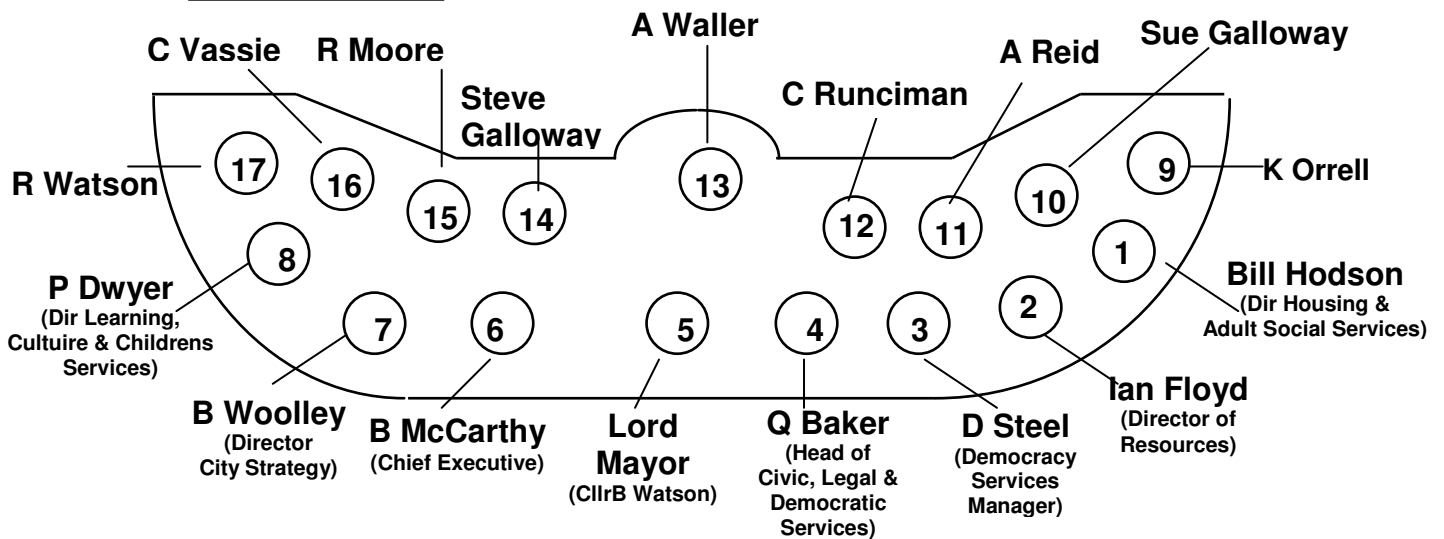
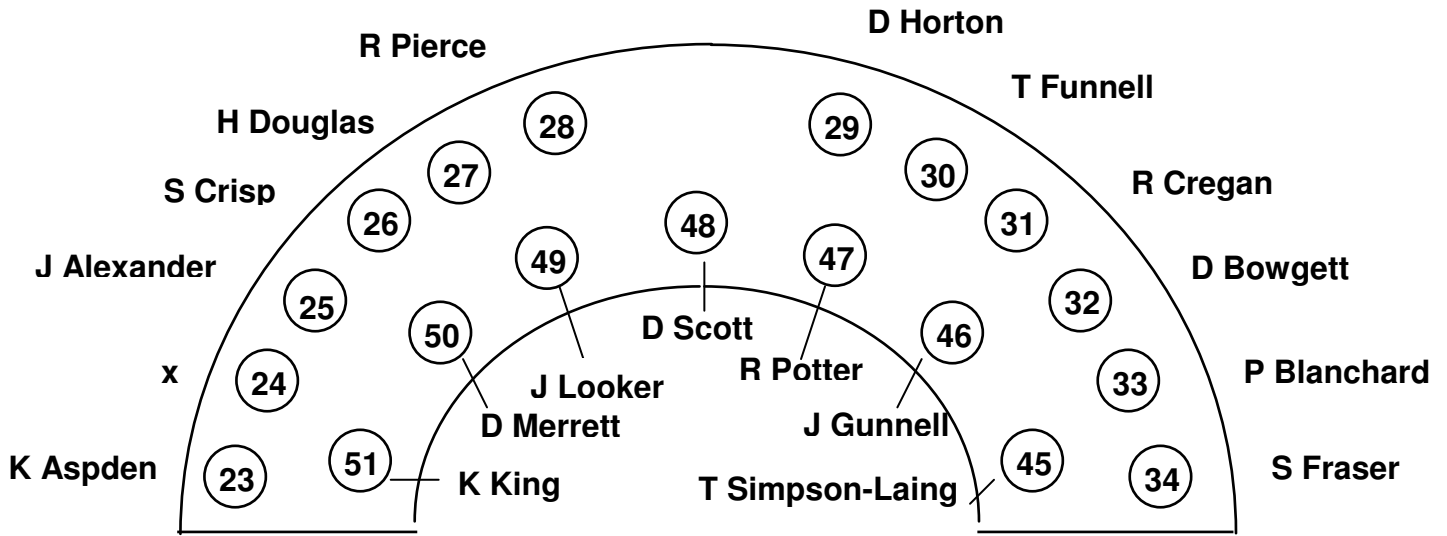


CITY OF YORK COUNCIL SUMMONS

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

Thursday, 22 January 2009 at 6.35 pm

COUNCIL CHAMBER



A G E N D A

1. Declarations of Interest

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

2. Minutes (Pages 1 - 18)

To approve and sign the minutes of the Council meeting held on 27 November 2008.

3. Civic Announcements and Lord Mayor Elect

To consider any announcements made by the Lord Mayor in respect of Civic business, and in particular the nomination of the Lord Mayor Elect and the Sheriff of York for the Municipal Year 2009/10.

4. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the remit of Council may do so. Anyone who wishes to register, or requires further information, is requested to contact the Democracy Officer for this meeting. Contact details are listed at the foot of this agenda. The deadline for registering is **5:00pm on Wednesday, 21 January 2009.**

5. Petitions

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

- (i) Cllr Bowgett, on behalf of residents objecting to 'rat running' on Grantham Drive.
- (ii) Cllr Gunnell, on behalf of residents calling for improvements to the no. 11 bus service for the South Bank / Bishopthorpe Road areas and Micklegate Ward generally.
- (iii) Cllr Potter, on behalf of local residents calling for the completion of the James Street Link Road between Heworth Green and James Street.

- (iv) Cllr Potter, on behalf of residents supporting the introduction of a 20 mph speed limit throughout the City in residential areas.
- (v) Cllr Simpson-Laing – on behalf of local residents regarding the extension of yellow lines on Iver Close.
- (vi) Cllr Simpson-Laing, on behalf of residents of Sovereign Park seeking a rebate of and reduction in Council Tax.
- (vii) Cllr Reid, on behalf of residents requesting the closure of the snicket between Moor Lane Bridge and Old Moor Lane.

6. Report of Executive Leader and Executive Recommendations (Pages 19 - 28)

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

Meeting	Date	Recommendations
Executive	23 December 2008	Minute 145 – <i>Corporate Efficiency Programme and Update on Specific Efficiency Reviews</i> Minute 146 – <i>Web Casting of Council Meetings</i> Minute 148 – <i>Urgent Business: Granting a Loan to an Outside Body – York Credit Union</i>

7. Recommendations of the Audit and Governance Committee (Pages 29 - 30)

To consider the following recommendations for approval from the Audit and Governance Committee:

Meeting	Date	Recommendations
Audit and Governance Committee	13 January 2008	Minute 36 - <i>Proposed Change to the Council's Constitution Regarding Petitions</i> Minute 37 - <i>The Audit of the Financial Statements 2007/8 – a Progress Report</i>

8. Scrutiny - Report of the Chair of the Scrutiny Management Committee (Pages 31 - 42)

To receive a report from Councillor Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC, including a motion to be moved by Cllr Galvin in respect of the advice offered by the Working Group set up by Council to advise on the implementation of the re-structure of the scrutiny process.

9. Holocaust Memorial Day (Pages 43 - 46)

To consider a report prepared by the Head of Civic, Democratic and Legal Services, in response to the motion approved at the last meeting of Full Council, setting out detailed proposals and costings for including in the Civic Calendar an annual event to mark Holocaust Day.

10. Allocation of Local Choice Function – Approval of Local Area Agreement (Pages 47 - 50)

To consider a report of the Head of Civic, Legal and Democratic Services which recommends that the 'local choice' function to approve the Local Area Agreement (LAA) be allocated to the Executive.

11. Report of Executive Member (Pages 51 - 52)

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

12. **Activities of Outside Bodies**

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

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

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

- Without Walls Partnership – meeting on 19 November 2008
- Quality Bus Partnership – meeting on 11 December 2008

Members are invited to put any questions to the Council's representatives on the above bodies, in accordance with Standing Order 10(b).

13. **Appointments and Changes to Membership** (Pages 53 - 54)

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

14. **Notices of Motion**

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

A – Motions referred from the Executive in accordance with Standing Order 11(a)(i)

None

B – Motions submitted for consideration directly by Council, in accordance with Standing Orders 11(a)(ii)

(i) From Cllr Steve Galloway

“Council notes the campaign being launched by the Local Government Association to ensure that the national concessionary fares scheme is fully funded by central government grant at individual local authority level.

Council further notes that in the case of the City of York Council for 2009/10 the difference, between the government grant announced for concessionary fares and the actual cost, could be as much as £1 million.

Council resolves to support the LGA campaign and instructs the Chief Executive to write to the LGA, together with the City's 4 MPs, with details of the potential impact of the grant settlement on the City, its Council Tax level and public service standards."

(ii) From Cllr Lookder

Council notes that:

- The Barbican auditorium has failed to hold any entertainment events since the agreement was entered into with Absolute Leisure and in fact has lost significant contracts such as the UK Snooker Championships, which had been such a successful part of the York scene, and a number of potential conference opportunities.
- There is still no start date for the proposed alterations and adaptations to the auditorium, which have received planning permission, and so consequently no clear idea as to when the venue will re-open for business.
- When the economic outlook is uncertain, it is imperative that the city maximises its opportunities for a wide variety of business opportunities and the loss of conference income and major entertainment events income are making York a less and less attractive destination for visitors and business clients.
- The building is falling into disrepair and is rapidly becoming a major eyesore both for residents and visitors to the city.
- Absolute Leisure has failed to meet set deadlines for the proposed refurbishment and the £3m deposit required to fulfill this.

Council recognises that:

- the current Liberal Democrat administration has failed to provide York residents with an entertainments programme as befits a city such as York.

Council recommends:

- That the Executive be requested to instruct Officers to cease all negotiations with Absolute Leisure and seek a new solution for the auditorium.

Council invites the Leader of the Council to take responsibility for this project and provide a written progress report at all future Full Council meetings until the Barbican Auditorium is in full operational usage.”

(iii) From Cllr D’Agorne

“Council notes:

- i) That it is now over 5 years since the closure of the Barbican, resulting in the loss of sports and swimming facilities in the area and the departure of the UK Snooker Championship from the city.
- ii) That Absolute Leisure has failed to comply with the legal agreement with the council by the deadline, meaning that the future of the auditorium is now in jeopardy, with further delay before it is brought back into public use.

Council condemns the repeated delays to the project and calls for the Executive to undertake an urgent thorough review of all options now open to the Council. This should include a re-examination of the potential for creating a trust to deliver sports, leisure facilities, entertainment and community use on the site.”

(iv) From Cllr Scott

“The City of York has two rivers and a number of other water courses, yet currently only has 2 public swimming pools with a total of only 12 swimming lanes for a population of over 186,000 people.

Council notes that:

- The Liberal Democrat administration promised a replacement pool for the Barbican.
- No site or funding so far have been identified for the third new city centre pool as agreed by Council.
- There has no planning permission, proposed start date for construction or opening date for that replacement pool.
- The city is devoid of council provided city centre leisure facilities.

Council recognises that:

- The current Liberal Democrat administration has failed

to provided leisure facilities in the city.

- The City of York is already short of swimming facilities in the city and that the proportion of swimming lanes to residents is set to further deteriorate in future years as set out in recent council reports

Council calls on the Leader of the Council to report at all future Full Council meetings until public swimming provision has been replaced.”

