meeting on 29/06/09
- Local Government Yorkshire & Humber – meeting on 26/06/09 and 10/09/09

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

67. APPOINTMENTS AND CHANGES TO MEMBERSHIP

(i) Establishing a Mansion House and Mayoralty Advisory Group

Cllr Waller moved, and Cllr Runciman seconded, the following recommendation contained in a report of the Head of Civic, Democratic and Legal Services concerning the establishment of a Mansion House and Mayoralty Advisory Group:

“That a Mansion House and Mayoralty Advisory Group be established, based on the composition set out in the report, and that the draft terms of reference for that Group set out in Annex A be approved.”

Cllr Scott then moved, and Cllr King seconded, an amendment to the above motion, as follows:

Delete all after ‘and’ in the second line and insert:
‘with the following revised terms of reference:

This Advisory Group will be established on a task and finish basis, reporting and making recommendations to the Executive.

It will have the delegated authority to co-opt such external or other representation as may be appropriate to enhance its ability to fulfill the following terms of reference

- to produce a long term Development Plan for the Mansion House, identifying how to improve income generation and sponsorship opportunities, and to better fund its on-going maintenance.*
- to review the remit and functions of the Lord Mayor and Civic Party in York for the 21st century and how they can best enhance the City's standing and reputation, and bring additional benefit to the City and its residents, businesses and other organisations.*
- to review the current operation and use of the Mansion House/Guildhall and its repair and maintenance.”*

Cllr Waller agreed to accept the amendment.

The motion, as amended now read as follows:

“That a Mansion House and Mayoralty Advisory Group be established, based on the composition set out in the report, and with the following revised terms of reference:

This Advisory Group will be established on a task and finish basis, reporting and making recommendations to the Executive.

It will have the delegated authority to co-opt such external or other representation as may be appropriate to enhance its ability to fulfill the following terms of reference

- *to produce a long term Development Plan for the Mansion House, identifying how to improve income generation and sponsorship opportunities, and to better fund it's on-going maintenance.*
- *to review the remit and functions of the Lord Mayor and Civic Party in York for the 21st century and how they can best enhance the City's standing and reputation, and bring additional benefit to the City and its residents, businesses and other organisations.*
- *to review the current operation and use of the Mansion House/Guildhall and its repair and maintenance."*

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

RESOLVED: That the motion be approved and the Mansion House Advisory Group, with the revised terms of reference, be established.¹

Action Required

1. Make arrangements to establish the Mansion House & Mayoralty Advisory Group and add it to the Committee Management System MM

(ii) Membership of Committees and Outside Bodies

The Lord Mayor announced that a separate vote would first be taken on the proposal to increase the number of substitute members of the Scrutiny Management Committee (SMC) to 5 for the Liberal Democrat Group, 5 for the Labour Group and 3 for the Conservative Group. This proposal was then put to the vote and was declared CARRIED.

The Labour Group confirmed that they did not wish to nominate any additional substitute Members to the SMC.

The nominations and changes to membership set out on the revised list circulated around the Chamber were then put to the vote and declared CARRIED and it was

RESOLVED: (i) That the number of substitute members of the Scrutiny Management Committee be increased as proposed.¹

(ii) That the appointments to Committees, Outside Bodies and Working Groups set out on the list circulated around the Council Chamber be approved.¹

Note: the full list of agreed appointments is attached as an annex to these minutes.

Action Required

1. Amend the details on the Committee Management System to incorporate these changes and additions MM

68. NOTICES OF MOTION

(i) Government funding

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

“As councils across the country prepare for public spending cuts over the next few years, Council regrets that York is yet again being put at a disadvantage by unfair government funding formulas.

Council notes that

- Despite the welcome announcement of extra funding for concessionary fares, the funding does not cover the £1.1m paid by local Council Tax payers to fund the service over the last six years.
- Having paid over £15m in landfill taxes over the past 13 years, York has only received £2.5m in grants to help improve recycling.
- York is still not getting a fair deal in its core funding from Government. This year York will receive £1.155m less than should have been allocated by the formula.

