

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 8th April, 2010, starting at 6.30 pm

Present: The Lord Mayor (Cllr John Galvin) in the Chair, and the following Councillors:

ACOMB WARD

BISHOPTHORPE WARD

Simpson-Laing

CLIFTON WARD

DERWENT WARD

Douglas
King
Scott

Brooks

DRINGHOUSES & WOODTHORPE
WARD

FISHERGATE WARD

Holvey
Reid
Sunderland

D'Agorne
Taylor

FULFORD WARD

GUILDHALL WARD

Aspden

Looker
B Watson

HAXBY & WIGGINTON WARD

HESLINGTON WARD

Firth
Hogg
R Watson

Jamieson-Ball

HEWORTH WARD

HEWORTH WITHOUT WARD

Boyce
Funnell
Potter

Ayre

HOLGATE WARD

HULL ROAD WARD

Alexander
Bowgett
Crisp

Cregan
Pierce

HUNTINGTON & NEW EARSWICK
WARD

Hyman
Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Gillies
Healey

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 Horton and Hudson

91. 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 **prejudicial** interests were declared:

<u>Councillor</u>	<u>Item</u>	<u>Description of Interest</u>
Healey	12 – motion (i)	Owner of business premises
Morley	12 – motion (i)	Payer of business rates
R Watson	12 – motion (i)	Payer of business rates
Boyce	12 – motion (v)	Employed as a lecturer at York College
Brooks	12 – motion (v)	Employed by Manchester College and member of Association of Teachers & Lecturers
Hyman	12 – motion (v)	Wife works in adult education

The following **personal** interests were declared:

<u>Councillor</u>	<u>Item</u>	<u>Description of Interest</u>
Merrett	6 – Leader's report	Member of Friends of the Earth (re paragraph 5 of section 10 of the report)
Scott	7 – Urgent Motion	Member of National Union of Rail, Maritime and Transport Workers
Taylor	9 – Executive Member's report	Employee of City Screen, which launched the Cold War DVD (mentioned in Lifelong Learning section of the report)
Potter	12 – motion (ii)	Chair of The Avenues Children's Centre
D'Agorne	12 – motion (v)	Advisor to York College
Crisp	13 – Constitutional Update	Retired member of UNISON
Fraser	13 – Constitutional Update	Member of retired sections of UNISON and Unite (TGWU / Acts sections)
Simpson-Laing	13 – Constitutional Update	Member of UNISON

92. MINUTES

RESOLVED: That the minutes of the Ordinary Council meeting held on 4 February 2010 and the minutes of the Budget Council meeting held on 25 February 2010 be approved and signed by the Chair as a correct record, subject to Minute 76 of the 4 February being amended to record that Cllr Brooks, and not Cllr B Watson, seconded the recommendations of the Audit & Governance Committee.

93. CIVIC ANNOUNCEMENTS

The Lord Mayor invited Members to stand for a minute's silence in memory of the former Lord Mayor and Hon Alderman Jack Archer and the former Lord Mayor John Boardman, both of whom had recently died.

94. PUBLIC PARTICIPATION

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

Gayle Johnson, as Chair of St Nicholas Fields, invited all Members to attend the 10th anniversary celebrations of this organisation, to be held at the environment centre on Saturday, 8th May. She outlined the history of St Nicholas Fields, its partnerships with other bodies in the City and the support it had received from the Council.

Mr Proctor, as Chair of Holtby Parish Council, spoke in support of the petition to be presented by Cllr Brooks regarding kerbing on Holtby Main Street. He explained that kerbing in this area would help prevent water run-off and erosion to verges and was essential for maintenance of the highway.

95. PETITIONS

Under Standing Order 7, petitions were presented by:

- (i) Cllr Gillies, on behalf of local residents calling on the Council to adopt the footpath between Bracken Hills and The Green, Upper Poppleton.¹
- (ii) Cllr Simpson-Laing, on behalf of residents calling for the introduction of a 20 mph zone in Almsford Drive.²
- (iii) Cllr Simpson-Laing, on behalf of Carr Junior School, requesting the installation of dog dirt bins.³
- (iv) Cllr Brooks, on behalf of local residents, requesting kerbing on Main Street in Holtby village.⁴

Action Required

2: Schedule report on Executive Forward Plan and keep relevant Executive Member updated on progress SS
KS
1, 3 and 4: Schedule reports on Executive Forward Plan for appropriate meeting and keep relevant Executive Members updated on progress

96. REPORT OF EXECUTIVE LEADER

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

In reply to questions asked by Opposition Group Leaders in their responses to the report, the Executive Leader indicated that:

- Demolition of the former Peaseholme Centre on the Hungate site had been carried out because the building was not fit for purpose and so that work could be carried out to make the site ready for future use.
- Options for the University pool would be coming forward in the summer.
- Work on the Community Stadium was progressing in line with the agreed timetable.
- He had already been involved in talks about re-introducing the Mystery Plays to Museum Gardens.

All Group Leaders paid tribute to Cllr Galvin, the Lord Mayor, who was chairing the last Council meeting of his term of office, and to Alison Lowton, the Interim Head of Civic, Democratic and Legal Services, who would be leaving the Council on 14 April.

97. URGENT MOTION

The Lord Mayor announced that he intended to deal at this point with an urgent, all party motion of which notice had been given and the wording circulated around the Chamber.

Cllr Waller then moved, and Cllr Scott seconded that:

“Council is concerned at the situation that has resulted in Jarvis employees in the City being made redundant by the administration of Jarvis.

Council regrets that a rescue package has not yet been found to enable the company to continue operating from the City with the potential loss of expertise and associated Headquarters jobs.