(v) From Cllr Sue Galloway

“Council notes attempts by the Government to impose an average rent increase of 7.7% on Council tenants in the city for 2009/10 in order to reach rent convergence in 2011/12.

Council notes that it is now proposed that the convergence deadline is extended to 2023/24 (for 1 year only). Even with this extended deadline council rents in York would increase by an average 6% causing further potential financial pressures for those who do not qualify for rent rebates.

Council therefore calls for the end point for the convergence of Council rents to be further extended, to take account of the current economic situation and to give tenants more time to adjust their household budgets, and instructs the Chief Executive to write to the Secretary of State accordingly.”

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

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

(i) To the Executive Leader, from Cllr Aspden

“What steps are being taken to promote environmentally sustainable job in York?”

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

“In the light of the resolution at the Council Meeting of 25th September referring to a link road between Bishopthorpe Road and Sim Balk Lane, will the Executive Member please advise Council as to the progress made to date on the first part of the resolution i.e:

‘To aid the development of the Terrys Site, the Council instructs the appropriate officers to develop as a matter of urgency and in a timescale to inform any future planning application, an assessment of the need for, and effectiveness of providing, a Link Road between Bishopthorpe Road and Sim Balk Lane to the south side of the A64.’”

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

“Will the Executive Member also advise as to when the report referred to in the remainder of the resolution will be presented to Council i.e:

‘Officers are therefore instructed to report to the Full Council as soon as possible addressing the potential for funding the Link Road, with a contribution from Developers and other sources.

The report should also indicate how any proposed future development allocated through the LDF process could contribute to the construction costs of such a link road proposal.

Such report also to investigate the possibility of constructing a new junction to the west of London Bridge to facilitate speedy access on to the A64 slip roads.’”

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

“Would the Executive Member for City Strategy outline the progress on implementation of the council's Green Transport Plan and indicate the latest modal split figures compared to the starting base line, including a breakdown of the figures by department?”

- (v) To the Executive Member for City Strategy, from Cllr Merrett:
“Can the Executive Member for City Strategy explain why requests for lighting column repainting in Micklegate Ward going back to at least February 2005, which were part of an extensive list of lighting columns agreed for repainting in September 2007, had still not been completed when this area of responsibility was recently transferred to Neighbourhood Services?”
- (vi) To the Executive Member for City Strategy, from Cllr Merrett:
“Will the Executive Member for City Strategy inform Council what action has been taken since the last Council meeting to re-invigorate the stalled Carbon Management Programme and what steps are being taken to properly resource the need for data analysis to inform the implementation of the programme?”
- (vii) To the Executive Member for City Strategy, from Cllr Potter:
“Will the Executive Member for City Strategy describe what progress has been made in respect of setting a target to achieve at least a 5% reduction in the Council’s energy consumption over the next 12 months?”
- (viii) To the Executive Member for Children & Young People’s Services, from Cllr Merrett:
“Would the Executive Member for Children's Services explain comments in The Press, attributed to a departmental source, regarding the possible closure of a secondary school on the east side of the city. In doing so, will she outline the actual position on this issue and give assurances and/or advise when and how pupils, parents, staff and the wider community in the area are going to be told about what is actually going on, and outline when they will be involved in a meaningful consultation on any proposals to re-organise education in that part of the city and that they will be presented with genuine options and not a single fait accompli solution?”

- (ix) To the Executive Member for Children & Young People's Services, from Cllr Alexander:
"Can the Executive Member for Children's Services outline what progress is being made with regards to the Myplace bid and whether she is still confident of a successful bid for a major central facility for the City's young people?"
- (x) To the Executive Member for Children & Young People's Services, from Cllr Alexander:
Will the Executive Member for Children and Young People's Services confirm that she supports me in requesting the Chief Executive:
- Ensures that York secondary schools shows the film 'Live Now, Drive Later' to their pupils annually.
 - Contacts every Council Leader and Cabinet Member for Children's Services in the country to request that they adopt the 'Live Now, Drive Later' campaign, enclosing a copy of the DVD."
- (xi) To the Executive Member for Housing & Adult Social Services, from Cllr Horton:
"In respect of the empty property at 17 Almsford Road, Acomb would the Executive Member explain for my benefit and those of adjacent neighbours, without blaming others, her unfulfilled promise given at the last Full Council meeting on 27th November, 2008 "that the property should be available for letting within the next couple of weeks", especially noting that the property was further trashed between Christmas and New Year?"
- (xii) To the Executive Member for Housing & Adult Social Services, from Cllr Simpson-Laing:
"Will the Executive Member for HASS explain how she plans to relaunch the idea of 'living above the shop' as mentioned in the recent 'Affordable Housing Initiatives' paper as a means to providing affordable homes in the city."
- (xiii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Holvey:
"Can the Executive Member give Council an update on the success of the smart meter loan scheme that has been

recently introduced into the City's libraries?"

16. Urgent Business

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

Democracy Officer for this meeting:

Name: Fiona Young

Contact details:

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

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

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

Contact details are set out above.

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CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 27th November, 2008, starting at 6.30 pm

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

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

HUNTINGTON & NEW EARSWICK
WARD

Hyman
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Gillies
Healey
Hudson

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

Moore
Watt
I Waudby

STRENSALL WARD

Kirk
Wiseman

WESTFIELD WARD

Steve Galloway
Sue Galloway
Waller

WHELDRAKE WARD

Vassie

Apologies for absence were received from Councillors Hogg, Jamieson-Ball and Orrell.

38. 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.

Cllr Morley declared a personal and prejudicial interest in Motion (iii), relating to the Rating (Empty Properties) Act (Minute 43 refers), as the owner of property that could be affected by the Act. He left the room during consideration of this motion and took no part in the discussion or decision thereon.

Cllr Looker declared a personal and prejudicial interest in the recommendations from the Executive meeting on 21 October 2008 (Minute 44 refers), insofar as they related to the Credit Union, as a director of the Credit Union.

Cllr Sunderland declared a personal, non prejudicial interest in the recommendations from the Executive meeting on 21 October 2008 (Minute 44 refers), insofar as they related to the CAB, as an employee of the CAB.

39. MINUTES

RESOLVED: That the minutes of the Council meeting held on 25 September 2008 be approved and signed by the Chair as a correct record.

40. CIVIC ANNOUNCEMENTS

The Lord Mayor announced the receipt of a plaque received from the European Traffic Police Network, which was available to view in the Council Chamber.

The Lord Mayor then announced that, due to the importance of the decision to be taken on the Scrutiny Review, at item 10 on the agenda, he would use his discretion to vary the order of business and move straight to consideration of that item at 9:00 pm if it had not already been reached by then.

41. PUBLIC PARTICIPATION

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

Chris Copland, of the local Friends of the Earth Group, spoke in support of the motion on the Sustainable Communities Act to be considered under item 6 on the agenda (motion (v)). He noted the widespread support for the Act amongst Community Groups and in Parliament, and urged Members to make use of its provisions.

Richard Foster, of the National Union of Journalists, drew Members' attention to the continuing cost cutting measures and consequent job losses being implemented by the owners of The Press newspaper in York. He expressed concern at the harm this was causing to The Press and its sister titles and the effect of this on the local community.

Marc Atkinson spoke in support of the petition to be presented by Cllr Fraser seeking a review of the Council's policy on A-boards. On behalf of traders in Micklegate, he expressed willingness to work with the Council to help establish suitable guidelines for A-boards and other street furniture, along the lines of the policy currently operating in Rotherham.

Kevin Jones also spoke in support of the petition on A-boards on behalf of Micklegate traders, specifically the pub trade. He noted that the removal of the A-boards had had a negative effect on trade at his own establishment and that there was a need to find a commonsense solution to this issue rather than imposing a blanket ban on A-boards in the event of a complaint.

42. PETITIONS

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

- (i) A petition presented by Cllr King, on behalf of residents of Rowntree Avenue, asking the Council to consider installing lay-by parking in their street.¹
- (ii) A petition presented by Cllr Ayre, on behalf of local residents asking for safer crossing measures at Stockton Lane, Hempland Lane and Woodlands Grove.²
- (iii) A petition presented by Cllr Fraser, on behalf of traders in Micklegate, calling for a review of the Council's policies on A-boards.³
- (iv) A petition presented by Cllr Simpson-Laing, on behalf of local residents, asking the Council to ensure that open space and tennis courts at the old Manor School be made available for public use pending development of the site.⁴
- (v) A petition presented by Cllr Potter, on behalf of York residents, calling on the Council to introduce a 20 mph speed limit throughout the City in residential areas.⁵
- (vi) A petition presented by Cllr Bowgett, on behalf of residents of Acomb and Holgate, calling on the Council to ensure that the streets in their areas were repaired so they were safe.⁶
- (vii) A petition presented by Cllr Alexander, on behalf of residents of West Bank, Firtree Close and Parkside Close, seeking resurfacing of the road along and near West Bank.⁷

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

Action Required

1. Refer petition to Executive or appropriate committee and add item to Forward Plan SS
2. Refer petition to Executive or appropriate committee and SS

- add item to Forward Plan
3. Refer petition to Executive or appropriate committee and add item to Forward Plan SS
4. Refer petition to Executive or appropriate committee and add item to Forward Plan SS
5. Refer petition to Executive or appropriate committee and add item to Forward Plan. SS
6. Refer petition to Executive or appropriate committee and add item to Forward Plan. SS
7. Refer petition to Executive or appropriate committee and add item to Forward Plan. SS

43. NOTICES OF MOTION

(i) Social Rented Accommodation

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

“This Council urges the Government to act quickly to remove the barriers which currently deter local authorities and Registered Social Landlords from purchasing homes, from the private sector, to add to the pool of social rented accommodation available in the City of York area.”¹

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

RESOLVED: That the above notice of motion be approved.

(ii) Affordable Housing

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

“This Council instructs the Chief Executive to write to the Housing Minister with a request to introduce the following measures aimed at providing much needed affordable housing, to keep people in their own homes, to stimulate the market to re-use empty homes and to maintain jobs in the construction industry by:

- a) Allowing councils and housing associations to become the tenants of over market surplus developments, built for the ‘buy to let’ market, to provide much needed affordable homes;
- b) Ensuring that repossession is the action of last resort and investigate how such properties could be part purchased by housing associations;
- c) Bringing back purchase and repair grants to allow housing associations to create new affordable homes out of run down empty property;
- d) Slashing the cost of renovating derelict empty homes by cutting VAT on repair and maintenance.”²

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

RESOLVED: That the above notice of motion be approved.

(iii) Rating (Empty Properties) Act

It was moved by Cllr Gillies and seconded by Cllr Healey that

“This Council agrees to join the campaign for suspension of the Rating (Empty Properties) Act 2007 on commercial buildings by:

- Instructing the Chief Executive to write to the Office of the Prime Minister in support of the suspension of the Act;³ and
- Joining other councils and major businesses in support of the campaign by the British Property Federation to suspend the Act.”⁴

On being put to the vote, the motion was declared CARRIED by 25 votes to 20 and it was

RESOLVED: That the above notice of motion be approved.

(iv) Holocaust Memorial Day

The fourth notice of motion had been submitted by Cllr Crisp, as follows:

“Council recognises the importance of Holocaust Memorial Day.

Council agrees that this event should be recognised fully within the City of York and requests that the Chief Executive takes such steps as are necessary to ensure this event becomes an integral and permanent feature in the annual civic calendar. Council further agrees to allocate sufficient resources, from reserves if necessary, to enable the appropriate recognition of Holocaust Memorial Day by the city on an annual, ongoing basis.”⁴

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

“Council recognises the importance of Holocaust Memorial Day.

Council agrees, in principle, that this event should be recognised fully within the City of York. Council requests that the Head of Civic, Democratic and Legal Services prepares a report setting out detailed proposals, including costings, for holding an annual event to mark Holocaust Day to be included in the Civic Calendar. Such report to be submitted to the next meeting of Full Council.”⁵

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

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

RESOLVED: That the above notice of motion be approved.

