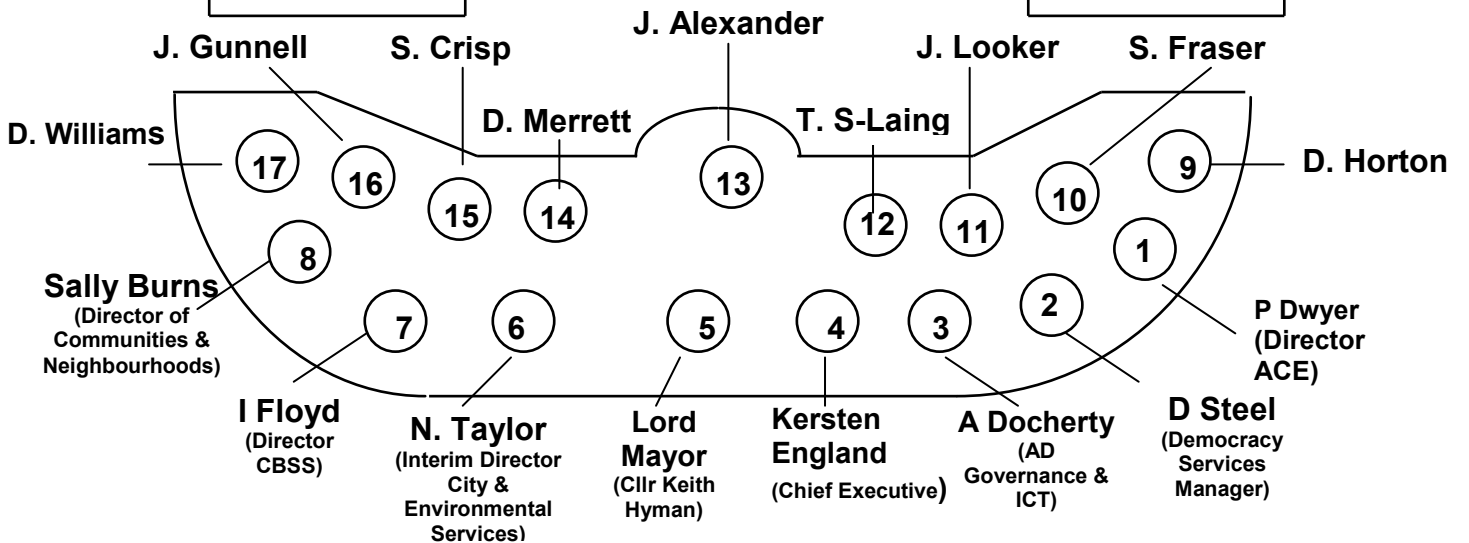
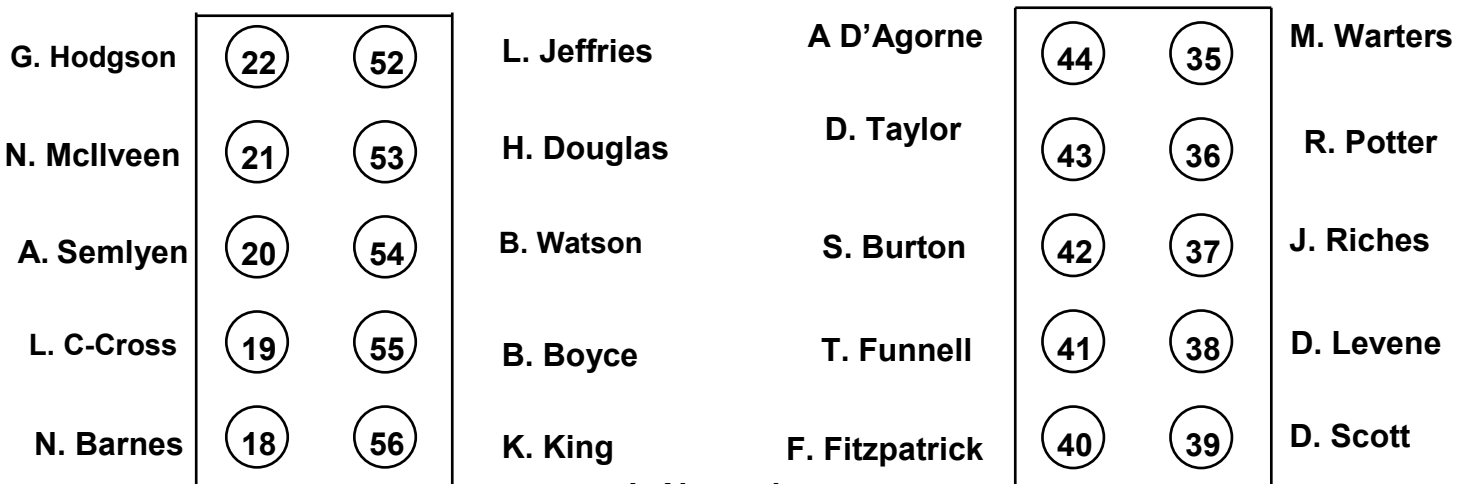