Council looks forward to a time when York receives a fair deal on funding from the government and instructs the Chief Executive to write to the Secretary of State expressing the Council’s concerns.”

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

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

(ii) Executive Decisions

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

“Council notes that the Executive failed to change its decisions following the meeting of the Scrutiny Management Committee on the 26th October 2009.

Council further notes that, contrary to the decision of this Council, the Executive on the 17th November failed to follow an agreed motion to progress to a Quality Contract Scheme for bus operators in the City.

Council therefore resolves that the Executive reconsider those matters and recommends that the Executive change their decision to:

- a) Set SMART objectives for assessing the effectiveness of attracting and promoting Green Jobs to the City.
- b) Start the process for delivering a city centre pool by:
 - creating a leisure reserve from directorate under-spends and section 106 agreements
 - commissioning a report to identify city centre sites within the city centre for a community pool, with particular reference to Hungate, and provide provisional designs.

- Identifying the amount needed from reserves to enable such a report to be produced.
- c) Progress with preparatory work for implementing a Quality Contract scheme within York, with a review to be conducted after the publication of the Department of Transport Guidance.

For the avoidance of doubt the following Councillors request the reconsideration of these decisions:

Cllr J Alexander
Cllr D Bowgett
Cllr B Boyce
Cllr R Cregan
Cllr S Crisp
Cllr H Douglas
Cllr S Fraser
Cllr T Funnell
Cllr J Gunnell
Cllr D Horton
Cllr K King
Cllr J Looker
Cllr D Merrett
Cllr R Pierce
Cllr R Potter
Cllr D Scott
Cllr T Simpson-Laing
Cllr B Watson”

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

RESOLVED: That the above notice of motion not be approved.

(iii) RAF Linton-on-Ouse

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

“This Council notes with concern reports that the Ministry of Defence is examining closing RAF Linton-on-Ouse. The effects of the closure of RAF Linton on the City of York would be significant, with the loss of 700 jobs and the loss of an estimated £25 million of economic activity that the base generates for the local economy.

The Council therefore asks the Chief Executive to write to the Minister of Defence in order to request a meeting with the appropriate party to enable CYC to make its representations to the MOD regarding possible closure of the base as early in the consultation process as possible.”

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

“This Council notes with concern reports that the Ministry of Defence is examining closing RAF Linton-on-Ouse. The effects of the closure of RAF Linton on the City of York would be significant, with the loss of 700 jobs and the loss of an estimated £25 million of economic activity that the base generates from the local economy.

The Council therefore asks the Chief Executive to **invite the Chief Executive of North Yorkshire County Council to join with her in writing** to the Ministry of Defence in order to request a meeting with the appropriate party to enable CYC and NYCC to make **their** representations to the MOD regarding possible closure of the base as early in the consultation process as possible.”

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

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

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

[Note: Cllr Watt, having declared a prejudicial interest in the above notice of motion, left the Chamber during consideration of the motion and took no part in the discussions or decisions thereon.]

(iv) Young people not in education, employment or training (NEETs)

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

“Council notes:

- That York’s Local Area Agreement has set a target to reduce the numbers of 16-18 years olds not in education, employment or training (NEET) under National Indicator 117, a target which was not met last year and is not being met this year
- As at the 15th October 2009 the City of York Council had only 21 Traineeships
- Only 3 out of 5 directorates had Traineeships;
- The impact of the economic downturn on training and employment opportunities for those that are NEET and those who have little or no work experience.

In response to this challenge, Council:

1. Requests the Chief Executive to take the necessary action to devise a comprehensive and strategic programme to increase the number of traineeships within the city by:
 - Drawing up an action plan to increase the number of Traineeships, training and work experience placements available within the Council that:-
 - Involves all council directorates
 - Involves a wide range of council functions and disciplines

- Has a full understanding and appreciation of the two distinct groups of vulnerable young people, those who fall out of education, employment and training and those with the potential to
 - Acknowledges the Council's responsibilities as a Corporate Parent, ensuring that looked after children and care leavers are prioritised
 - Incorporates, utilises and achieves the Aims of the Councils Sustainability Procurement Policy
 - Ensures that advertising opportunities on internet sites are relevant to this audience
 - Devising a mechanism to work in partnership with other large employers, interested smaller employers and educational establishment within the city to identify opportunities to increase the number of Traineeships
2. Requests the Effective Organisation Overview and Scrutiny to consider devising how such a programme would be developed and implemented, before making recommendations to the Scrutiny Management Committee, which in turn will make recommendations to Full Council no later than April 2010."