(v) Sustainable Communities Act

It was moved by Cllr Aspden and seconded by Cllr Hyman that

“This Council:

- a) Notes that local authorities and their communities know the best ways to develop solutions to local problems, and how to promote thriving communities;
- b) Supports the bottom up principle within the Sustainable Communities Act designed to allow local authorities and their communities to direct help from central government into reversing community decline and promoting thriving, sustainable communities;
- c) Notes that the Act gives local authorities the power to
 - make proposals to government on the actions and assistance government must provide to promote sustainable communities, and
 - argue for a transfer of public money and function from central to local control;
- d) Notes that the Act defines ‘Sustainable Communities’ broadly, that definition having the four aspects of
 - improvement of the local economy
 - protection of the environment
 - promotion of social inclusion
 - participation in civic and political activity.

Council welcomes the Sustainable Communities Act as a means of gaining new assistance from government, determining that assistance, arguing for transfers of public monies from central to local control and involving York residents in democracy.

Council therefore resolves to use the Act by preparing and submitting proposals for local sustainability to central government, by 31st July 2009, and, in doing so, welcomes proposals from York residents and community groups in York.”

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

“To the end of the motion, add:

‘Council will encourage parish councils, ward committees and other community organisations in York to hold meetings within the next seven months at which ‘citizen panels’ can put forward appropriate proposals, as envisaged under the Act.’”

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

The motion, as amended, now read as follows:

“This Council:

- a) Notes that local authorities and their communities know the best ways to develop solutions to local problems, and how to promote thriving communities;
- b) Supports the bottom up principle within the Sustainable Communities Act designed to allow local authorities and their communities to direct help from central government into reversing community decline and promoting thriving, sustainable communities;
- c) Notes that the Act gives local authorities the power to
 - make proposals to government on the actions and assistance government must provide to promote sustainable communities, and
 - argue for a transfer of public money and function from central to local control;
- d) Notes that the Act defines ‘Sustainable Communities’ broadly, that definition having the four aspects of
 - improvement of the local economy
 - protection of the environment
 - promotion of social inclusion
 - participation in civic and political activity.

Council welcomes the Sustainable Communities Act as a means of gaining new assistance from government, determining that assistance, arguing for transfers of public monies from central to local control and involving York residents in democracy.

Council therefore resolves to use the Act by preparing and submitting proposals for local sustainability to central government, by 31st July 2009, and, in doing so, welcomes proposals from York residents and community groups in York.⁶

Council will encourage parish councils, ward committees and other community organisations in York to hold meetings within the next seven months at which ‘citizen panels’ can put forward appropriate proposals, as envisaged under the Act.”⁷

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

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

Action Required

- | | |
|--|----|
| 1. Write to the appropriate Government Minister in these terms | DB |
| 2. Write to the Housing Minister in these terms | DB |
| 3. Write to the Office of the Prime Minister in support of suspension of the Act | DB |
| 4. Take appropriate action to enable the Council to join this campaign | DB |
| 5. Prepare a report in these terms for the Full Council | GR |

meeting on 22/1/09

6. Prepare and submit proposals to central government SS
7. Make arrangements to encourage these meetings of local SS
bodies

44. REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS

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

Cllr Waller then moved, and Cllr Runciman seconded, those minutes requiring confirmation from the Executive meetings held on 7 October, 21 October and 18 November 2008, namely:

- Minute 94 – Capital Programme: Monitor 1
- Minute 104 – Thriving City: Report Back
- Minute 122 – Amendments to Officer Scheme of Delegation to provide for an Officer to act in the absence of the Chief Executive.

In commenting on the Leader's report, the Leader of the Opposition asked, with reference to the Council Headquarters project, whether the Hungate architects had been sacked. The Leader replied that they had not, and that a deliberative process had been adopted to ensure that the Council received best value for money. In response to a further question on his relationship with the local business community, the Leader stated that they had every confidence in both himself and his predecessor. In response to a question from the Leader of the Conservative Group regarding the review of the Dial-a-Ride Service, he indicated that a report on this issue would be brought to the Executive meeting on 23 December 2008.

The Executive recommendations were then put to the vote and were declared CARRIED and it was

RESOLVED: That the recommendations contained in the following minutes of the Executive meetings held on 7 October, 21 October and 18 November be approved:

- Minute 94 – Capital Programme: Monitor 1 ¹
- Minute 104 – Thriving City: Report Back ²
- Minute 122 – Amendments to Officer Scheme of Delegation to provide for an Officer to act in the absence of the Chief Executive. ³

Action Required

1. Take action to fund the shortfalls on the Disabled Facilities Grant and additional works at Hazel Court from capital receipts. SB
2. Take action to fund the agreed actions from the Council's reserves SS
3. Amend the Officer Scheme of Delegation within the Council's Constitution GR

45. SCRUTINY - REPORT OF THE CHAIR OF THE SCRUTINY MANAGEMENT COMMITTEE (SMC) AND SMC RECOMMENDATIONS

It now being 9:00 pm, the Lord Mayor exercised his discretion to vary the order of business so as to bring forward consideration of agenda item 10, the item on Scrutiny.

A written report was received from Cllr John Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council, on 25 September 2008. This included, at paragraph 18, the recommendations made by the SMC at their meeting on 17 November 2008 concerning the Review of the Council's Overview and Scrutiny Functions.

It was noted that Cllr D'Agorne had withdrawn an amendment to the SMC recommendations, of which he had previously given notice.

Cllr Galvin now sought leave to alter the recommendations, to read as follows:

*"That Option B be adopted and a Working Group of Council, made up of one member from each of the political groups, be formed to consider the detailed implementation of this model and the constitutional changes required, and that the Group report back to Full Council in January on its findings."*¹

Council having agreed to this alteration, Cllr Galvin then moved, and Cllr Fraser seconded, the above recommendations, as altered.

The recommendations, as altered, were then put to the vote and were declared CARRIED by 25 votes to 19 and it was

RESOLVED: That the recommendations of the Scrutiny Management Committee at their meeting on 17 November 2008 in respect of the Review of the Council's Overview and Scrutiny Functions, as altered, be approved.

Action Required

1. Establish a working group to consider the implementation of Option B GR

46. REPORT OF EXECUTIVE MEMBER

A written report was received from Cllr Ann Reid, the Executive Member for Neighbourhood Services.

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

(i) From Cllr King

“Could the Executive Member for Neighbourhood Services inform Council of what measures have been taken to ensure that assistance is available when the emergency cord is used in the disabled people’s toilets?”

The Executive Member replied:

“ENCAMS are working with us on the toilet review and they are currently contacting other across local authorities in the UK to identify the best workable solutions. In the meantime, officers are working with the planning department to ensure the appropriate signage can be displayed in the City Centre.”

In response to a supplementary question from Cllr King, asking when the signage would be in place, the Executive Member replied that she did not know but that it was being treated as a matter of urgency.

(ii) From Cllr Holvey

“Is the Executive member able to give an update on the staff wellbeing initiatives outlined in the report?”

The Executive Member replied:

“145 people attended the recent drop-in health fair which offered advice on a whole range of health issues from smoking to weight loss. It was open to all Neighbourhood Services staff.

Staff in the Civil Engineering department have been offered a Gold MOT. This was an hour long consultation with a occupational nurse which covered the whole range of possible health problems. Blood pressure, cholesterol and blood sugar levels, lung function, sight hearing, height, weight etc were all tested and advice given on measures that could be taken to address any problems identified. The MOTs were confidential with the individual results only shared with the staff member involved. All but 2 of the 72 staff took up the opportunity, along with 2 Councillors.”

(iii) From Cllr King

“Could the Executive Member for Neighbourhood Services inform Council of what security measures have been introduced in the short term at the new Eco Depot until long term proposals are introduced?”

The Executive Member replied:

“As outlined in my report I agreed to a review of depot safety and security in June. An independent assessment was carried out by the Freight Transport Association. I would remind members that the site always has been secure at night and that it is daytime access that was identified as the problem. A temporary gatehouse has been put in place with a capital bid for a permanent structure made. We have had to go out to tender for the vehicle barriers but the preparatory work has started for their installation as physical changes are needed at the entrance to accommodate them. We expect them to be fully

operational by Christmas. This will ensure that access to the site is monitored with visitors reporting to the new reception area at the gate. The following specific things have been done which should improve security to both the site and the buildings

- *Depot gates are locked between 6pm and 6am daily and between 6pm Friday and 6am Monday, although this was always the case.*
- *Daily checks are made to ensure the integrity of the perimeter fence*
- *Vehicles are locked overnight on site.*
- *Work issue rooms are physically locked from 5pm each day.*
- *Swipe cards mechanisms are to be added to the work issue rooms which will allow access after 5pm to a small number of staff.*
- *Stronger key security in place within work issues rooms. Each department has made its own arrangements depending on individual operational needs but it must be emphasised that for operational purposes staff do need to have access to buildings and vehicles outside normal working hours.*

We are also upgrading the CCTV coverage but the final position of some cameras will be dependent on the layout at the entrance gate so changes will not be made until that work is complete.

There is a full report due at Neighbourhood Services Emap on the 4th December which Cllr King will now have seen."

(iv) From Cllr King

"In view of the high profits made at the Crematorium will the Executive Member for Neighbourhood Services assure us that the cost of fitting new filters is not borne by the families of the deceased?"

The Executive Member replied:

"Yes. It is intended that the capital cost of mercury abatement filters will be funded by capital receipts. There should be no additional cost to revenue budgets and therefore no increase in fees as a consequence of fitting the filters."

(v) From Cllr Aspden

"I note the welcome introduction of the NVQ for Hackney Carriage drivers. Can the Executive Member update Council on the take up of the course and if any drivers have successfully completed it?"

The Executive Member replied:

"The Council is working in partnership with the Yorkshire Rail Academy and York College to introduce a nationally recognised qualification for the taxi trade.

So far 28 people have successfully completed level 2 NVQ in Road Passenger Transport with 28 more currently taking the course and a healthy waiting list of those wanting to take up the opportunity. A small start as we have 290 taxi drivers and 595 private hire drivers but never the less, very encouraging.

The course takes over 80 hours and covers topics such as customer care, looking after the needs of the disabled, transporting children and dealing with emergencies.

We should applaud the drivers for taking the time out of work to study and show that they are committed to improving standards in this city. The course has been so successful that adjoining authorities are taking up the training. I am also pleased to report that Officers have secured funding via the Train to Gain Scheme from the Learning and Skills Council which means that there is no cost to the authority."

(vi) From Cllr King

"Is the Executive Member for Neighbourhood Services satisfied at the proposals for the Christmas and New Year bin collections due to the longer periods between collections and will the Executive Member assure us that any black bags put at the side of the full bins will also be collected?"

The Executive Member replied:

"I am satisfied with the proposals, and side waste will be taken during the Christmas and New Year collection period as it has been in previous years."

(vii) From Cllr Ayre

"Can the Executive Member update Council on residents' satisfaction with Cold Calling Zones?"

The Executive Member replied:

"I am pleased to be able to report to Council that follow up surveys in Cold Calling Zones have shown that residents are pleased with their introduction are happy with the way that they are working and feel more able to deal with cold callers.

Trading standards have carried out two surveys of the Cold Calling Controlled Zones. The first survey was carried out 3 months after the first 5 pilot zones were introduced in October 2007. 442 properties were surveyed and 174 returned their survey forms (39% return). 66% of respondents felt they were less concerned about doorstep crime following the introduction of the zones. A second survey was undertaken of new zones last month. A sample of 589 properties were sent questionnaires and to date 213 have replied (36% return). So far the results show that 62% of respondents felt they were less concerned about doorstep crime following the introduction of the zones in their neighbourhood.

198 of those 213 said that they now felt able to deal with cold callers because the zone is in place.

Officers had already identified that traders were using the excuse that they had not seen the lamp post sign so they have designed individual stickers for properties to try to address the situation and these have been offered to people who were surveyed."

(viii) From Cllr King

"Whilst I agree there have been improvements in sickness absence, would the Executive Member for Neighbourhood Services agree, that there is still room for further improvements, and any further improvements have to be introduced in a sensitive manner?"

The Executive Member replied:

“Yes to both parts of the question. I am pleased that the Shadow Executive Member recognises the improvements that have been made in sickness absence. This is the result of an ongoing process which will deliver further improvements and will be appropriate.”