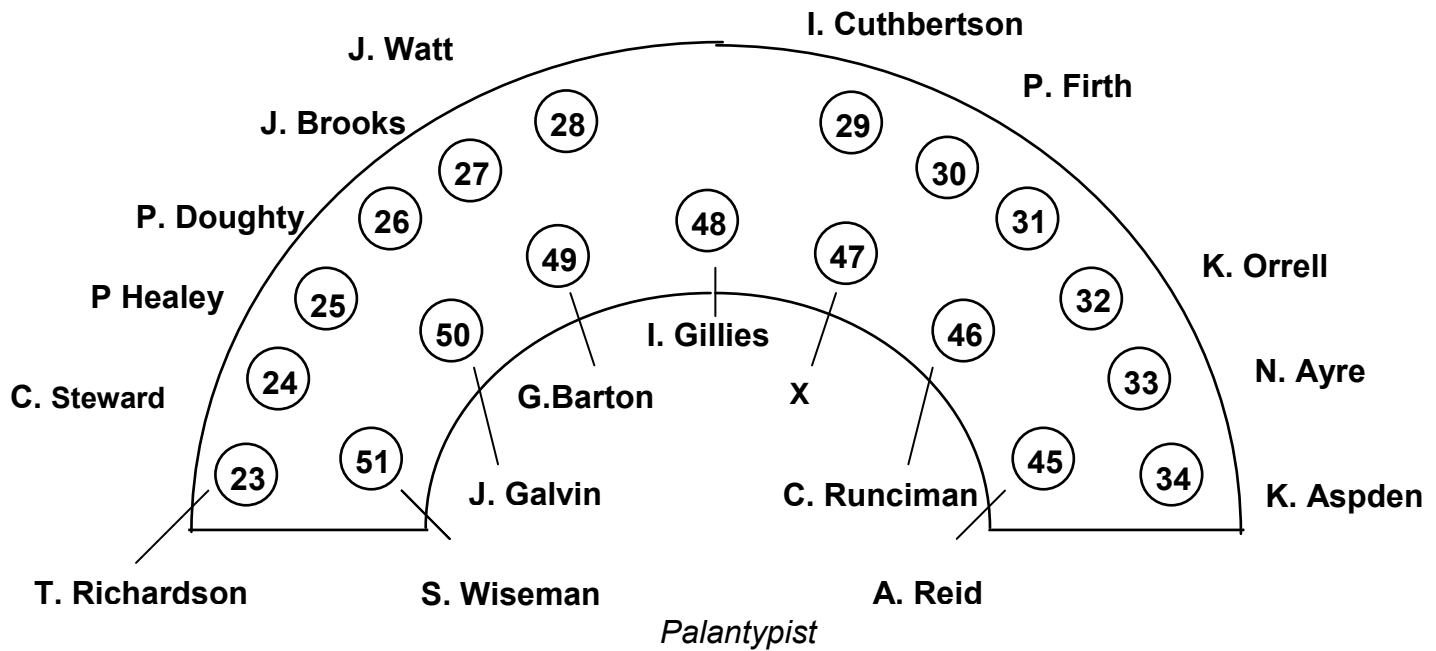