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

"Council notes:

- That York's Local Area Agreement has set a target to reduce the numbers of 16-18 years olds not in education, employment or training (NEET) under National Indicator 117, a target which was not met last year and is not being met this year
- As at the 15th October 2009 the City of York Council had only 21 Traineeships
- Only 3 out of 5 directorates had Traineeships;
- The impact of the economic downturn on training and employment opportunities for those that are NEET and those who have little or no work experience.

In response to this challenge, Council:

1. Requests the Chief Executive to take the necessary action to devise a comprehensive and strategic programme to increase the number of traineeships within the city by:
- Drawing up an action plan to increase the number of Traineeships, training and work experience placements available within the Council that:-
 - Involves all council directorates
 - Involves a wide range of council functions and disciplines
 - Has a full understanding and appreciation of the two distinct groups of vulnerable young people, those who fall out of education, employment and training and those with the potential to

- Acknowledges the Council's responsibilities as a Corporate Parent, ensuring that looked after children and care leavers are prioritised
 - Incorporates, utilises and achieves the Aims of the Councils Sustainability Procurement Policy
 - Ensures that advertising opportunities on internet sites are relevant to this audience
 - Devising a mechanism to work in partnership with other large employers, interested smaller employers and educational establishment within the city to identify opportunities to increase the number of Traineeships
2. Requests the Effective Organisation Overview and Scrutiny to consider devising how such a programme would be developed and implemented, before making recommendations to the Scrutiny Management Committee, which in turn will make recommendations to **the Executive and Full Council** no later than April 2010.”

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

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

RESOLVED: That the above notice of motion not be approved.

At this point in the meeting, the guillotine fell and the following motion and amendment were deemed to have been moved and seconded and were voted upon without debate.

(v) **Covenant of Mayors**

Motion submitted by Cllr Vassie:

“As the UN Framework Convention on Climate Change in Copenhagen approaches, Council recognises the need to send a clear message to the Government that the public expect a global deal to reduce carbon emissions.

Council therefore resolves to join the 963 local authorities across Europe, representing over 130 million people, in signing up to the Covenant of Mayors, signalling the clear intention of local people to tackle climate change on a local level and sending the message that similar action on an international level is expected from national governments.

Council also requests that Officers report to the Executive on how energy consumption can be reduced at Listed buildings in the City.”

Amendment submitted by Cllr Merrett:

“In the second paragraph, after ‘*Covenant of Mayors*’, insert:

'and to the Friends of the Earth 'Get serious about Co2 campaign'.

To the end of the third paragraph, add:

'and to discuss with the 'Without Walls' partners, local businesses and organisations about how York can deliver a minimum 40% reduction of CO2 emissions from York by 2020, and the production of an action plan to deliver that reduction.'"

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

The motion, as amended, now read as follows:

“As the UN Framework Convention on Climate Change in Copenhagen approaches, Council recognises the need to send a clear message to the Government that the public expect a global deal to reduce carbon emissions.