In response to a supplementary question from Cllr King, the Executive Member confirmed that she did agree that further improvements should be introduced in a sensitive manner and invited Cllr King to raise with her any specific comments about the procedure that had come to his notice.

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

Nine questions had been submitted to the Executive Leader and Executive Members under Standing Order 10(c). The guillotine having fallen at this point, Members agreed to receive written answers to these questions. The questions and the written responses are set out below:

(i) To the Executive Member for Children’s Services, from Cllr Alexander:

“Can the Executive Member for Children’s Services detail what extra resources are being given to ensure a successful outcome in the second round bidding for the ‘Myplace’ scheme?”

Reply:

“I have identified sufficient resources to enable officers to buy in additional bid management and technical skills to assist with the appraisal of the options identified so far and the submission of a high quality bid next year. An individual has been appointed and has already started work on the project.”

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

“Would the Executive Member agree with me that the Council needs to set a target to achieve at least a 5% reduction in its energy consumption over the next 12 months?”

Reply:

“Clearly all Council Departments are looking carefully at the budget implications of the recent increases in fuel prices. It would be premature to speculate on what measures the Council will be able to promote to reduce energy consumption when it considers its 09/10 budget and consequently it would also be wrong at this stage to allocate a particular percentage target.

The York Council has already, of course, made substantial progress in reducing energy consumption as result of the erection of new buildings such as the Eco Depot, the modernisation of facilities such as the Yearsley pool and looks forward to further progress as energy efficient

buildings, such as the new High School, are opened over the next few months.”

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

“Would the Executive Member inform Council what action is being taken to re-invigorate the stalled Carbon Management Programme and what steps are being taken to properly resource the need for data analysis to inform the implementation of the programme?”

Reply:

“The Carbon Management programme has not stalled. A report on progress will be made to the Executive in the new year.

One of the sustainability officer posts is currently vacant. It is anticipated that, now that the Pay and Grading review has been completed, it will be possible to fill this vacancy.”

(iv) To the Executive Member for City Strategy, from Cllr D’Agorne:

“As part of the Access York Phase 2 (ring road improvements) bid, the objectives of 'reducing congestion in the city centre'...'reallocation of roadspace to buses cyclists and pedestrians' and 'manage the demand using parking charges and possibly access restraint over the city centre bridges' have been stated. If the funding bid is successful, what is the timescale for taking these objectives forward and how will you ensure they are achieved as part of any increased capacity on the outer ring road?”

Reply:

“The Access 2 bid is still in its early stages. It has yet to be considered by the Regional Transport Board. As and when approval has been obtained it will be possible to move ahead, not only with the substantial design works required for a civil engineering project of this scale, but also to begin to put together an implementation strategy and timetable.

It has to be recognised that the RTB budget is likely to be oversubscribed by a factor of 10 times and that obtaining approval of the £42 million bid will remain the top priority of the Councils transport resources for some time into the future.”

(v) To the Executive Member for City Strategy, from Cllr Firth:

“Would the Executive Member for City Strategy comment on how York's LTP2 performance compares with that of similar local authorities elsewhere?”

Reply:

“Unfortunately it is not possible at this stage to provide detailed information as other authorities are at the same stage as York in providing their LPT2 update to central government. More information may be available in the spring.

From a quick comparison with 5 other authorities that do have some data that they were able to share with us, it does seem that York compares well in terms of performance particularly in respect of trends

in walking, bus usage, park and ride, cycling, accidents and air quality. In these areas York is doing at least as well as its contemporary authorities.

The only area where our progress is less substantial seems to be in persuading people not to drive their children to school."

- (vi) To the Executive Member for Corporate Services, from Cllr Potter:

"What progress has been made with the implementation of the Sustainable Procurement Policy?"

Reply:

"I am delighted to report that the Sustainable Procurement Policy was approved in June 2008 along with the use of the Procura+ manual as a pilot guide for officers involved in procurement activity.

Since June the Procura+ guidance has been piloted in some contracts and a report will be taken to Executive in the New Year to report on progress and recommend the adoption of the Procura+ manual across the organisation as a whole.

In addition to this over one hundred officers received Sustainable Procurement training as part of the October 2008 training events. The evaluation models have also been reviewed to better include Whole Life Costing and this supplementary guidance was issued in June 2008.

A more formal relationship with the Procura+ organisation has been recently established and they are wishing to discuss other pilots including the use of LED lighting, etc. The sustainable aspects of procurement in terms of supplier relationships and the FMS project are also being investigated."

- (vii) To the Executive Member for Leisure, Culture and Social Inclusion, from Cllr Horton:

"Given the numerous occasions in the past when Absolute Leisure have promised to commence works at the Barbican, what assurances can the Executive Member give that this current offer is not another 'empty promise'; and if a start is not made in January 2009 as promised, what action would the Executive Member propose to take?"

Reply:

"I spoke to Absolute Leisure on the 26th November, a building contractor is being appointed and the contract is being signed in the near future. I am therefore cautiously optimistic that everything is on course for construction to start in January."

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

"Given that grant aided refurbishment works to the property at 17, Almsford Road should have been substantially completed by the end of March 2008, when does the Executive Member anticipate

occupation to be taken up, noting that little action appears to have taken place at the property in the last two months?"

Reply:

"I am told that there is still outstanding work to be done at this property, mainly around the garden but that the property should be available for letting within the next couple of weeks."

- (ix) To the Executive Member for Housing and Adult Social Services, from Cllr Sunderland:

"Would the Executive Member for Housing and Adult Social Services comment on the Council's performance at the Great North Care Awards?"

Reply:

"I am pleased to say that the 22 members of the Council's Home Support Team won the Domiciliary Care Team Award. In addition a further 4 staff members were runners up in other categories. All had been nominated by their peers for outstanding service including one staff member who had prevented the death of an elderly lady by family members.

It was also pleasing and reassuring to see that so many of our partners who help us deliver services were also honoured.

The number of people working in the care industry is now second to the number of those working in the tourist industry and is set to grow."

48. ALLOCATION OF LOCAL CHOICE FUNCTION – APPROVAL OF LOCAL AREA AGREEMENT

It was agreed that this item be withdrawn from the agenda to enable further consultation to take place with Group Leaders.

49. 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:

- Association of North Yorkshire Councils – meeting on 16/10/08
- North Yorkshire Fire & Rescue Authority – meeting on 10/9/08
- Policy Authority – meeting on 29/9/08
- Quality Bus Partnership – meeting on 11/9/08 (*draft minutes*)
- Regional Transport Forum – meeting on 19/9/08
- Safer York Partnership – meeting on 13/10/08
- Without Walls Partnership – meetings on 3/7/08, 21/7/08 and 18/9/08
- Yorkshire and Humber Assembly – meeting on 2/10/08
- York NHS Foundation Trust – meetings on 23/4/08, 23/6/08 and 9/7/08

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

50. APPOINTMENTS AND CHANGES TO MEMBERSHIP

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

Councillor Brian Watson
LORD MAYOR OF YORK

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

Leader's Report to Full Council 22nd January 2009

Since my last report the Executive has met three times, and there have been a substantial number of initiatives from the council to support the economic health of the city in preparation for what is anticipated to be a difficult year ahead globally.

1. Enterprise Fund

The £300,000 York Enterprise Fund, was launched as the Whyte Knight Loan Fund on 12th December 2008 at the Eco-business centre at Clifton Moor. This has demonstrated the strong partnership working within the city to help new businesses at a time when capital loans are difficult to obtain. It has utilised the £50,000 from City of York Council, approved at the last Full Council Meeting which had been placed in reserves from the return of some of the city's Business Rates. Together with funding from Aviva, York Business Development Limited and York Professionals. Details can be obtained from the weblink;

<http://www.yorkbac.co.uk/news.php?news=177>

I attended a Local Government Yorkshire and Humber meeting with Ministers on 5th December in Rotherham to discuss the regional response to the downturn and was asked to present the actions that this council has taken.



Launch of the Enterprise Fund : Bob Scrase (York Business Development Ltd) Cllr Andrew Waller (City of York Council), Norman Whyte (York Business Advice Centre), John Yeomans (York Professionals) John Lister (Chief Actuary Norwich Union/Avivia)

2. Unemployment in the city

Within the city claimant count unemployment rose in the city in November by 10.6%, from 2,198 people on job-seekers allowance in October to 2,430 in November. In the Region, unemployment rose this year between October and November by 8.6% and by 8.85% for the UK as a whole.

However, in terms of job-seekers allowance claimants as a proportion of working age people in York are still faring better than either the region or the UK - with claimants representing 1.9% of people in York, 3.2% of regional residents and 2.8% across Great Britain.

The council will be working with the Business Forum, Economic Partnership, and other partner groups to support local businesses at this difficult time.

3. Flood defence work

I am pleased by the progress that has been made in gaining a long term commitment by the Environment Agency to the replacement of flood defences at Leeman Road, and enhancement of other defences in the Marygate, Clifton and Clementhorpe areas of the city. This is a response to a longer term projection of flooding events with a 30 year time horizon.

The continued importance of river defences was brought home in an urgent item to the Executive in December for investigations to the damaged caused to the Ouse river bank between Scarborough Bridge and Clifton Bridge. This work is ongoing.

4. Eco settlement

The application to central government for funding for the York North West development as an 'Urban Eco* Settlement' is progressing, and a report is being undertaken on behalf of the Department of Communities and Local Government to assess the four candidates for this scheme within the city region. This funding is in lieu of the eco town which has been scrapped for the area. I am grateful to officers for the amount of work that has been done quickly to advance the case for York North West as the additional funding would make a considerable difference to the infrastructure costs of development of housing in this area. We should strive to make the area an exemplar of sustainable living. More details are available through the weblink;

<http://www.leeds.gov.uk/leedscityregion/>

5. Transport

At the meeting on 18th November the Executive received the 2006-2011 Mid term report of the Local Transport Plan. Over the last 10 years traffic levels in the City have risen by only 4% - much less than the national average and a reflection of the success of initiatives such as Park and Ride. The targets for increasing the numbers walking and cycling to work have been achieved 2 years ahead of schedule as have the numbers using Park and Ride.

6. Mortgage Rescue Scheme

Keen support was given by the Executive for the Golden Triangle Mortgage Rescue Scheme. The scheme will involve housing associations taking equity stakes in homes which are at risk of repossession, thereby releasing funds for the owner to pay off arrears, manage debt or allow time for a planned sale. The equity stakes will be funded by the Golden Triangle Partnership, and will be returned for reuse within the Golden Triangle when the property is sold, or the mortgage paid off. The help is therefore effectively a loan which is guaranteed by the equity of the property, so taxpayers' (regional) money will not be at risk..

£450, 000 will be set aside for the scheme, which should rescue up to 28 households from repossession, distributed evenly between Leeds, Harrogate and York.

Last year 510 homes were repossessed in York, which had a devastating impact on those concerned, and the number of mortgage possession claims this year shows that the trend is unsurprisingly increasing. It would be a great help if more residents in York could be helped by Government funding. The Government is not investing in the Golden Triangle Partnership, and although it is a fantastic scheme its capacity is reasonably modest because of limited regional funding. I have asked through the Leeds City Region Housing Board that more central funding is made available, and it has formed part of the 10 point plan of the LCR Housing Board.

7. Child Poverty



In December the Executive received a significant paper developed in response to the motion passed at full council on June 2008, takes stock of the situation at the present time and the work already underway to address issues of child poverty in York. Child poverty levels have reduced in York by 1% over the past year (15% to 14%). Our top performance is much higher than many other authorities and so building on this will be a continuing challenge for the city.

It is important to note that the response to the issue is not that of one department alone, nor even of the city council on its own. The work that will need to continue to develop will be that undertaken with all our partners involved in the working with children – such as the health service, the police, housing, Connexions, Job Centre Plus and many agencies in the voluntary sector. Child poverty is a collective responsibility.