Council notes that infrastructure work on the railway network will need to be undertaken in the long term, providing opportunity for employment by remaining infrastructure companies.

Council calls upon the Government and Network Rail to continue to deliver the current volume of renewals it has contracted with Jarvis to the current timetable, either by Jarvis whilst in administration or by another contractor; and, if Jarvis cannot be saved as a company, ensure they transfer to similar rail jobs, to ensure that employees continue to be employed.¹

In the interim period, Council requests the Government to take steps to ensure that former Jarvis employees receive assistance supported by government agencies, Yorkshire Forward and Department of Works and Pensions.²

Council requests that the Chief Executive ensures that City of York Council provides the support through Future Prospects and other actions to retain Jarvis jobs in the City.”³

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

RESOLVED: That the above urgent motion be approved.¹⁻³

Action Required

1 & 2 : Write to the Government & Network Rail in the terms agreed KE

3. Liaise with Future Prospects to ensure that this support is provided KE

98. 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 4 February 2010.

99. REPORT OF EXECUTIVE MEMBER

A written report was received from Cllr Nigel Ayre, the Executive Member for Leisure, Culture & Social Inclusion.

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

(i) From Cllr Taylor:

“The procurement of a new operator for the Barbican Auditorium remains a high priority for the residents of Fishergate and the city generally. How will the Executive Member ensure that the chosen bidder is one which will provide a quality entertainment programme for citizens and visitors, and not merely turn the facility into a conference centre which would provide nothing for the people of York?”

The Executive Member replied:

“The Executive set out the areas in which the bids for the Barbican are to be judged. Three criteria were drawn up as a result, one of which relates to the programme to be provided in the auditorium. This states that: ‘Bids will score best on this criterion that meet the Council’s aspiration for an extensive and wide ranging programme of music, comedy, dance and entertainment of a quality likely to draw a sub-regional and regional audience and which provide opportunities for community activities and involvement.’ Bidders are required to provide detailed information about:

- *Established relationships they have with artists, promoters, agents and tour companies and the extent to which this will enable the bidder to book and deliver high quality entertainment events at the venue*
- *Any touring programmes that the bidder is currently delivering at other comparable venues in the UK*
- *The types of programme that the bidder will be able to bring to the Auditorium, demonstrating how those events will complement, add to or otherwise impact on events currently provided at other entertainment venues in the City*
- *The number of customers the bidder would expect to attract to entertainment events in the Auditorium*

This marking scheme will ensure that bids offering high quality entertainment have the potential to score best in the assessment process.

In response to a supplementary question from Cllr Taylor concerning the weighting given to these criteria, the Executive Member replied that this had been reported to Scrutiny and the Executive and that he was happy with the eventual decision on weighting.

(ii) From Cllr Crisp:

“The Executive Member speaks in glowing terms about the patronage at Energise since it opened last year. Can he say how long other parts of the city will be forced to continue with a lack of recommended swimming lanes?”

The Executive Member replied:

“The investment in Yearsley and Energise has secured the future of significant lane provision in the City. The Active York facilities study showed a requirement in York for an additional 12 lanes of swimming provision. Our commitment to a pool on the East of the City aims to secure a further 12 lanes for the next 50 years. This would result in more lane provision than York had in 2003. This pool will be York’s first ever competition standard pool.

Council officers and myself have been in constant dialogue with the university to find ways of mitigating the funding gap and delivering the new pool at the University site.

As the Leader has already mentioned in his report, the University have done further work on the design of the pool. Myself and officers have met with the University on several occasions to discuss this work and options are being considered that maintain the quality of the facilities seen in previous reports but also reduce construction costs. As a result, the funding gap is narrowing.

Once more finalized costings have been completed we will be looking to reconvene the University Pool Steering Group, allowing interested parties from across the spectrum to consider the proposal and ensure it meets the City’s needs.

I share the Leader's expectation that we will be able the report to Council on a way forward early in the summer."

In response to a supplementary question from Cllr Crisp, the Executive Member replied that he was unable to quantify the current funding gap until final costings had been completed.

(iii) From Cllr Firth:

"Has the Executive Member got an update on the bid to Sport England's Community Investment Fund mentioned in the report?"

The Executive Member replied:

"Yes, I am pleased to say that we have been successful in securing around £190k over 3 years which will allow us to progress our 'Everybody Active' programmes for active living. This 3 year project will employ 5 full time Participation Officers who will have themes of work around Sports Participation, Active Living, Older People, Exercise Pathways and Disability Participation.

These themes have been chosen to address identified need in increasing activity opportunities in the City for targeted groups who participate the least, and in activities that have been recognized as being able to engage individuals the most. For example, cycling and walking, work place activity, social sports and first step activities to support those with medical conditions or requiring a bit more of a helping hand than others to get active. The work of the new posts will build on the success of other projects and will recruit over 2,500 new participants and 300 volunteers to sport and physical activity in the City.

The posts will work across a range of sports and activities to enhance and develop programme opportunities and capacities of groups. Sustainable pathways will be developed and opportunities maximized by working with schools, clubs, facility managers, non-traditional venues, volunteers, coaches, instructors and by responding to local needs.