**CITY OF YORK COUNCIL
SUMMONS**

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, 12 July 2012 at 6.30 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 - 70)

To approve and sign minutes of the Ordinary meeting of the Council on 29 March 2012, the Extraordinary meeting held on 24 April 2012 and the Annual Council meeting held on 24 May 2012.

3. Civic Announcements

To consider any announcements made by the Lord Mayor in respect of Civic business.

4. Public Participation

At this point in the meeting, any member of the public who has registered to address the Council, or to ask a Member of the Council a question, on a matter directly relevant to the business of the Council or the City, may do so. The deadline for registering is **5:00pm on Wednesday 11 July 2012.**

5. Petitions

- (i) To debate a petition signed by 1,996 people organised by the Burnholme Parents Action Group against the proposed closure of the Burnholme Community College.
- (ii) To consider any petitions received from Members in accordance with Standing Order No.7. To date, notice has been received of one such petition as follows:
 - A petition to be presented by Cllr Looker on behalf of the Youth Council requesting cheaper bus fares during school holidays.

6. Urgent Notice of Motion

To consider the following urgent Notice of Motion under Standing Order 12.4:

(i) From Cllr Alexander

“The Review of Children’s Congenital Cardiac Services in England undertaken by the NHS Specialised Services Safe and Sustainable Programme continues to be fully supported by the Council as a member of the Joint Health Overview and Scrutiny Committee, Yorkshire and the Humber. We recognise that specialists centres providing 24/7 care are essential to ensure safe, high quality care in a highly specialised clinical area.

However, we are concerned at the way the Meetings held by the JCPCT have been conducted. They have not shared information, no papers were available at the final Meeting of the JCPCT held in London on Wednesday 4th July, this meeting while, held in public, did not make available any of the documentation being considered by them, and the agenda was only published on Friday 29th June at 17.40 hours.

CYC therefore request a Meeting with the Secretary of State for Health, Mr Andrew Lansley to share these concerns which do not comply with Department of Health Guidance on openness in the NHS, and for Mr Lansley to give answers to the many unanswered questions put to the JCPCT by the Yorkshire and Humber Overview and Scrutiny Committee.”

7. City of York Local Development Framework (Pages 71 - 78)

To consider a report and motion from the Cabinet Member for Planning, Transport and Sustainability asking Council to instruct officers to undertake the necessary formal steps to withdraw the LDF Core Strategy from the Examination process.

8. Report of Cabinet Leader (Pages 79 - 84)

To receive and consider a written report from the Leader on the work of the Cabinet.

9. Recommendations of the Member Development Steering Group (Pages 85 - 86)

To consider the following recommendations for approval from the Member Development Steering Group:

Meeting	Date	Recommendations
Member Development Steering Group	8 March 2012	Minute 38 : Remit of the Member Development Steering Group

10. Recommendations of the Standards Committee (Pages 87 - 100)

To consider the following recommendations for approval from the Standards Committee:

Meeting	Date	Recommendations
Standards Committee	26 June 2012	Minute 8 : Code of Conduct Minute 9 : Joint Committee Minute 10 : Transitional Provisions and Implementation Arrangements

11. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee (Pages 101 - 108)

To receive the Annual Scrutiny Report from Councillor Wiseman, the Chair of the Corporate and Scrutiny Management Committee (CSMC) on the work of the Committee during the 2011 -12 municipal year.

12. Report of Cabinet Member (Pages 109 - 114)

To receive a written report from the Cabinet Member for Environmental Services, and to question the Cabinet Member thereon, provided any such questions are registered in accordance with the timescales and procedures set out in Standing Order 8.2.1.

13. 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://modgov.york.gov.uk/mgListOutsideBodies.aspx?bcr=1>

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

- York NHS Trust – 20/02/12
- Safer York Partnership – 02/04/12
- Police Authority – 12/12/11
- Quality Bus Partnerships – 18/06/12
- Yorkshire Purchasing Organisation – 23/03/12
- Local Government North Yorkshire & York – 20/01/12
- Local Government Yorkshire & Humber – Minutes from Various Meetings from October 2011 to May 2012

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

14. Appointments and Changes to Membership (Pages 115 - 116)

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

15. Notices of Motion

To consider the following Notices of Motion under Standing Order 12:

A – Motions referred from the Cabinet in accordance with Standing Order 12.1(a)

None

B – Motions submitted for consideration directly by Council, in accordance with Standing Order 12.1(b)

(i) From Cllr Barnes

“Council recognises that all York residents should be treated equally and should not be barred from any aspect of civil society either because of their beliefs, race, disability or sexual orientation. Council notes the recent Government consultation on extending the legal form of marriage to same-sex couples, and the commitment of City of York Council to equal rights for lesbian, gay, bisexual and transgendered persons.