As part of the city's response is the 'Altogether Better York', managed by the local PCT, is a Big Lottery funded programme that aims to increase awareness and understanding of the factors that influence health and well-being. The programme will recruit, train and support community health educators, who will deliver interventions to meet the health and well-being needs of targeted communities, including the Hull Road, Clifton and Westfield areas of the city. They will work with specified target groups, including lone parents and teenage parents. There is significant potential for this programme to link up with the work-focused pilot through the provision of volunteering opportunities to local parents

The report will go to the YorOK Board, where representatives of many of these partners sit, for further analysis and action plans to be drawn up by all the agencies involved – but working collectively.

The results of the Westfield pilot will be considered by the LSP; again to develop a collective response rather than that of a single agency. The findings from the pilot will contribute to the debate and the outcomes from this paper.

Meanwhile, the developing work of the Children's Centres will continue to focus on those in greatest need and targeted work will aim to help young people such as those who are homeless and difficult to reach with support and training. Most importantly, the schools in partnership with the Department's specialist team will work to raise educational outcomes, using the detailed data that is available to them. This work contributes to 'Narrowing the Gap' and aims to support the child and the family in every area of development, educational, emotional, social and physical. It also progresses community cohesion, equality and diversity and safeguarding.

This is an agenda for us all and will result in careful discussion at partnership forums and actions developed by all our partners to tackle this agenda, contribute to the overall progress of the city and ensure that all our children are better equipped to have positive adult lives.

8. Loan to Credit Union

In order to help the York Credit Union to meet demand for its loans in the city, the Executive agreed to a £100,000 loan.¹

9. Efficiency Partner Appointed

The City of York Council is an efficient organisation and has exceeded the Gershon efficiency targets set for it by the Government. However, the council is expected to make a further £12.6 million of efficiency savings in the next three years. Therefore I am pleased to report that we have found a partner to engage with in respect to the efficiency agenda; Northgate Kendrick Ash. They have already demonstrated, with their work on community transport within the council, that they can deliver real savings to the council tax payers of the city.

The Executive looked at ways in which it can improve communication with the wider York community. Agreement was made for the Corporate Refresh Strategy, and the council's IT Strategy 2007-2012.

10. City Archives

Progress has been made in terms of the Archives which is an issue that has been a debated without resolution for a number of years. The Executive considered a detailed report from Richard Taylor, Senior Curator with the National Railway Museum who had been commissioned to come forward with proposals. Whilst these will need to be considered within the financial constraints of the council, they do give a blueprint for a long term solution to the current location which cannot be considered ideal for the city's archives.



Committee Room 1 photograph from 1930's – from the Archives

¹ As a member of the York Credit Union I declared an interest and did not take part in the debate.

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MEETING	EXECUTIVE
DATE	23 DECEMBER 2008
PRESENT	COUNCILLORS WALLER (CHAIR), STEVE GALLOWAY, SUE GALLOWAY, MOORE, REID, RUNCIMAN AND VASSIE

PART B - MATTERS REFERRED TO COUNCIL

145. CORPORATE EFFICIENCY PROGRAMME AND UPDATE ON SPECIFIC EFFICIENCY REVIEWS

[See also under Part A Minutes]

Members considered a report which provided information on issues relating to Efficiency across the Council; specifically, the Corporate Efficiency Programme (CEP) and progress on individual efficiency reviews.

Part 1 of the report outlined progress made on moving forward with a major CEP, following the Executive's decision in September 2008 to procure a performance partner. A detailed procurement process had now been undertaken and Northgate Kendrick Ash (NKA) had been chosen for this role. Next steps would include two distinct phases – a twelve week scoping review, and a three year Performance Partnership with clearly defined milestones towards the achievement of a minimum £15m net efficiency target for delivery of service, organisational and financial improvements. The cost of the initial review would be £52,000. Critical elements of both phases would be to enable a partnership approach, create a successful engagement model and embed a strong governance model. During the initial review, NKA would require support to ensure the engagement of Council staff and stakeholders at all levels.

Part 2 of the report outlined the current position on the reviews commissioned as part of the 2008/09 budget process. Details of the reviews of Subsidised and Community Transport and of Leisure and Culture were attached as annexes 1 and 2 to the report. Details of the ongoing investment in the Organisational Effectiveness Programme (now the Single Improvement Plan) were set out in paragraph 29(iii). This included the allocation of £20k to Corporate Accountancy for Efficiency Reviews, £25k to the Performance and Improvement Team and £40k to Public Services, to fund a Customer Relations post. The review of Commercial Property had been abandoned following discussions with Members and it was suggested that the £50k allocated to this review be added to the Efficiency Reserve, on the basis that the Efficiency Programme would at some stage consider the commercial property portfolio. The reviews of Property Services and of Shared services would be incorporated in the CEP and approval was therefore sought to transfer the funds for these reviews to the Efficiency Reserve.

RECOMMENDED: (i) That the Corporate Efficiency Programme now take forward some of the reviews agreed as part of the 2008/09 budget, in particular those relating to Property Services, the Commercial Portfolio and the consideration of services that the Council should strategically procure or share.

(ii) That approval be given to transfer the funds of £125,000 approved for these reviews to the existing Efficiency Reserve.

REASON: In accordance with the decision taken at Budget Council in February 2008 to carry out these reviews.

146. WEB CASTING OF COUNCIL MEETINGS

Members considered a report which asked them to consider further the costs associated with introducing static web-streaming technology into the Council Chamber in the light of the decision taken by Full Council in September 2008 to establish a negotiated contract for web-casting Council meetings.

A bid to secure funding for the proposal had been brought to the Executive meeting on 2 December 2008 as part of the IT Development Plan for 2009/10 (Minute 132 of that meeting refers). Members had requested a separate report confirming the capital and revenue costs of a static web-streaming facility and how contract negotiations would be undertaken. The options presented in the report were:

Option 1 – to provide funding from the IT Development Plan 2009/10, to be approved as part of the budget process in February 2009;

Option 2 - to provide funding in year from reserves, enabling static webstreaming facilities to be procured during 2008/09.

Estimated details of the costs were included in the bid details attached as Annex A to the report. It was noted that, if Members wished to procure in-year, then the initial capital costs would be higher, at £21,720, and ongoing revenue costs of £10,394 would have to be found. Further information on the costs of each option was contained in Annex B to the report. In respect of contract negotiations, a tendering exercise would be initiated to evaluate suitable solutions. This process would involve Officers from Democratic Services, IT&T and Central Procurement. Listed building consent might have to be sought if structural changes were needed to lay cabling and install cameras in the Council Chamber.

RESOLVED: That the Executive records its concern that the proposal to use an external agency to web-cast live Council meetings, and some Planning Committee meetings, is an expensive option and that there is little evidence to suggest that significant numbers of York residents will access this service.

RECOMMENDED: That, should Council wish to proceed with this option, then the funding for the capital works be taken from the Council's reserves and that any ongoing funding requirements should represent a growth bid against the 2009/10 revenue budget.

REASON: In order to implement Council's previous decision to introduce web-casting, if Council still wishes to do so, and to provide appropriate funding for this.

**148. URGENT BUSINESS - GRANTING A LOAN TO AN OUTSIDE BODY:
YORK CREDIT UNION**

Members considered a report which outlined for potential for granting a loan to the York Credit Union (YCU) and sought direction as to how to proceed.

The Chair had agreed to deal with this report under urgent business, to allow early consideration of this priority matter before the meeting of Full Council on 22 January 2009.

YCU were requesting a loan from the Council in the sum of £150k, to enable them to bring their approved and pending loans up to date, as well as to provide for the expected growth in loan requests over the coming months, in order to assist the people of York in the current difficult economic climate. Under the Financial Services Authority (FSA) regulations by which they were bound, YCU could only borrow funds of this amount in the form of a subordinate loan meeting the conditions of the Credit Unions Source Book (CRED). Such a loan could not be secured and must rank behind all non-unsubordinated loans (of which YCU had none at present) and members' share balances. Details of the potential risks involved were set out in paragraphs 44 and 45 of the report.

Members were invited to consider the following options:

Option 1 – not to lend YCU any funds.

Option 2 – to lend YCU £52k, which was the maximum amount that could be lent if the loan were not a subordinate loan.

Option 3 – to lend YCU a subordinate loan of £100k. This was the amount of loans currently approved and pending approval by YCU.

Option 4 – to lend YCU a subordinate loan of £150k, as requested. This would bring approved and pending loans up to date and provide for the expected growth in loan requests over the coming months.

RECOMMENDED: (i) That a loan not exceeding £100,000 - if possible structured so that the first £52,000 is a preferential loan with the remainder to be classified as a subordinated loan - be made to the York Credit Union to enable them to provide loans to their members during the present difficult economic situation. The loan interest to be calculated at the current rate being obtained by the Council on its other investments.

REASON: In order to help minimise the impact of the current difficult economic climate on the people of York.

(ii) That Council seek the agreement of the Credit Union to the appointment of a member of staff from the Council's Resources department to its Executive Board, in order to allow the Council to maintain a check on the financial position of the Credit Union, or by such other means as are acceptable to the Director of Resources.

REASON: To allow the Council to maintain a check on the financial position of the Credit Union.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 3.10 pm].

City of York Council

Committee Minutes

MEETING	AUDIT & GOVERNANCE COMMITTEE
DATE	13 JANUARY 2009
PRESENT	COUNCILLORS PIERCE (CHAIR), BROOKS (VICE-CHAIR (PRESENT FOR THE ITEMS UNDER MINUTES 26-37), CRISP, JAMIESON-BALL, SCOTT (PRESENT FOR THE ITEMS UNDER MINUTES 26-37), KIRK AND R WATSON
IN ATTENDANCE	COUNCILLOR MOORE (EXECUTIVE MEMBER FOR CORPORATE SERVICES) ALISTAIR NEWALL (AUDIT COMMISSION)

PART B - MATTERS REFERRED TO COUNCIL

37. PROPOSED CHANGE TO THE COUNCIL'S CONSTITUTION REGARDING PETITIONS

Members considered a report which outlined proposed constitutional changes to the way in which the Council dealt with petitions submitted by residents and businesses in the City of York area.

The changes had been suggested by Cllr Scott, who had originally intended to put the matter before Full Council by way of a notice of motion but had agreed for it to be brought via the Audit and Governance Committee instead. The proposal was to amend the current arrangements under Standing Order 7 - whereby petitions brought to Full Council were referred to the Executive or appropriate committee to deal with - so as to enable a debate to be initiated at Full Council by means of a petition signed by at least 1,000 residents. It was also suggested that the possibility of introducing an on-line petition facility be examined. However, this would need to be given further consideration by Officers, who had already had preliminary discussions regarding on-line petitioning.

Members were invited to consider the following options:

Option 1 – recommend a change to Standing Order 7 to provide for *'residents to initiate a debate at Full Council upon any issue touching and concerning the City of York where a minimum of 1,000 residents petition.'*

Option 2 – make no recommendations at this stage but receive a further report following enactment of the Local Democracy, Economic Development & Construction Bill, which includes a new duty on local authorities to respond to petitions.

Option 3 – not to recommend any changes in relation to petitions.

RECOMMENDED: That Option 1 be agreed and that Standing Order 7 be amended to provide for *'residents to initiate a debate at Full Council upon any issue touching and concerning the City of York where a minimum of 1,000 residents petition.'*

REASON: To enable residents to make an active contribution to matters affecting the City, in advance of the enactment of Government requirements to respond to petitions.

38. THE AUDIT OF THE FINANCIAL STATEMENTS 2007/8 - A PROGRESS REPORT

[See also under Part A minutes]

Members considered a report which identified the main conclusions of the Audit Commission (AC) in respect of the 2007/08 financial year audit and outlined action taken and planned in response to the AC's recommendations.

The AC had concluded that the Council had not adequately addressed the issues highlighted in the 2006/07 audit and that improvements were needed to the planning of the financial statements closedown process, the quality and timeliness of supporting working papers, the communication between finance and property services and the asset register spreadsheets.

During the past three months, a significant programme of work had been developed to address the AC's concerns and to establish a more regularised format for the accounts closure process. Improvements already under development were highlighted in paragraphs 5 to 11 of the report. An action plan setting out the work completed or ongoing to address each issue was attached as Annex 1. Members were invited to consider whether any further action was required.

RECOMMENDED: That authority be given to the Audit and Governance Committee to approve the Statement of Accounts and the Annual Governance Statement.