Council therefore resolves to join the 963 local authorities across Europe, representing over 130 million people, in signing up to the Covenant of Mayors and to the Friends of the Earth 'Get serious about Co2 campaign', signalling the clear intention of local people to tackle climate change on a local level and sending the message that similar action on an international level is expected from national governments.³

Council also requests that Officers report to the Executive on how energy consumption can be reduced at Listed buildings in the City and to discuss with the 'Without Walls' partners, local businesses and organisations about how York can deliver a minimum 40% reduction of CO2 emissions from York by 2020, and the production of an action plan to deliver that reduction.”⁴

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

RESOLVED: That the above notice of motion, as amended, be approved.³⁻⁴

Action Required

- | | |
|--|----|
| 1. Chief Executive to write to the Secretary of State in the terms agreed | SH |
| 2. Chief Executive to liaise with the CE of NYCC and write to the Minister in the terms agreed | SH |
| 3. Make arrangements for the Council to sign up to the Covenant of Mayors | SH |
| 4. Schedule a report on energy consumption in Listed Buildings on the Executive Forward Plan | SS |

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

Twelve questions had been submitted to the Executive Leader and Executive Members under Standing Order 11.3(a). As the guillotine had now fallen, Members agreed to receive written responses to these questions. The questions and the written responses are set out below:

- (i) To the Executive Leader, from Cllr Alexander:
“Can the Executive Leader please tell Council how many meetings he has had with the Council's Information Management and E-Government Champion to specifically discuss Information Management and E-Government since being in the position?”

Reply

“It will come as no surprise to say that I see Cllr Ayre frequently and have had a number of meetings throughout the time that Cllr Ayre has been the Council's Information Management and E-Government Champion to discuss issues relating to the council's electronic communication, data security, and implications of government legislation. Many of these discussions have been as part of other meetings that I have had with him, and I therefore I am not in a position to state how many were specifically to discuss Information Management and E-Government, and how many were the efficient use of time at other scheduled meeting times.”

- (ii) To the Executive Member for City Strategy, from Cllr Gillies:
“Can the Executive Member brief the Council on the progress made on identifying the availability of sites and the availability of funding for the community stadium and whether these activities are meeting the timeline?”

Reply

“The feasibility work commissioned by the Executive of June 23rd 2009 is under way. As part of this feasibility study officers are undertaking site selection, needs and financial analysis to identify preferred site(s) and options for the community stadium project.

Advisors have been engaged for the project who are providing the advice on financial and planning issues.

- *Investigated developments being pursued elsewhere in the country.*
- *Detailed community needs analysis completed.*
- *Collated all the potential sites which has been extensive.*
- *Extensive discussions with landowners and potential partners.*
- *Development of outline business cases on more optimistic sites.*
- *Internal discussions on planning and transport issues for several potential sites.*

Given the timescales involved we would expect to bring an report to the Executive in the spring with an earlier update report being submitted to an Executive decision session.”

- (iii) To the Executive Member for City Strategy, from Cllr Wiseman:
“Could the Executive Member set forth the requirements for when Highways officers are required to attend planning meetings in order to address members’ queries regarding their response, or lack of written response, to planning applications?”

Reply

“The service template (protocol) governing attendance at Planning meetings was agreed 3 years ago. Committee chairs were involved in drawing up the agreement. It followed a reduction in staffing in the transport section. It was felt at that attendance would only be routinely provided for major applications that have city wide implications.

Officers have been following this procedure for the past 3 years. The transport team responds to all planning consultations in writing. This advice is made available to the Committee. Verbal discussions also take place between the planning case officer and highways officer on specific aspects.

In addition, if questions are raised at the Chair’s brief, these are relayed back to the highway officer and a response is provided at the committee.

Additional support/attendance can be provided in exceptional circumstances.

Any specific cases, where a request for written advice has been made without an appropriate response, should be referred, in the first instance, to the Director.”

- (iv) To the Executive Member for City Strategy, from Cllr Wiseman:
“Can you tell us why Lendal Bridge is no longer lit up at night?”

Reply

“Lighting now falls within the remit of the Neighbourhoods portfolio.

I understand though that the question refers to the under-bridge floodlighting.

As members may know this lighting has been subject to considerable non accidental damage over the months and more recently theft of some of the equipment. Officers are seeking to effect repairs although river levels can influence the timetable for so doing.

We are discussing options with a company who manufacture lighting for prisons in the hope we will be able to install vandal proof lighting in the near future.

Incidentally, the new flood lighting at the side of Lendal arch will be commissioned next week. The new floodlights at Lendal Arch are colour changing LED's, the colour is programmable (millions of colours), they will probably be purple through the Christmas period, then will be predominantly white to emphasize the features of the wall, they use approx 1/3 of the energy compared to the existing system and they are vandal resistant.”