In supporting these programmes, the role of posts will include:

- Facilitating the introduction of National Governing Body led activity programmes in traditional and non-traditional settings*
- Supporting volunteers / coaches / instructors to access relevant local and regional training opportunities, funding streams and local schemes of recognition of good practice*
- Linking regional and national strategies from various relevant partners to support local planning, funding applications and project delivery*
- Working with other organisations who have had successful capital funding bids to maximise usage of facilities*
- Linking projects to player, coach and volunteer pathways*
- Contributing to the process of achieving nationally recognized accreditation standard (i.e. Club Mark, Walking for Health Accredited Scheme)*

- *Identifying and securing funding sources for targeted activity programmes*
- *Wider working across each co-ordinator's work area to maximise impact*

(iv) From Cllr Crisp:

"On user figures for Yearsley pool, will the Executive Member specify how much of the increase in numbers is from paying swimmers and how much is due to the Government's free swimming offer to those mentioned in his report?"

The Executive Member replied:

"Following this Executive's decision to sign up to free swimming, across the City over 17,000 residents have signed up for free swims for the over 60s and the under 16s. The revamped Yearsley has seen an increase in usage from 2008 to 2009 of more than 27,000.

130,000 users in 2008 (Jan. to Dec.)

157,000 users in 2009 (Jan. to Dec.)

We did not count figures in the same way prior to this scheme, therefore it is not possible to compare data from before the free swimming started on 1st April 2009 with the period up to 31 December 2009.

Figures appear to show that there is an increased income over and above the DCMS funding for free swims, which seems to suggest that there has been a significant increase in the number of users who are not entitled to the free swimming offer.

The picture therefore is speculative and far from clear. It is impossible to ascertain how many regular swimmers have taken up the free swimming offer and have therefore not contributed to the increased usage figures. Equally, it is impossible to say how many of the new users are fee paying swimmers and how many have visited because of the free swimming offer.

I think the best that can be assumed is that the increase in usage is due to a combination of the improvement in facilities bringing in more people generally and the free swimming offer."

At this point, the time limit for this item expired and the Executive Member undertook to provide written answers to the remaining questions. The questions, and written responses, are set out below.

(v) From Cllr Hogg:

"Can the Executive Member tell Council how successful he believes the partnership with Aviva has been?"

Reply

"The partnership is a very successful one that has been nationally recognised as good practice. It was shortlisted for the Local

Government Chronicle Awards 2010 in the private / public partnership category and mentioned in the recent DCMS policy statement, 'The Modernisation of Public Libraries'. A meeting with Vince Cable MP has led to engagement with the FSA at the highest level. Library and Aviva staff have volunteered to deliver the financial capability workshops and this has been hugely beneficial for library staff – where this work has led to and increase in self confidence and skills. A Marketing Toolkit has been developed using Aviva expertise that allows library staff to get out into their communities to promote the workshops.

The partnership is working with York St John University to evaluate the project and to ensure that we capture the impact of taking part in the workshops on people. A Financial Capability Questionnaire will be one of the key legacies of the project.

The partnership has significantly contributed to the transformation of York Library into an Explore Centre. The new Explore Centre will open on 24 May with more books, state of the art learning rooms equipped with the latest learning technologies, a quiet room, a café, changing facilities, self service machines, a new flexible ICT learning centre and free Wi-Fi Internet throughout. Its target is 1 million visitors a year by 2012.

As we look to the future, the partnership is working hard to engage with local third sector bodies such as CVS and CAB (meetings have already taken place) and we are actively involved with the Credit Union – for instance, people will be able to join the Credit Union at all of our libraries.”

(vi) From Cllr Crisp:

“Can he explain what concerns he has about the methodology of the Active People survey and what representations has he made in this regard?”

Reply

“The Active People survey is conducted by Mori on behalf of a number of the cultural agencies. Having this data represents a great step forward for local authorities. I would advise Members to be cautious about all statistics, but as a point of clarification in terms of this report the specific caution I have is in terms of how the data has been used. All surveys are useful only to the extent that they are correctly interpreted bearing in mind factors such as the sample size used. We saw this recently when the Active People 2 study, based on a smaller sample size than that of Active People 1, was deemed to show a significant decrease. When the final figures of Active People 3 were included to make the sample sizes comparable, this decrease was shown to be illusory. Unfortunately, even august organizations such as the Audit Commission have shown themselves to be vulnerable to this misinterpretation of data. I am pleased to note York’s recent performance in terms of the percentage of people doing 3 x 30 minutes of sport per week.”

- (vii) From Cllr Vassie:
“What plans does the Executive Member have to facilitate a major production of the York Mystery Plays?”

Reply

“In 2004, following a report commissioned by the Council, the York Mystery Plays Co-ordinating Committee was brought together. This pulled together plans for:

- The York Guilds mystery plays on wagons to be produced every four years as part of the agreed cycle. These were produced in 2006 and will take place again this year*
- The York Youth Mysteries. Produced by the Council and partners in 2008*
- A York Minster Mystery Plays in 2010, ten years after the highly successful Millennium Mystery Plays in the Minster*

As Members will be aware, the York Minster Mystery Plays have not been able to go ahead in 2010 because the organising board have not been able to secure a 6 week period in the Minster, free from capital works, between now and 2015.

I will be bringing a proposal to the Executive in May to support a new York Mystery Plays 2012 Partnership, led by York Theatre Royal, which is proposing a major community production for August 2012, to be performed in Museum Gardens.

The vision is to create a bold, exhilarating piece of story-telling theatre on an operatic scale and to re-invigorate the tradition and the language and make these plays accessible to a modern audience. To stage the biblical stories in a way that resonates with both past and present and appeals to those of a religious faith or none. The aim is to bring an extraordinary and passionate performance out of our community, resourced with the highest aesthetic and production values, to remind us that the ownership of this tradition rests with the people of York.”

- (viii) From Cllr Crisp:
“Can the Executive Member elaborate on what work has taken place to attract pre-Games training camps to York?”