REASON: In accordance with advice given at this and the previous meeting regarding the practice in other authorities and to address the issues with the current approval process highlighted by the Audit Commission.

R Pierce, Chair

[The meeting started at 5.30 pm and finished at 7.40 pm].



Council

22 January 2009

Report of Chair of Scrutiny Management Committee

Update on Scrutiny Work since November Council Meeting and progress made with the Scrutiny Review.

1. This report is submitted by the Chair of Scrutiny Management Committee, in accordance with the constitutional requirements set out in Standing Order 4.3(l) to update Council on scrutiny work during the period of activity since the last Council meeting and to set out any recommendations such as may be made to Council in relation to that work.

Update on Scrutiny Work

SMC

2. There has been one meeting of SMC since the last update to Council, at which we considered a report detailing budget expenditure for supporting scrutiny reviews in 2008/9 and the available budget for 2009/10. We agreed to increase the sum allocated to each review to £500 for the remainder of the current financial year, to enable each scrutiny committee to draw on external expertise, hold events at outside venues and to effectively take on the expanding scrutiny role in relation to partnership organisations. To ensure a robust support budget is set for the 2009/10 financial year, we agreed to reconsider the amount to be allocated to each review once the forthcoming changes to the scrutiny structure have been finalised.
3. We also received a final report from Health Scrutiny Committee on their review of Dementia and agreed that the report and its associated annexes be noted, accepted and forwarded to the Executive. Scrutiny Management Committee recommended that after submission to the Executive copies of the report be sent to all interested parties, including service providers, consultees, the Secretary of State and the Chief Executive of the NHS and a press release be issued publicising the work. The Committee thanked all those involved for the work that they had done.

Health Scrutiny Committee

4. Since last Council Health Scrutiny Committee have considered a feasibility report in relation to 'Access to Outreach Workers'. The topic had been registered by Councillor Alexander who had suggested scrutinizing the availability, funding and uniform distribution of access to outreach workers. The Committee decided not to proceed with the review at the current time but to

ask the Director of Housing and Adult Social Services to provide an update report later in the year, detailing the outcome of discussions with stakeholders, representative agencies and providers about the commissioning of services and partnership working to provide those services. The possibility of a review on this topic would then be looked at again.

5. The Committee have also begun work on the Annual Health Check, which is the system that the Healthcare Commission uses to assess the performance of all NHS Trusts and a few other types of organisation in the NHS in England. The Health Scrutiny Committee will work with North Yorkshire and York Primary Care Trust (NYYPCT), York Hospital Foundation Trust and Yorkshire Ambulance Service (YAS) to produce submissions to the Healthcare Commission by the end of April 2009
6. The Committee continues its work on understanding its relationship with Local Involvement Networks (LINKs), and in defining its relationship with the network. It continues to show a keen interest in dental provision within the York area and recently had discussions with the Primary Care Trust about the way in which the PCT reported back on developments in dental care to the Committee. Reports regarding the dental service are received on a quarterly basis from NYYPCT. It also recently concluded its review on dementia and presented its final report to SMC.

Education Scrutiny Committee

7. Education Scrutiny is currently carrying out a review of the Extended Schools Agenda. They have issued a survey to the parents of all six-year olds in the city to gather their views on the out of school activities available at their schools and after school clubs etc. They have also carried out a number of visits to After School Clubs.
8. On 24 February 2009 the Committee will be holding an event in the Mansion House to which they have invited parents, Headteachers of primary schools and external service providers. Eddie Needham from ContinYou (Government Advisors on Extended Services) will give a presentation comparing extended school provision in York to the national picture and the Committee will highlight their findings from the review and gather the views of those present.

Cultural Quarter Ad-hoc Scrutiny Sub-Committee

9. The work of this Sub-Committee continues in relation to achieving a long term direction for the area between the National Railway Museum (NRM), York Railway Station and the Minster. There has been one further meeting of this Committee since November Council where further discussions were had regarding transport and highways issues within the proposed boundaries of the Cultural Quarter. The role of the City Council in relation to the Cultural Quarter was also discussed along with naming and branding, use of the St Leonard's Hospital Site and the land behind the Art Gallery and how the Quarter would fit with the already established Minster Quarter. The Committee is planning to have one more meeting in late January to gather some final evidence and it is

then hoped that it will be a position to formulate some draft recommendations for inclusion in a draft final report.

Hungate Ad-Hoc Scrutiny Committee

10. This review is ongoing. Its purpose is to clarify whether the correct strategy for the accommodation project was set and adhered to and to ensure future similar projects are delivered on time and within budget.
11. The Committee has carried out two informal information gathering sessions and are awaiting information from English Heritage, which is subject to a Freedom of Information request. The Committee is scheduled to meet at the end of January 2009 to consider this information and feed it into their final report.

Planning Enforcement Scrutiny Ad-hoc Sub-Committee

12. This Ad-hoc Scrutiny Sub-Committee has met twice since last Council. The first meeting was an informal evidence gathering session where information was gathered from Legal Services, Planning Enforcement Officers and various Members of the Planning Department. The second meeting presented the findings by way of an interim report and Members agreed on the outstanding evidence that was still required. The Committee is due to meet again in early February to receive the final pieces of evidence. It is then hoped that they will be in a position to formulate some draft recommendations for inclusion in a draft final report.

Review of Scrutiny Structure

13. At the last meeting of Council it was agreed that a restructure of the scrutiny function in York was required. Members agreed to the removal of EMAPs from the decision making structure and the formation of a number of standing scrutiny committees.
14. A Working Group set up to advise on the implementation of the restructure and the constitutional changes required, has subsequently met to consider the options. They have considered what would be a suitable role for SMC and some common functions and terms of reference for standing Scrutiny Committees – see Annex A.
15. The Working Group also considered a number of options for the standing scrutiny committees and agreed that cross-cutting scrutiny committees would be more progressive than directorate-based committees. Two models for cross-cutting committees were considered, one based on the example in the report presented at the last Council meeting and one matching the themes of the Local Area Agreement (LAA) – see Annex B. Having recognised that both models had some merits, the Working Group were unable to reach a unanimous agreement and therefore wish to present both to Council for their consideration, with a view to Council selecting the appropriate model.

16. The Working Group plan to meet again to identify any changes to the decision making structure required as a result of the changes to the scrutiny function i.e. the most practical and transparent method for making Executive Member decisions and any necessary changes to the delegation scheme for Audit & Governance Committee etc. Any recommendations arising from this work will be presented at Council in April 2009.
17. Therefore, in relation to the work completed to date, I would like to move the following recommendation to Council to enable the process to move forward:

'That the role of SMC and functions common to all standing scrutiny committees as set out in Annex A, be approved. And, that Council consider which model (A or B) it wishes to adopt as the basis for the standing scrutiny committees in line with the previously agreed changes to the scrutiny structure.'

Annex A – Suggested role of SMC and common functions for standing scrutiny committees

Annex B – Two alternative models for cross-cutting scrutiny committees

Councillor John Galvin
Chair of Scrutiny Management Committee

Role of Scrutiny Management Committee & Common Functions For Standing Committees

Scrutiny Management Committee (SMC)	<p>Responsible for overseeing and co-ordinating the scrutiny function, including allocating responsibility for issues which fall between more than one Scrutiny Committee</p> <p>To receive bi-annual reports from the Scrutiny Committees on progress against their workplans</p> <p>To exercise the right to call-in any pre or post Executive/Executive Member decisions or key decisions delegated to an officer</p> <p>To consider and comment on any final reports arising from completed reviews produced by the Scrutiny Committees, prior to their submission to the Executive</p> <p>To advise the Executive on the development of the Sustainable Corporate Strategy and monitor its overall delivery</p> <p>To provide an annual report to the Council on the work of the overview and scrutiny function.</p> <p>To periodically review the overview and scrutiny procedures to ensure that the function is operating effectively and recommend any constitutional changes, to Council</p>
Scrutiny Committees	<p>Each Scrutiny Committee can:</p> <ol style="list-style-type: none"> a) Report to the SMC on a bi-annual basis on the Committee's contribution to their work programme. b) Review any issue that it considers appropriate or any matter referred to it by the Executive, Scrutiny Management Committee or Council and report back to the body which referred the matter. c) Receive Executive Member reports relating to their portfolio, associated priorities & service performance <p>Specific to their individual terms of reference, each Scrutiny Committee can</p> <ol style="list-style-type: none"> i) Comment on the annual budget proposals and elements of the Corporate Strategy . ii) Scrutinise issues identified from the Executive's Forward Plan, prior to a decision being made. iii) Monitor the Council's financial performance during the year iv) Monitor progress on the relevant Council Priorities and advise on potential future priorities v) Maintain an annual work programme and ensure the efficient use of resources vi) Identify aspects of the Council's operation and delivery of services, and/or those of the Council's statutory partners, suitable for efficiency reviews vii) Carry out efficiency reviews or set up a Task Group from within their membership to conduct a review on their behalf. <p>Any review undertaken should:</p> <ul style="list-style-type: none"> * be outcome focussed and reflect the Council's corporate priorities; * challenge assumptions about the Council's operational processes; * ensure all feasible options for the future delivery of services are explored and appraised; * encourage the involvement of interested parties and external partners * make relevant recommendations to the Executive or Council <ol style="list-style-type: none"> viii) Monitor implementation of approved recommendations from previously completed scrutiny reviews ix) Establish a joint Task Group with another Authority to undertake a joint review <p>In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability</p>

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Model A - Suggested Alternative Cross Cutting Scrutiny Committees

Strategic Resources, Performance & Economic Development	In respect of all the Council's strategic and longer term planning and corporate development issues, IT development, corporate targets and objectives, financial processes and day-to-day management of all the Council's internal resources, including finance, staffing and property, regional issues, together with the review of service performance relating to economic development, including assessing the impact of skills and training and the economic quality of life in the City.
	In relation to the Executive Member portfolios, monitor the performance of the following service plan areas shown below through regular performance monitoring reports: Corporate Services: Audit & Risk Management, Strategic Finance, Business Management, IT&T, Public Services, Property Services Executive Leader: Policy & Development, Civic Democratic & Legal Services, Marketing & Communications, Human Resources, Performance & Improvements and Economic Development City Strategy: Resources & Business Management Neighbourhood Services: Business Support Services Housing & Adult Social Services: Corporate Services Leisure, Culture & Social Inclusion: ICT Client, Directorate Financial Services, Directorate HR Services Children & Young People's Services: Management Information Services, ICT Client, Directorate Financial Services, Directorate HR Services
	To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above
	Promote a culture of continuous improvement in all services, and monitor efficiency across organisational/service boundaries to promote a seamless approach to service delivery, with the user as a central focus.
	To scrutinise the services provided to residents of York by other service providers, as appropriate.
	Plus, responsible for supporting the achievement of the relevant LAA priority targets
	In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability
Adult Education	In respect of the planning, policy development and monitoring of service performance and related issues together with other general issues relating to adult and community care services, within the Neighbourhoods area of Council activity and Adult Education services.
	In relation to the Executive Member portfolios, monitor the performance of the following service plan areas shown below through regular performance monitoring reports: Adult Education Education Development Services
	To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above
	Plus, responsible for supporting the achievement of the relevant LAA priority targets
	To scrutinise the services provided to residents of York by other service providers, as appropriate.
	In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability
Planning & Transport	In respect of the planning, development and monitoring of service performance and other issues in respect of the area of Council activity relating to planning and transport, and wider environmental issues
	In relation to the Executive Member portfolios, monitor the performance of the following service plan areas shown below through regular performance monitoring reports: City Strategy: Planning, City Development & Transport
	To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above
	Plus, responsible for supporting the achievement of the relevant LAA priority targets
	To scrutinise the services provided to residents of York by other service providers, as appropriate.