- (v) To the Executive Member for Corporate Services, from Cllr Healey:
“When does the Executive Member expect the adult social care provision part of More4York to come before the Executive?”

Reply

"The More for York Adult Social Care proposals will come before the Executive at the meeting on 15th December. The papers for the meeting will be published tomorrow."

- (vi) To the Executive Member for Corporate Services, from Cllr Alexander:
"Can the Executive Member for Corporate Services tell Council how many meetings he has had with the Council's Efficiency, Procurement and Risk Management Champion to specifically discuss Efficiency, Procurement and Risk Management since being in the position?"

Reply

"I have frequent meetings with the Efficiency, Procurement and Risk Management Champion to discuss these issues. However I do not have a full record of these meetings and so am unable to tell Council how many such meetings have taken place."

- (vii) To the Executive Member for Corporate Services, from Cllr Scott:
"Does the Executive Member for Corporate Services still believe in openness and transparency in local democracy in the operation of the Council?"

Reply

"I refer Councillor Scott to my previous answer to this question on 15th October."

- (viii) To the Executive Member for Housing & Adult Social Services, from Cllr Alexander:
"Would the Executive Member for Housing and Adult Social Services explain whether the Council offers those who receive a 'meals on wheels' service to opt for a frozen meal alternative, and if so does the Council provide microwaves free of charge to these individuals?"

Reply

"The meals on wheels service ended in 2006 as part of a wider review of home care services. Since that time customers have been able to choose from a range of providers of frozen meals. A small number of customers continue to receive help in preparing their meals. The frozen meals providers do not supply microwaves but if any customer could not afford to purchase one themselves the council would try to assist through a charitable source."

- (ix) To the Executive Member for Housing & Adult Social Services, from Cllr Simpson-Laing:
"Will the Executive Member for HASS work with me to increase signing up to the Organ Donor Register by ensuring that all Council buildings, both public and private, display information on how to join the Register and that this information is also included for the next 12 months in all Council internal and external publications to help aid the rise in those signed to the register in the City?"

Reply

“Clearly there are some council publications and buildings in which such information may not be appropriate however, with this in mind I would be happy to work with Councillor Simpson-Laing to raise awareness of this very important issue.

As Councillor Simpson-Laing will be aware it is Liberal Democrat policy to introduce an opt-out system for organ donation, a move which I am sure would boost the number of organ donors massively as people who want to donate but haven't got round to signing up are included on the list. I would hope that this policy will receive cross party support the next time it is raised in parliament.”

- (x) To the Executive Member for Learning, Culture & Children's Services, from Cllr Healey:

"Would the Executive Member outline the contingency arrangements for SEN children who move into the authority's catchment area during the school year?"

Reply

“When a child with a Statement transfers to CYC, there is a legal responsibility to meet the child's needs as specified in the Statement and to match the arrangements put in place by the previous Authority. No additional funding can be made available within the financial year but the budget will be adjusted to take account of the additional placement in the next financial year.

If the child requires a mainstream placement with additional support, the funding arrangements to achieve this are exactly the same as for any CYC child who has a Statement of Special Needs. This means that the school will be responsible, from its own delegated budgets, to fund the first 15 hours of additional support and the Local Authority will fund any support above the 15 hour threshold. In York, over 90% of the available funding for Special Educational Needs is already delegated directly to schools.

Whilst there is no specific contingency fund for individual children, newly arrived in the city, there is an SEN contingency fund for schools which find themselves in financial difficulties because of an unexpectedly higher level of children with high level special educational needs. Application is on the basis of the overall SEN budget position within the school, not the needs of a specific individual child, and the overall financial reserves held by the school are also taken into account. The Schools Forum makes such decisions. Schools who take in unanticipated new arrivals could be in a position to make an application to the contingency fund if the increased budgeting demand places them in overall difficulties.