Reply

“Firstly the Council ensured at the outset that all potential venues in York registered as pre-games training camps facilities. The City of York has four venues amongst the 600 nationwide accepted by LOCOG (London Organising Committee for the Olympic Games) as Pre Games Training Camps. The four venues are Huntington Stadium, York Community and Gymnastics Foundation, the University of York, and York College. These are included in the official Pre Games Training Camp guide (which includes training camp information on the official 2012 DVD, brochure and website).

The City Council worked with its partners on the application that was submitted by the City’s strategic sports partnership, Active York. Active

York remains the strategic body that is co-ordinating York's Pre Games Training Camp activity.

For the last six months, York has been actively promoting its offer to a group of West African countries through official links with the Gambian National Olympic Committee and its partners ZANOCA (Zonal Associations of National Olympic Committees of Africa). As part of this initiative, York hosted a successful two day visit last year from the Executive Director of the Gambian NOC, who had the opportunity to meet York officials and visit York's Pre Games Training Camps. To develop the relationship further, York recently (March 2010) supported a York St John University 'led' sports science conference to the Gambia. This sporting exchange is viewed as a catalyst for developing a long term relationship with West African countries, which will hopefully lead to a Memorandum of Understanding being signed between York and the Gambia or members of ZANOCA to support the potential for Pre Games Training Camps in York in the summer of 2012. It is also hoped to develop these links across Sport, Education and Culture to involve the 2014 Commonwealth Games and a potential World Cup in England in 2018. Further progress is expected in the coming months."

- (ix) From Cllr Holvey:
"What is the Executive Member doing to encourage pre Olympic games training camps to locate in York?"

Reply
"As above."

- (x) From Cllr Crisp:
"On the Barbican, will the Executive Member say by which year he would consider the process to bring the Barbican back into use to have been successful?"

Reply
"The Council will be in a position to make a formal decision on the operator in September. The re-opening date will depend on the scheme chosen, but all the bidders shortlisted have the capability to move forward in a timely manner."

100. ACTIVITIES OF OUTSIDE BODIES

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

- Local Government North Yorkshire & York – meeting on 5/10/09
- Economic Development Partnership Board – meeting on 19/10/09
- York & North Yorkshire Waste Management Partnership – meeting on 3/12/09
- North Yorkshire Fire & Rescue – meetings on 9/12/09 and 10/2/10
- Safer York Partnership – meeting on 1/2/10

- NHS Foundation Trust – meeting on 16/12/09

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

101. APPOINTMENTS AND CHANGES TO MEMBERSHIP

RESOLVED: That the appointments to and changes to membership of Committees, Outside Bodies and Working Groups set out on the list circulated around the Council Chamber (and attached as an annex to these minutes) be approved.

102. NOTICES OF MOTION

*** (i) Business Rates**

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

“Council notes the concern of local businesses about the recent revaluation of business rates and the confusion that the complex system has caused at a time when businesses are still struggling with the effects of the recession.

Council believes that short term measures can be taken to help local businesses take advantage of an economic recovery, including making Small Business Rate Relief automatic and rebalancing the burden on small independent shops.

In the long term Council believes that fundamental reform of business rates is necessary to introduce a fairer system where rates are based on site values rather than rental values, encouraging businesses to invest in their premises rather than penalising them.

Council also believes that allowing Council to retain a proportion of the business rates collected in the area would help to promote local initiatives which would stimulate the local economy.

Council therefore asks the Chief Executive to write to the Business Secretary and Shadow Business Secretaries expressing the concerns of Council and calling for reform of business rates to be a priority for the incoming Government.”

Prior to the debate on the above motion, Cllr Scott moved, and Cllr Pierce seconded, that the motion be referred to the Executive under Standing Order 12.(b) for consideration of an Officer report, on the grounds that this was a technical issue requiring specialist advice. On being put to the vote, this proposal was declared LOST.

Cllr Scott then moved, and Cllr Simpson-Laing seconded, that Standing Order 15.3.1 be suspended to enable an amendment to be moved from

the floor. On being put to the vote, this proposal was declared CARRIED.

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

“In paragraph 3, delete all after the words *‘fairer system’*.”

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

The motion, as amended, now read as follows:

“Council notes the concern of local businesses about the recent revaluation of business rates and the confusion that the complex system has caused at a time when businesses are still struggling with the effects of the recession.

Council believes that short term measures can be taken to help local businesses take advantage of an economic recovery, including making Small Business Rate Relief automatic and rebalancing the burden on small independent shops.

In the long term Council believes that fundamental reform of business rates is necessary to introduce a fairer system.

Council also believes that allowing Council to retain a proportion of the business rates collected in the area would help to promote local initiatives which would stimulate the local economy.

Council therefore asks the Chief Executive to write to the Business Secretary and Shadow Business Secretaries expressing the concerns of Council and calling for reform of business rates to be a priority for the incoming Government.”¹

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.¹

**Note: Cllrs Healey, Morley and R Watson left the Chamber during consideration of the above motion, in accordance with their declarations of a prejudicial interest in the matter, and took no part in the debate or decision thereon.*

(ii) Children’s Centres

It was moved by Cllr Scott and seconded by Cllr Merrett that:

“Council welcomes the imminent opening of the City’s ninth Children’s Centre at Knavesmire Primary School.

Council recognises the positive impact that Children's Centres have made on the lives of children and families in the City of York since 2006.

Council is appalled that David Cameron's Conservative Party has publicly stated that it would cut £200m, a 19.5% cut in funding forcing one in five Children's Centres to close. It is also proposed to restrict the Department for Children, Schools and Families budget to a 1% increase for 2010/11, representing a £300m cut in real terms.