	In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability
Neighbourhoods & Sustainability	In respect of the planning, development and monitoring of service performance and other issues in relation to the provision and development of successful neighbourhoods and local environmental issues in the City.
	In relation to the Executive Member portfolios, monitor the performance of the following service plan areas shown below through regular performance monitoring reports: Executive Leader: in relation to Safer City City Strategy: Waste Management Strategy (Client), Neighbourhood Services: Licensing & Regulation, Environmental Health & Trading Standards, Street Scene, Cleansing Services, Waste Collection Services, Building Cleaning Services, Highways Maintenance Services, Street Environment and Bereavement Services Housing & Adult Social Services: Housing Landlord, Housing General
	To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above
	Plus, responsible for supporting the achievement of the relevant LAA priority targets
	To scrutinise the services provided to residents of York by other service providers, as appropriate.
	In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability
Children, Young People & Culture	In respect of the planning, policy development and monitoring of service performance and other general issues relating to learning and attainment and the care of children and young people within the Children's Services area of Council activity, and leisure & culture.
	In relation to the Executive Member portfolios, monitor the performance of the following service plan areas shown below through regular performance monitoring reports: Leisure, Culture & Social Inclusion: Arts & Cultural Services, Libraries & Heritage Services, Parks & Open Spaces, Sports & Active Leisure Children & Young People's Services: Early Years, Schools & Communities, Education Development Services, School Governance Service, Special Educational Needs, Adult Education, Access, Education Planning & Resources, Young People's Service and Youth Offending Team
	To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above
	To scrutinise the services provided to residents of York by other service providers, as appropriate.
	Plus, responsible for supporting the achievement of the relevant LAA priority targets
	In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability
Health & Community Care	In respect of the planning, policy development and monitoring of service performance and other general issues relating to health and to scrutinise as appropriate the various local Health Services functions, relating to the care of adults and children.
	To review and scrutinise the impact of the services and policies of key partners on the health of the City's population
	To review arrangements made by the Council and local NHS bodies for public health within the City.
	To make reports and recommendations to the local NHS body or other local providers of services and to evaluate and review the effectiveness of its reports and recommendations.
	In relation to the Executive Member portfolios, monitor the performance of the following service plan areas shown below through regular performance monitoring reports: Housing & Adult Social Services: Adults (Older People, People with Physical Disabilities & Sensory Impairments), Adults Mental Health and Adults Learning Disability
	To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above
	To delegate functions of overview and scrutiny of health to another Local Authority Committee
	To report to the Secretary of State of Health;
	a) where the Committee is concerned that consultation on substantial variation or development of service has been inadequate

b) where the committee considers that the proposals is not in the interests of the health service

Plus, responsible for supporting the achievement of the relevant LAA priority targets

In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability

Model B - Suggested Scrutiny Committees Based on LAA Themes

<p>Effective Organisation Committee</p>	<p>In relation to the Executive Member portfolios, monitor the performance of the following service plan areas shown below through regular performance monitoring reports: Corporate Services: Audit & Risk Management, Strategic Finance, Business Management, IT&T, Public Services, Property Services Executive Leader: Policy & Development, Civic Democratic & Legal Services, Marketing & Communications, Human Resources and Performance & Improvements City Strategy: Resources & Business Management Neighbourhood Services: Business Support Services Housing & Adult Social Services: Corporate Services Leisure, Culture & Social Inclusion: ICT Client, Directorate Financial Services, Directorate HR Services Children & Young People's Services: Management Information Services, ICT Client, Directorate Financial Services, Directorate HR Services</p> <p>To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the following service areas: * Marketing & Communications * Human Resources * Legal, Civic & Democratic Services * Audit & Risk * Strategic Resources (inc Finance, ICT, Procurement and Property)</p> <p>To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above</p> <p>Promote a culture of continuous improvement in all services, and monitor efficiency across organisational/service boundaries to promote a seamless approach to service delivery, with the user as a central focus.</p> <p>Plus, responsible for supporting the achievement of the relevant LAA priority targets</p> <p>In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability</p>
<p>Thriving City (or City Development)</p>	<p>In relation to the Executive Member portfolios monitor the performance of the following service plan areas shown below through regular performance monitoring reports: Executive Leader: Economic Development City Strategy: Planning, City Development & Transport, Waste Management Strategy (Client), Neighbourhood Services: Licensing & Regulation Housing & Adult Social Services: Housing Landlord, Housing General</p> <p>To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above</p> <p>To scrutinise the services provided to residents of York by other service providers, as appropriate.</p> <p>Plus, responsible for supporting the achievement of the relevant LAA priority targets</p> <p>In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability</p>
<p>Learning & Cultural City (or Learning & Culture)</p>	<p>In relation to the Executive Member portfolios, monitor the performance of the following service plan areas shown below through regular performance monitoring reports: Children & Young People's Services: Early Years, Schools & Communities, Education Development Services, School Governance Service, Special Educational Needs, Adult Education, Access, Education Planning & Resources, Young People's Service Leisure, Culture & Social Inclusion: Arts & Cultural Services, Libraries & Heritage Services, Parks & Open Spaces, Sports & Active Leisure</p> <p>To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above</p> <p>To scrutinise the services provided to residents of York by other service providers, as appropriate.</p>

	<p>Plus, responsible for supporting the achievement of the relevant LAA priority targets</p> <p>In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability</p>
Healthy City (or Health)	<p>To undertake all of the Council's statutory functions in accordance with section 7 of the Health and Social Care Act 2001 and section 244 of the National Health Service Act 2006 and associated regulations, including appointing members, from within the membership of the Committee, to any joint overview and scrutiny committees with other local authorities, as directed under the National Health Service Act 2006.</p> <p>To review and scrutinise the impact of the services and policies of key partners on the health of the City's population</p> <p>To review arrangements made by the Council and local NHS bodies for public health within the City.</p> <p>To make reports and recommendations to the local NHS body or other local providers of services and to evaluate and review the effectiveness of its reports and recommendations.</p> <p>In relation to the Executive Member portfolios , monitor the performance of the following service plan areas shown below through regular performance monitoring reports: Housing & Adult Social Services: Adults (Older People, People with Physical Disabilities & Sensory Impairments), Adults Mental Health and Adults Learning Disability</p> <p>To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above</p> <p>To delegate functions of overview and scrutiny of health to another Local Authority Committee</p> <p>To report to the Secretary of State of Health;</p> <p>a) where the Committee is concerned that consultation on substantial variation or development of service has been inadequate b) where the committee considers that the proposals is not in the interests of the health service</p> <p>Plus, responsible for supporting the achievement of the relevant LAA priority targets</p> <p>In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability</p>
	<p>To undertake all of the Council's statutory functions in accordance with Section 19 and associated regulations of the Police and Justice Act 2006, relating to scrutiny of crime and disorder matters.</p> <p>In relation to the Executive Member portfolios , monitor the performance of the following service plan areas shown below through regular performance monitoring reports: Executive Leader: in relation to Safer City Neighbourhood Services: Environmental Health & Trading Standards, Street Scene, Cleansing Services, Waste Collection Services, Building Cleaning Services, Highways Maintenance Services, Street Environment, Bereavement Services, Children & Young People's Services: Youth Offending Team</p> <p>To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the service plan areas listed above</p> <p>Plus, responsible for supporting the achievement of the relevant LAA priority targets</p> <p>To scrutinise the services provided to residents of York by other service providers, as appropriate.</p> <p>In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusivity and sustainability</p>

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Council

22nd January 2008

Report of the Head of Civic, Legal & Democratic Services

Holocaust Memorial Day

Summary

1. This report has been provided to Council in follow-up to its debate on the subject of Holocaust Memorial Day which took place at its meeting on the 27th November 2008 and at which it was agreed in principle that this event should be recognised fully within the city. Accordingly, Council requested that the Head of Civic, Democratic and Legal Services set out detailed proposals, including costings, for holding annual commemorations to mark Holocaust Memorial Day.

Background

2. In 2005, United Nations Resolution 60/7 established the 27th January, the date of the liberation of the Nazi death camp Auschwitz-Birkenau, as International Holocaust Remembrance Day and urged every member nation of the U.N. to honour the memory of Holocaust victims, and encourage the development of educational programs about Holocaust history to help prevent future acts of genocide.
3. The Resolution rejects any denial of the Holocaust as an historical event and condemns all manifestations of religious intolerance, incitement, harassment or violence against persons or communities based on ethnic origin or religious belief.
4. It also calls for actively preserving the Holocaust sites that served as Nazi death camps, concentration camps, forced labour camps and prisons, as well as for establishing a U.N. programme of outreach and mobilisation of civil society for Holocaust remembrance and education.
5. The Holocaust Memorial Day Trust (HMDT) is a national charity formed in 2005 and is funded by the Department for Communities and Local Government. Its vision is that the Holocaust and subsequent genocides are known; that victims are commemorated and lessons learnt are translated into contemporary action in the UK.
6. HMDT is responsible for the annual, national commemoration of Holocaust Memorial Day. In addition it aids, promotes and supports HMD events and projects in local communities, schools and educational institutions.
7. HMDT raises awareness, informs and educates about the Holocaust, subsequent genocides and their contemporary relevance – especially to issues of racism; prejudice and discrimination. It prompts action in the UK in favour of diversity; equality and harmony between communities.
8. The theme for HMD09 is 'Stand up to Hatred' which explores the expression of hatred in speech and propaganda, how hatred can be enshrined in legislation, the impact of

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hatred on those who are regarded as different, hate crimes in Britain today and what we can all do to stand up to hatred in our own communities.

Commemorations in York

9. This January, York will mark this important day with a range of events in keeping with the commemorative and educational ethos of HMD. Whilst York has previously marked the day, this year will be the first in which any significant costs are associated. The planning of these events has been steered by a planning group which has met on six occasions since the summer and includes among its members the Chair of the Holocaust Survivors' Friendship Association, HE institutions and faith group representation. The project is being managed by Heather Rice with officer support and cross party representation on the planning group from Councillors Crisp, Looker and Vassie.
10. The centre piece of the city's commemorations will be a ceremony at the Guildhall on the evening of the 28th January. A detailed programme for the event has been agreed by the group and is complemented by additional events based on the theme of 'Stand up to Hatred' and organised with the involvement of schools and city partners.

The ceremony will include

- An address by the Lord Mayor
 - York students who have visited Auschwitz or sites of other former Nazi camps – they will speak about their experiences and how the trip affected them
 - Representatives from a variety of faiths marking their support for HMD and the theme 'Standing up to Hatred'
 - Holocaust survivor Eugene Black speaking about his life
 - Former Ethiopian imprisoned student leader Fasil Demsash speaking about his life
 - The keynote speaker on the night will come from the CPS Chief Crown Prosecutor for York, Rob Turnbull who will speak about hate and hate crime in the city
 - Music will be provided by a string quartet and choir from All Saint's School and a drumming group from York St John's. Rudi Leavor will also sing the Jewish prayer of mourning El Male Rachamin
11. After completing their part of the ceremony, each one of the above participants will light a candle and recite one of the seven commitments which makes up the statement of commitment developed by the UN
 12. Prior to the Guildhall ceremony, council members will be invited to attend a short ceremony at Clifford's Tower at which Group Leaders have been asked to each make a short statement of support, there will also be a reading from the plaque to commemorate the persecution and death of York's Jews who perished in the pogrom of 1190, followed by the mourners' Kaddish which is said as part of the mourning rituals in Judaism.
 13. A lunchtime event to which council staff as well as the public will be invited is planned to take place in the Guildhall for the 28th January. This will feature an exhibition provided by the Holocaust Survivors' Friendship Association, art work provided by York St John students inspired by their trip to Auschwitz, material on hate crime from the CPS and screening of the film Double Portraits which shows Holocaust survivors in conversation with contemporary refugees. There will also be music by Lesley Schatzberger, from music therapy charity Jessie's Fund and people on hand to speak about Holocaust Memorial Day and its themes.

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14. On the evening of the 27th, City Screen Cinema will show 'Sophie Scholl' – the story of a young German woman who was a member of the white rose non-violent resistance movement in Germany and who was prosecuted and executed for standing up to hatred. On the 26th Mark Herman, Director of the film The Boy in Striped Pyjamas will introduce a screening of his film at the cinema and conduct a Q&A session afterwards.
15. To coincide in late January, the city's Art Gallery will be highlighting the work of Joseph Herman and Jankel Adberg who fled from persecution in Poland before the second world war. There will also be a curator's talk on the artists and their stories.
16. Schools have also been engaged in order that they can get HMD on the agenda and build related work into the curriculum for next January. Speakers from the film Double Portraits are available also to form a discussion group at a secondary school and evacuees from Germany, who came to Britain as children as part of the Kindertransport project are also available to talk to younger children about their experiences of leaving their homes in the months running up to the war.