In general the Local Authority and the Schools Forum have taken the view that contingency funding, although helpful, should be kept to a relatively modest level because holding money in this way can only be done by top slicing the amount that is delegated to schools. Overall, schools tell us that the current arrangements are working well.”

- (xi) To the Executive Member for Neighbourhood Services, from Cllr Alexander:
“Can the Executive Member for Neighbourhood Services report to Council how many times police officers have been ‘rented’ under the Police Act 1996 to further reduce crime and as in line with their Election pledge of 2007?”

Reply

“None.”

- (xii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Crisp:
“Can the Executive Member for Leisure & Culture describe his plans to increase York residents’ take up of sport and active leisure in relation to the continued decreasing figures, as reported in the Council’s National Indicator Report?”

Reply

“It is our stated ambition that by 2013 York will have the highest participation rates in active lifestyles of any city in the country. To achieve LAA target (NI8) of increasing participation in sport by 1% per annum we need to see an increase of 1,657 new people playing sport in the city every year. In order to realise this aim we have put together our own service plan as well as working closely with Active York to develop the City Sport and Active Leisure Strategy that combines raising the profile of sport in the city, investment in new facilities and greater tailoring of our offer to ensure that there is something available to meet everyone’s tastes.

Examples of the work currently under way include:

- Targeted participation programmes based on needs analysis e.g. Walking for Health programmes, postural stability programmes, Age Concern swimming sessions, The ‘Fit as a Fiddle’ programme for people over 50 and people with disabilities*
- Actively supporting local sports club development programmes. Ensuring that over 280 sports clubs in York are accessible to all members of the community by offering information about club accreditation, funding opportunities, Discretionary Rate Relief, CASC status, National Governing Body developments, sports specific forums attendance, specific project management for funding bids.*
- Strategic development of funding bid portfolios on behalf of Active York (currently £5m for football, £1.5m for sport and physical activity)*
- Investing in facilities including the new Energise sports centre with new pool and gym.*
- Support for a range of disability activity sessions including Inclusive Gym Sessions, Sportsability, 1st York Boccia, Bowlsability, Danceability, York St John Inclusive Activity Club, Disabled Learn to Swim Program, Footballability, Disabled Swimming Sessions at New Earswick, Athletics Disabled Sessions at Huntington, Core*

*Stability sessions at Hob Moor, Tag Rugby at Westfield, disabled
Tennis at York Tennis Club.”*

Cllr John Galvin

LORD MAYOR OF YORK

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

Membership of Committees, Working Groups and Outside Bodies

Committees/Working Groups

Mansion House and Mayoralty Advisory Group

Subject to Council approving its establishment, to make the following appointments to the Group:

Cllr John Galvin (Lord Mayor) (Chair)
Cllr Brian Watson (Deputy Lord Mayor)

3 cross-party Elected Members: Cllr Sue Galloway (Lib Dem)
Cllr Sonia Crisp (Labour)
Cllr Dave Taylor (Green)

4 former Lord Mayors: Mrs Janet Hopton
Cllr David Horton
Mr Peter Vaughan
Hon Alderman Keith Wood

Scrutiny Mangement Committee

To appoint the following additional substitute members:

Liberal Democrat	(3 rd substitute)	Cllr Holvey
	(4 th substitute)	Cllr Sue Galloway
	(5 th substitute)	Cllr Firth
Labour	(3 rd substitute)	<i>tba</i>
	(4 th substitute)	<i>tba</i>
	(5 th substitute)	<i>tba</i>
Conservative	(2 nd substitute)	<i>tba</i>
	(3 rd substitute)	<i>tba</i>

Gambling & Licensing Acts Committee and Community Safety Overview & Scrutiny Committee

To note that the appointment of Cllr Boyce to the above committees was made incorrectly at the last meeting and should therefore be disregarded:

Outside Bodies / Partnerships

Local Government North Yorkshire and York Regeneration & Housing Board

To confirm the appointment of Cllr Sue Galloway as the Council's substitute representative on the above Board, which was incorrectly referred to at the last Council meeting as the '*Local Government Yorkshire and Humber Regeneration & Housing Board*'.

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