The proposed cut would translate to the closure of 569 centres nationally and two in York.

Council requests the Chief Executive to write to:

- 1) David Cameron MP, expressing its total opposition to the proposals outlined in Conservative Party Policy, highlighting the damage to York communities and families.
- 2) Candidates of the main political parties for York Central and York Outer, asking them to oppose any proposed cuts and asking for their support for the continued funding to enable all Children's Centres to remain open and offer the same range of facilities and service as currently provided."

Cllr Runciman then moved, and Cllr Aspden seconded, an amendment to the above motion, as follows:

"Delete all from '*Council is appalled*' in the third paragraph to the end of '*York Communities and families*' in the final paragraph. In the final paragraph, insert the words *Council requests the Chief Executive to write to*' before the word '*candidates*' and insert the words '*in the Sure Start budget*' after the words '*proposed cuts*'."

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

The motion, as amended, now read as follows:

"Council welcomes the imminent opening of the City's ninth Children's Centre at Knavesmire Primary School.

Council recognises the positive impact that Children's Centres have made on the lives of children and families in the City of York since 2006.

*Council requests the Chief Executive to write to candidates of the main political parties for York Central and York Outer, asking them to oppose any proposed cuts in the Sure Start budget and asking for their support for the continued funding to enable all Children's Centres to remain open and offer the same range of facilities and service as currently provided."*²

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

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

(iii) Congestion Charging

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

“This Council pledges that it will not pursue congestion charging in York for the duration of the current administration.”

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

RESOLVED: That the above notice of motion be approved.

(iv) Police Community Support Officers

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

“Council welcomes:

- The presence of Police Community Support Officers (PCSOs) on York’s streets since they were introduced as a result of the Police Reform Act 2002;
- The continual improvement in reducing crime in York and North Yorkshire as a result of the national Neighbourhood Policing strategy, of which PCSOs are a key part;
- The role of PCSOs in reducing levels of crime and increasing public confidence;
- The improved responsiveness of the Police at the local level since PCSOs were established.

Council is therefore appalled at Conservative proposals to abolish PCSOs. It believes this would be a retrograde step and demonstrates a party that is soft on crime.

Council asks the Chief Executive to write to Conservative Leader David Cameron, expressing Council’s deep-seated concerns about the implications of implementing such a policy and urging him to reconsider his party’s stance on the issue.

Council also requests the Chief Executive to write to each of the Parliamentary candidates for York Central and York Outer, expressing the same view.”

Cllr Runciman then moved, and Cllr Orrell seconded, an amendment to the above motion, as follows:

“Replace the second paragraph, beginning ‘*Council is therefore appalled*’, with:

‘Council is concerned at Conservative proposals to remove the ring fencing of funding for PCSOs and is concerned that such a move could result in a reduction in the number of PCSOs in York.’

In the third paragraph, delete the words ‘deep seated’.”

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

The motion, as amended, now read as follows:

“Council welcomes:

- *The presence of Police Community Support Officers (PCSOs) on York’s streets since they were introduced as a result of the Police Reform Act 2002;*
- *The continual improvement in reducing crime in York and North Yorkshire as a result of the national Neighbourhood Policing strategy, of which PCSOs are a key part;*
- *The role of PCSOs in reducing levels of crime and increasing public confidence;*
- *The improved responsiveness of the Police at the local level since PCSOs were established.*

Council is concerned at Conservative proposals to remove the ring fencing of funding for PCSOs and is concerned that such a move could result in a reduction in the number of PCSOs in York.

*Council asks the Chief Executive to write to Conservative Leader David Cameron, expressing Council’s concerns about the implications of implementing such a policy and urging him to reconsider his party’s stance on the issue.*³

*Council also requests the Chief Executive to write to each of the Parliamentary candidates for York Central and York Outer, expressing the same view.”*⁴

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

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

***(v) Life-Long Learning**

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

“Council holds the view that excellence in education for all can best be achieved by promoting life long learning and that this should continue to be one of the top priorities for government.

Council recognises that promoting such opportunities has long been the work of those who work in Adult and Continuing Education and

knows that their distinctive approach has enable many who come back into the education system later in life to achieve their potential.

Council deplores the steady undermining of life long learning opportunities by this Government, demonstrated by the recent announcement that almost all funding for part time courses, particularly in Further Education Colleges, will be cut. This will reduce access to both part time vocational and non-vocational courses, which are often the way that mature learners return to learning, as well as providing emotional and social support to those who are or have been isolated members of society.

Council resolves to express as strongly as possible to the Department for Children, Schools and Families its opposition to this cut and to make representations that it should be reversed.

Council also requests Officers to prepare a report to the Executive setting out the likely effects of these cuts on the City's economy."

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

"Council holds the view that excellence in education for all can best be achieved by promoting life long learning and that this should continue to be one of the top priorities for government.

Council recognises that promoting such opportunities has long been the work of those who work in Adult and Continuing Education and knows that their distinctive approach has enable many who come back into the education system later in life to achieve their potential.

Council deplores the steady undermining of life long learning opportunities by this Government, demonstrated by the recent announcement that almost all funding for part time courses, particularly in Further Education Colleges, will be cut. This will reduce access to both part time vocational and non-vocational courses, which are often the way that mature learners return to learning, as well as providing emotional and social support to those who are or have been isolated members of society.