Costs

17. The cost of this years event is set out below and the funding has already been identified for that. Without an identified budget on which to draw, the planning of HMD commemorations has been fiscally conservative and whilst some activities have been arranged free of charge, thanks in large part to the generosity of contributors, others have inevitably had costs attached. In addition to which other costs have been borne by existing budgets including those associated with facilitating the meeting of the planning group and in the demands made on officer time.
18. In the event that Council resolves to include this event within the annual Civic calendar of events, a source of funding will be required as there is no budget available within the Civic Services area. The amount of such budget may be estimated on the basis of the costs of this years event which are set out below.
19. The following have been incurred or will be incurred in the course of organising commemorations for 2009

Hire of Alpha Sound audio visual services for Guildhall ceremony	£500
Refreshments for attendees at Guildhall ceremony	£480
All Saint's School musicians for performing at ceremony	£200
Musicians from Jessie's Fund charity performing at lunchtime event	£200
Hire of Guildhall for ceremony	£150
Yorkshire Film Archive for filming Guildhall ceremony	£125
Printing of programmes for ceremony	£70
Cost of running the HMD planning group (hire of Mansion House and catering costs)	£720
Total External costs	£2,455
Estimated cost of officer time (including Civic Support staff at Guildhall events)	£7,000
Total	£9,445

20. Implications

Legal	There are no legal implications arising from this report or the proposals it contains. Quentin Baker quentin.baker@york.gov.uk
Financial	There is currently no budget available within the Civic Services area to fund this event. The costs in 2008/09 have been absorbed within the Chief Executive's budget. Should council resolve that this event should become a part of the annual Civic calendar it will be necessary to provide funding for that purpose. Patrick Looker patrick.looker@york.gov.uk
Human Resources	There are no human resource implications arising from these recommendations.

21. I recommend that Full Council resolves as follows:-

- a. To incorporate HMD as an annual event within the annual Civic Calendar subject to sufficient resources, as identified above, being provided for that purpose within the budget process for the relevant year.**

Contact Details**Author:**

Simon Hornsby
LPSA Officer

Chief Officer Responsible for the report:

Quentin Baker
Head of Civic, Legal and Democratic Services

Policy & Performance Team

01904 55107

Report
Approved



Date 13th January 2008

Specialist Implications Officer(s) *List information for all***Financial**

Name Patrick Looker
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Legal

Name: Quentin Baker
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Wards Affected: *List wards or tick box to indicate all*

All

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Full Council**22 January 2009****Report of The Head of Civic, Democratic & Legal Services****Allocation of Local Choice Function – Approval of Local Area Agreement****1 Summary**

- 1.2 The existing constitutional arrangements at City of York Council regarding the approval of the Local Area Agreement (LAA) allocate that function to Full Council. The function is a 'local choice' function which means that it can be allocated, by Full Council, to be undertaken by the Executive.
- 1.3 It is the view of officers engaged in the LAA process that allocating the function to the Executive will make the process of approval of whole revisions or refreshes of the LAA, easier to manage. Consequently this report recommends that the function be allocated to the Executive. However, the report also sets out the option of council retaining the functions but delegating them to a committee which would also achieve the objectives identified by officers.

2 Background

- 2.2 A The Local Government and Public Involvement in Health Bill received royal assent in October 2007. This introduced a statutory duty for all top tier local authorities to produce a Local Area Agreement (LAA) and to move the existing LAA (period 2007/08 – to 2009/10) to a 'new' LAA, or LAA2, (period 2008/09 – to 2010/11).
- 2.3 It was specified that the revised LAA would include up to 35 indicators from a new national indicator set of 198 and 17 statutory indicators on educational attainment (which are included in the new national set). In addition, the 'new' LAA could also include local indicators (selected from the new national set or otherwise) to reflect local priorities. There is now no other way of setting targets with central government and there is a statutory duty for specified partners to cooperate in the delivery of the LAA.
- 2.4 The functions relating to the LAA such as agreeing the content and approving the draft for signature have been designated as "local choice" functions which means that they may be undertaken by the Executive or by Full Council. However, it is a matter for Full Council as to how the functions are allocated.

2.5 Central Government have requested that a 'refreshed' LAA should be submitted by the end of March 2009 that finalises any outstanding issues in respect of data and, if necessary, updates baselines and targets. The refresh process will require areas to submit a revised LAA (whether there are any revisions or not) by end of March 2009. All of the previous requirements relating to sign off by a Council in respect of the 'local choice' functions will continue to apply.

2.6 The process for seeking approval and amendment of the LAA is more cumbersome where it is undertaken by full council partly due to the fact that the regularity of meetings is significantly less and partly the fact that full council, as a forum, does not lend itself to the consideration and development of this type of document. It is therefore recommended that Full Council allocate this function to the Executive to make the management of the LAA refresh process more manageable and proportionate.

3 Options

3.2 The process of developing and signing off the LAA could be retained as a full council function and if this were the case Full Council may wish to delegate these functions to a committee.

4 Implications

4.2 **Legal:-** The Local Government Act 2000 introduced a system of categorising the functions undertaken by local authorities into those that could only be undertaken by Full Council, those that could only be undertaken by the Executive, those that could only be undertaken jointly by Full Council and the Executive and lastly, those functions that could be undertaken by either Full Council or the Executive. This last category are known the 'Local Choice' functions and they may be allocated to the Executive by decision of Full Council. In the absence of such a decision the default position is that they remain Full Council functions.

4.3 The various functions involved in the development and approval of the LAA are included in Schedule 2 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended and, as such, are 'Local Choice' functions which Full Council may allocate.

4.4 **HR:-** There are no HR implications arising from this decision if implemented.

4.5 **Finance:-** There are no financial implications arising from this decision if implemented.

5 Recommendations:-

5.2 That full council allocate to the Executive the functions relating to the LAA, as listed in para 22 Schedule 2 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.

5.3 The Monitoring Officer is authorised to make the necessary amendments to the constitution to give effect to this recommendation.

Author:
Author's name:
Quentin Baker
Title: Head of Civic Legal and Democratic Services

Chief Officer Responsible for the report:
Chief Officer's name: Quentin Baker
Title: Monitoring Officer

Tel No.01904 551004

Specialist Implications Officer(s)

Legal:- Quentin Baker

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

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1 **Financial performance**

2 The Department has a revenue budget of over £17 million. I expect the outturn for the year be within
3 the allocated budget. Income from car parking and some aspects of planning are slightly under budget
4 reflecting the current economic situation

5 The Department is expected to invest £8.6 million this year through its capital budget. This is slightly
6 higher than originally forecast as there will be some expenditure on the Cycling City project. Good
7 progress has been made on the delivery of capital funded footway maintenance schemes with
8 approximately 85% of the 7km footway programme complete. The carriageway resurfacing
9 programme has commenced and is on target for delivery by the end of the financial year. Works to
10 replace the parapets on Clifton Bridge have been completed and changes to the cycle route
11 arrangements in the area will be implemented shortly.. Preparatory work has been completed on most
12 of the Integrated Transport schemes, with delivery programmed to be complete by the end of the year.

13 **Quality of service**

14 Most performance indicators are on target. Those of particular note include the speed with which
15 major planning applications are being dealt, the proportion of new homes constructed on brownfield
16 land, a reduction in the numbers being killed and seriously injured on our roads, a reduction in the
17 proportion of roads considered to be in a poor condition, improving performance in keeping street
18 lamps working and, most recently, an encouraging increase in the numbers using park and ride
19 services.

20 Usage of Whizz Go vehicles in the City is also steadily increasing and our efficiency advisors have
21 been asked to consider how the Council can make better use of the service.

22 **Major schemes**

23 4 major transport schemes are currently being progressed. They are:

24 **3.1 Access York Phase 1 (New Park and Ride sites)**

25 This £25 million project will see 3 additional Park and Ride sites constructed to the west and north of
26 the City. It is anticipated that final DpT approval for the schemes will be obtained later in the year with
27 completion of the first site –subject to the granting of planning permission – expected in 2011.

28 **3.2 Access York Phase 2 (Improvements to the northern by pass and 29 associated transport upgrades in the City centre)**

30 The Regional Transport Board will prioritise this bid later this month. The value of all the bids
31 registered for the region exceeds the money available by a factor of nearly 10:1.

32 **3.3 Cycling City**

33 Following our successful bid, which will see £3.5 million extra invested in cycling facilities in the City
34 over the next 3 years, the project itself was launched in the City a few weeks ago. Work is ongoing on
35 producing some “early wins” such as selective cycle margin resurfacing.

36 **3.4 Hopgrove roundabout**

37 Work on this, Highways Agency, scheme which is aimed at combating congestion on the ring road,
38 started a few weeks ago. It should be completed by late summer.

39 **Bus Services**

40 It is unfortunate that central government does not give local Authorities like York more powers to
41 regulate commercial bus services in the area. The major provider – First – has recently announced
42 fare increases aimed at increasing their income by around 6%. I believe that the increases in some of
43 the fares, and, in particular, the weekly/monthly regular user tickets, were misjudged and likely to be
44 counter productive in the long term.

1 Bus usage in the City has levelled off after 5 years of growth although it remains higher than in
2 comparable Cities. It is clear that we cannot afford to be complacent. New bus priority measures, such
3 as those planned for Fulford Road, should help to increase ridership.

4 Most of the new park and ride buses have now arrived and this improved service quality may be one
5 reasons why growth in use of these services is increasing again.

6 **5 Road Traffic Accidents**

7 **5.1 Fatal**

8 There's been a fall in the last two years of the number of people killed in road traffic accidents in York,
9 with 8 killed in 2006, down 27% on the 11 in the previous year and then a fall in 2007 of 4 people killed
10 being a decrease of 50% compared to the previous year of 8 in 2006.

11 **5.2 Serious**

12 Serious casualties were up by 69% for 2006 from 90 to 152 for the previous year. It would seem that
13 the large increase in serious casualties for 2006 was an exceptionally high figure. Examination of the
14 verified accident data showed the pattern of accidents was dispersed with no discernable pattern of
15 'hotspots'. In addition there did not appear to be any specific event or prevailing condition to cause the
16 unexpected increase.

17 However, the data shows that serious casualties were down by 41% in 2007 from 152 to 89. In 2006
18 the council successfully obtained approximately £200,000 per annum Road Safety Grant funding for
19 campaigns and measures to improve road safety in York, which as contributed to the apparent
20 significant reductions in KSIs in 2007.

21 **5.3 Slight**

22 Slight casualties have reduced by 9.5% from 651 in 2005 to 589 in 2006 and then again by 1% in
23 2007.

24 The figures recorded for 2005 and 2006 show the percentage reduction in slight casualties to have
25 outperformed the target requirement. In addition it would appear that the figure for 2007 has also
26 outperformed against target. (quoted in Draft LTP2)

27 Motorcycle KSI's increased by 36% in 2006 from 22 in 2005 to 30 casualties in 2006 but show a
28 decrease on 6% in 2007.

29 Car Occupancy KSI casualties also increased in 2006 by 78% from 51 in 2005 to 91 in 2006 and
30 again show a decrease in 2007 by 64% from 91 to 33.

31 We are still waiting to hear if and when the road safety partnership will recommend the roll out of the
32 safety cameras in the City

33 **6 Strategic Planning**

34 We are approaching the point where officers will start to make recommendations about the preferred
35 core strategy for the LDF. This is likely to result in an increased work load for the LDF working group.
36 There are likely to be some difficult choices to make in the light of changes to the RSS.

37

38

Steve Galloway

Membership of Committees, Working Groups and Outside Bodies

Committees / Council bodies

Social Inclusion Working Group

To appoint a new non-voting, co-opted member to the Group, to fill the vacancy left by the departure of the Disabled People's Forum representative (*nomination tba*).

Outside Bodies

Community Forum – Terrys site

To appoint ward representatives to the above Forum (*nominations tba*)

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