Council resolves to express as strongly as possible to the **Department for Business, Innovation and Skills** its opposition to this cut and to make representations that it should be reversed.⁵

Council also requests Officers to prepare a report to the Executive setting out the likely effects of these cuts on the City's economy."⁶

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

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

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

** Note: Cllrs Brooks and Hyman left the Chamber during consideration of the above motion, in accordance with their declarations of a prejudicial interest in the matter, and took no part in the debate or decisions thereon.*

Action Required

- | | |
|---|----|
| 1. Write to Business Secretary & Shadow Business Secretaries in the terms agreed | KE |
| 2. Write to candidates for York Central & York Outer in the terms agreed | KE |
| 3. Write to David Cameron MP expressing concerns | KE |
| 4. Write to Parliamentary candidates for York Central & York Outer expressing concerns | KE |
| 5. Write to Department for Business, Innovation & Skills in the terms agreed | PD |
| 6. Schedule a report on Executive Forward Plan re effects of the cuts on the City's economy | BW |

103. CONSTITUTIONAL UPDATE

Prior to this item being called, Cllr Scott sought the Lord Mayor's ruling on a procedural point. He contended that the item should not have been included on the Council agenda and should instead have been referred to the Audit & Governance Committee, under Article 16 of the Council's Constitution. The Lord Mayor ruled that the item had been properly included on the agenda, as there was no bar to its inclusion under Standing Orders. He indicated that his ruling on the matter was final, in accordance with Standing Order 22.

Cllr Waller then moved, and Cllr Runciman seconded, the recommendations contained in the report of the Interim Head of Legal, Civic and Democratic at pages 71-98 of the Council papers, concerning changes to Officer delegations arising from the recent re-organisation of the Council's Directorates and minor changes to Standing Orders.

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

RESOLVED: That the recommendations contained in the report of the Interim Head of Legal, Civic and Democratic Services be approved.¹

Action Required

- | | |
|---|----|
| 1. Make the changes to the Constitution and re-issue the amended sections | DS |
|---|----|

104. QUESTIONS TO THE EXECUTIVE LEADER AND EXECUTIVE MEMBERS RECEIVED UNDER STANDING ORDER 11.3(A). AS

Twenty-two questions had been submitted to Executive Members under Standing Order 11.3(a). The questions were put and answered as follows:

- (i) To the Executive Member for City Strategy, from Cllr Simpson-Laing:
“Will the Executive Member detail the start date and the works to be undertaken to the dangerous No. 4 Station bus stop and cycle lane?”

The Executive Member replied:

“Following the Executive decision on 30th March 2010, officers will be contacting East Coast and Network Rail in the near future to set up a meeting to explore the short term options for improvement.

Until these issues have been fully considered it would be wrong to specify a date, but I expect that we should be making some improvements during the summer.”

- (ii) To the Executive Member for City Strategy, from Cllr Gillies:
“Does the Executive Member have any indication whether the £22.9 million provisionally agreed by the Government to be put towards York’s Park & Ride schemes will be secured before the General Election?”

The Executive Member replied:

“The Park & Ride sites, included in the Access York Phase 1 scheme, were awarded Programme Entry on Monday 22 March 2010.

The sum of £22.9 million is therefore available from the Government (Department for Transport) subject to satisfying the anticipated requirements, including the achievement of Final Approval once the construction tender prices are known.”

- (iii) To the Executive Member for City Strategy, from Cllr Merrett:
“Would the Executive Member indicate the cost, including staff time, of developing the area action plan for York Northwest to date, and the separate costs of preparing the preceding development briefs for the York Central site?”

The Executive Member replied:

“Cllr Merrett will be aware that we do not have a staff time allocation system which allows us to identify precisely how administrative time has been divided between the many different – often concurrent – tasks that are involved in building a Local Development Framework. Any staff time related figures are, therefore, estimates.

Between 2002/3 and 2004/5 there were direct costs of £28,656 (consultants and consultation) and staff costs of about £62,300 for work on the York Central Planning Brief.

In 2005/6 there were direct costs of £50,653 (transport work and stadium study) and staff costs of about £21,900 on the York Central Planning Framework.

Between 2006/7 and 2009/10 there were direct costs off £222,674 (consultants work on transport, open space, ecology, landscape and

also on consultation) and staff costs of about £235,700 on the Area Action Plan.

All of the work on the Area Action Plan will feed into the approach we are now taking for York Central through the Core Strategy and Supplementary Planning Documents for each site. The work is needed to underpin this new approach and if we hadn't done this work we would need to do it now.

The costs associated with an Area Action Plan are greater than the Planning Brief – much of this is due to the changed nature of the planning system. We now have to have a robust evidence base and demonstrate deliverability./ So much more upfront work is required.”

At this point in the meeting, the guillotine fell and Members agreed to accept written answers to the remaining questions, as set out below.

- (iv) To the Executive Member for City Strategy, from Cllr Healey:
“Can the Executive Member tell Council when it can expect the Water End review to be published?”

Reply

“There is a report (Water End- End of Year report) scheduled to go to Decision Session, Executive Member for City Strategy on 1st June 2010.”

- (v) To the Executive Member for City Strategy, from Cllr Firth:
“Can the Executive Member give an update on the progress made in achieving funding for the new Park & Ride sites in the City?”

Reply

“The Park & Ride sites, included in the Access York Phase 1 scheme, were awarded Programme Entry on Monday 22 March 2010. The sum of £22.9 million is therefore available from the Government (Department for Transport) subject to satisfying the anticipated requirements, including the achievement of Final Approval once the construction tender prices are known.”

- (vi) To the Executive Member for Housing & Adult Social Services, from Cllr Simpson-Laing:
“Can the Executive Member inform Council of how many families, adults with one or more children under 8 years old, are living in first and second floor accommodation in the City's boundaries as of the 1st March 2010?”

Reply

“As a result of the policies of successive governments, first depleting our council house stock and then using the revenue from the remaining stock as a source for government stealth tax rather than reinvestment in replacing lost council houses, there is a shortage of family council housing in York. Attempts to free up suitable accommodation by encouraging down sizing was referred to my reply to a question from Councillor Alexander on the 4th February. There are currently (as at 7th

April 2010) 147 households with a child or children under the age of 8 years living in CYC properties with 1 or less (bed-sits) bedrooms.

The Council does not keep this information in relation to the private sector or other housing providers.”

- (vii) To the Executive Member for Housing & Adult Social Services, from Cllr Simpson-Laing:

“Can the Executive Member inform Council of how many families, adults with one or more children under 4 years old, are living in first and second floor accommodation in the City’s boundaries as of the 1st March 2010?”

Reply

“Councillor Simpson-Laing will be aware that demand for ground floor accommodation comes not only from families with young children but those with age-related or medical requirements. As at 7th April 2010 there were 174 households with one or more children under 4 years old living in properties above ground floor

The Council does not have and is not required to keep such records for other sectors of the housing market.”

- (viii) To the Executive Member for Housing & Adult Social Services, from Cllr Scott:

“Has the Executive Member concluded any agreement with the PCT to replace the Respite Care that will be removed by your party’s budget for 2010/11?”

Reply

“Officers have written to the PCT about this issue and are awaiting a response.”

- (ix) To the Executive Member for Housing & Adult Social Services, from Cllr Sue Galloway:

“Can the Executive Member give a summary of the outcomes of the recent Annual Housing Satisfaction Survey?”

Reply

“The annual Housing Satisfaction Survey by City of York Council shows significant improvement in tenant satisfaction across the city. According to the survey, which was sent out to 2000 tenants around the city, considerable improvements have been in a wide range of areas with many of the report’s key customer satisfaction indicators in the top quartile for performance.

Tenant satisfaction has increased in terms of overall service from 85% to 89%, exceeding the 08/09 set target of 88%. Satisfaction with repairs and maintenance provision has seen a rise from 83% to 87%. Those areas also seeing a rise in satisfaction are value for money (81% to 85%), general condition of property (82% to 85%) and the views of the tenant being taken into account (68% to 72%).

Tenant satisfaction with opportunities to participate in management has increased. This can be linked to the percentage increase from 74% to 80% of tenants agreeing that the City of York is a good landlord.”

- (x) To the Executive Member for Corporate Services, from Cllr Watt:
“Can the Executive Member tell Council what the average business rate rise will be for businesses in York for the period 1 April to 31 March 2011?”

Reply

“There isn’t an easy way to determine this, as National Non-Domestic Rate liabilities change throughout the year. Successful appeals against rateable values have an impact on the amount due. Transitional relief and the Retail Price Index further complicate any calculations. In the five months prior to the current financial year there were 624 revaluations advised, ranging from a reduction of 93.74% to an increase of 1,496.64%.

However, as at 31st March 2010, the net billing debit was £85,658,955.87 and as of 1st April this sum rose to £87,549,982.50 – a rise of 2.2%, though this gross indication can hide a multitude of grief. The overall increase in rateable values is 20.1%, up from £202,718,617 in 2005 to £243,539,409 now.”

- (xi) To the Executive Member for Corporate Services, from Cllr Healey:
“Do the auditors have a view on City of York Council’s medium-term financial strategy?”

Reply

“The auditors have signed off the strategy in the last Annual Accounts without any adverse comment, so I assume that they have no concerns.”

- (xii) To the Executive Member for Corporate Services, from Cllr Healey:
“Has the Executive Member or any Officers received, either formally or informally, any guidance from HM Government regarding future grant settlements?”

Reply

“To the best of my knowledge we have not received anything formally pending the outcome of the general election. Various statements have been made about how Gershon type reductions would be assumed in future funding decisions (the implication that we would have to find efficiency savings next year as the grant would be reduced on this assumption), groups such as the Local Government Association and those representing districts, counties and unitaries, etc., have expressed concern that grant levels could alter from small increases through a cash-frozen situation to reductions of up to 10% per annum. The Total Place report also may change funding allocations between different types of authorities. The first budget statement of the new Parliament will clarify the position and an updated financial forecast will be prepared based on this.”

- (xiii) To the Executive Member for Corporate Services, from Cllr Healey:
“Can the Executive Member give Council the benefit of his opinion as to how prudent it is to assume a 0% increase in City of York Council’s grant settlement from 2011?”

Reply

“The first budget statement of the new Parliament will clarify the position and an updated financial forecast will be prepared based on this.”

- (xiv) To the Executive Member for Corporate Services, from Cllr Healey:
“Could the Executive Member update Council on City of York Council’s current level of reserves, on whether this amount is more or less than the minimum recommended level as defined by the auditors and, should the reserve levels fall below this minimum recommended level, explain the reasons why?”

Reply

“Until the final figures are available for the financial year just ended the figures for projected levels of reserves are as stated in the 2010/11 budget report. The auditors have no powers to determine what the minimum level of reserves should be, they can only comment on whether or not they think our reserves are adequate for current and potential future needs/risks. The Director of Customer and Business Support Services set out in the budget report to the Executive what a prudent level should include. The projections for 2009/10 are that the reserves will be more than the minimum level thus calculated. The out-turn for 2009/10 and the medium term financial strategy reports will keep Members apprised of the position on reserves.”

- (xv) To the Executive Member for Corporate Services, from Cllr Brian Watson:
“Will the Executive Member outline what alternatives to demolition were investigated and considered before the decision to demolish the Peaseholme Centre at Peaseholme Green were made?”

Reply

“This issue is not within my remit, as I believe the matter was dealt with by Property Services and/or Housing. I will undertake to provide a written response to the question, as I will need to ascertain details of which I’m not currently aware.”

- (xvi) To the Executive Member for Neighbourhood Services, from Cllr Gillies:
“Can the Executive Member tell Council when the temporary tarmac repairs on Lendal Bridge will be replaced, and will they be replaced with Yorkshire flagstone?”

Reply

“The tarmac will be replaced by York stone paving and is in the programme of works for 2010/11. The work will need a road closure

and is currently scheduled to start on 5th May 2010 and should take 6 nights.”

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

“What are the Executive Member’s plans to improve and promote Social Inclusion in the City, particularly in relation to BME residents?”

Reply

“As outlined in the Sustainable Community Strategy, social inclusion is central to everything the LSP Executive board and the LSP partnerships do. In the context of Inclusive York, council officers are currently working with LSP partners to develop a comprehensive plan that will outline in detail actions to maintain and develop further social inclusion in the city. The plan will include actions that relate to BME residents as well as to other Black and Minority Ethnic groups in the city such as migrant workers, students etc. Following a period of extensive consultation that will include City of York Council, the plan is scheduled to be launched at the LSP annual conference at the end of September 2010.”

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

“Could the Executive Member outline how he hopes to maintain and improve access to the Guildhall in relation to DDA requirements, so that all meeting rooms, including the Council Chamber, are accessible without prior notice?”

Reply

“The last consultants’ report demonstrated that:

‘Circulation within the chamber and gallery is restricted. The only space likely to be large enough for wheelchair users are the areas between the main chamber and the public gallery and therefore we recommend a management policy be put in place to ensure that these spaces are available. The fixed nature of the majority of the furniture restricts access for people with disabilities, however with careful management, free standing seats could be used to accommodate councillors and members of the public who can’t negotiate the closely located seats. Assistance to reach seating should also be provided. We recommend that a hearing enhancement system be provided complete with signage to identify its presence.’

I will be working with council officers to see how this can be achieved.”

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

“Can the Executive Member inform Council what progress has been made concerning discussions with York Museums Trust over the possible location of the winter ice rink being in the Museum Gardens?”

Reply

“We need to remember that the need for a new location for the ice rink arises because, despite the entirely successful operation of the rink at

the Eye of York, the Crown Court threatened legal action if the rink were to return next year. The ice rink is a commercial operation and the Council is working with the operator to enable them to consider all options that could be commercially viable for the rink. The Museum Gardens is one site that has been considered. It was clear from the outset, however, that there are a number of practical difficulties about the gardens and at this point those difficulties remain. Discussion will therefore continue with the operator about other sites.”

- (xx) To the Executive Member for Children & Young People’s Services, from Cllr Aspden:

“Can the Executive Member give an update on the outcome of the recent Local Government Chronicle Awards, at which York’s Children’s Services were nominated for an award?”

Reply

“I am delighted to tell the council that Children and Young People’s Services in York received a Highly Commended Award from the Local Government Chronicle for Integrated Working with Children with Disabilities. This was the highest award for any council outside London and confirms our commitment to working with those who are most disadvantaged as well as strong partnership working between all the professionals involved. I would like to put on record my thanks to Jess Haslam and her team who provide such an outstanding service to young people with disabilities and their families here in York.”

- (xxi) To the Executive Member for Children & Young People’s Services, from Cllr Orrell:

“Can the Executive Member provide an update on the opening of the new school building for Joseph Rowntree School?”

Reply

“The opening of the new Joseph Rowntree School was a very special event in the life of the city and for the young people of the area in particular. The new school has many outstanding features and provides a 21st Century learning environment with facilities for all types of learning, including a hair and beauty training salon, which is run in conjunction with York College. Present students were delighted to be in their new school and both students and staff are making good use of all the new facilities. A formal opening event is being planned for May.”

- (xxii) To the Executive Member for Children & Young People’s Services, from Cllr Hyman:

“Can the Executive Member explain how the new Joseph Rowntree building will be made available for community use?”

Reply

“I am pleased to report to council that the community use of the facilities at the new Joseph Rowntree School commenced as soon as the school was open. Indeed, on the second day of opening, I and my ward colleagues saw community groups using the sports hall and were

able to discuss the opportunities provided by this new facility with members of the local area that were using them at the time.

The school has had two Saturday mornings when it has been open for people who may wish to use the facilities to view them, and quite a few potential customers have been taken round the school. A booklet has also been issued, detailing the facilities.

The sports facilities and the activity studio are almost fully booked, and there could be several adult education classes running, including drama, dance, music, fine art and DT. Details of these are yet to be finalised.

Facilities at the new school are excellent and it is good to know that there is so much interest from the community in using them fully.”

Cllr John Galvin

LORD MAYOR OF YORK

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

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Membership of Committees, Working Groups and Outside Bodies

Committees/Working Groups

School Admission Appeals Panellists

To appoint the following Independent Panellists to hear School Admission Appeals:

Aileen Bloomer
Peter Canning
Claire Dorer
Jill Errington
Shauna Finch
David Foster
Pat Hill
Edward Kendall
Emma Langton
Michael Lewis
Laurie MacLeod
John McCullough
Reg Parr
Anne Powell
Ian Savage
Rob Stay
Anthony Temperton
Barry Thomas
Jackie Thompson
Susan Townsend
Michael Waudby

Outside Bodies

York NHS Foundation Trust

To appoint the following as the Council's representatives on the Council of Governors of the Trust:

Cllr Kirk (LD)
Cllr Fraser (Lab)

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