Council acknowledges and welcomes the positive efforts of the last Government to support lesbian, gay, bisexual and transgender rights, including:

- Equal legal age of consent;
- Adoption rights for same-sex couples;
- Fertility treatment rights;
- Introduction of civil partnerships for same-sex couples

Council supports the current Prime Minister’s efforts to build on this progress, and legislate for equal Civil Marriage and also calls for equal Civil Partnerships

Council requests:

- that the Chief Executive write to Hugh Bayley MP and Julian Sturdy MP requesting they vote in favour of any Parliamentary vote supporting the equal marriage rights of lesbian, gay, bisexual and transgendered couples to bring any proposed legislation to a reality and that they lobby for equal Civil Partnerships
- ensures York Pride 2012 and Parade for Equal Marriage on Saturday 21st July is publicised via all CYC communications and that the ‘rainbow’ flag be displayed at the top of the Mansion House on the day.”

(ii) From Cllr Doughty

“Council recognises that urgent action is needed to address the desperate shortage of house building in the city.

Council notes that this stagnation is having a particularly detrimental effect on first time buyers and those seeking genuinely affordable accommodation whether that be rental, shared ownership or otherwise. Developers have long claimed that the targets for the number of affordable homes required in larger developments make such schemes unviable and statistics back this claim.

Council therefore seeks to stimulate local growth and employment in York. It agrees to implement the following policy with immediate effect:-

A reduction to 10% of the affordable housing component on all brownfield site planning applications for developments of ten or more properties throughout the city. This policy shall be reviewed 24 months from inception.”

(iii) From Cllr Reid

“Council notes that over recent weeks 349 litter and dog bins have been removed from the city’s streets without any prior consultation with ward councillors, local residents or Parish Councils. This move has sparked widespread anger and all opposition groups have expressed concern over the cuts.

Council believes these are unnecessary cuts to frontline services that will increase litter and fly-tipping, lead to a general deterioration in the look and feel of our streets, and fatally undermine the legacy of York Pride.

Council resolves to instruct officers to work in collaboration with ward councillors, residents and where applicable Parish Councils to reverse these cuts and restore the lost bins in all areas where there is demand to do so. The £40,000 cost would be funded by reducing the budget for Cabinet Members from £128,625 to £88,625.”

(iv) From Cllr Williams

“This Council calls upon the Chief Executive to facilitate the inclusion in Your Voice an article which includes the names, addresses and websites for each candidate for the position of

York and North Yorkshire Police and Crime Commissioner. It further calls upon her to ensure that the relevant issue of Your Voice is distributed to all households in the City of York Council area in good time before the 15th November election for the PCC post along with supporting information to explain the role of the Police and Crime Commissioner.”

16. Questions to the Cabinet Leader and Cabinet Members received under Standing Order 10(c)

To deal with the following questions to the Cabinet Leader and / or other Cabinet Members, in accordance with Standing Order 11.3(a):

(i) To the Cabinet Leader from Cllr Steward:

“What evidence has he that people want to see greater regional powers devolved to Yorkshire and the Humber and what specific powers he would like to see?”

(ii) To the Cabinet Leader from Cllr Steward:

“Can you dismiss rumours that you only ever want to be associated with good news by detailing which York City matches you attended prior to their recent two trips to Wembley?”

(iii) To the Cabinet Leader from Cllr Barton:

“Can the Leader tell Council how much of the Delivery and Innovation fund has been allocated since its inception and to whom?”

(iv) To the Cabinet Leader from Cllr Taylor:

“What does the Leader plan to do to try to compensate for the £50M* annual loss of trade to the city centre that will be caused by the new Monk's Cross retail development?”

* figure indicated in Drivers Jonas report to Planning Committee.

(v) To the Cabinet Leader from Cllr Taylor:

“ What are the monthly figures for the last 12 months for the

number of empty shops in York city centre?”

(vi) To the Cabinet Leader from Cllr Taylor:

“What plans does the Leader have to extend the membership of the new ‘City Team’ which replaces the Retail Strategy Group to include a broader cross-section of York residents and city centre stakeholders, such as representatives of the heritage, tourism, education and cultural sectors as well as the voluntary sector, transport groups, disability groups and city centre residents?”

(vii) To the Cabinet Leader from Cllr Taylor:

“What is the outcome so far of the negotiations that the Council has been conducting with Centros/La Salle about the Castle/Piccadilly development following the Monk's Cross decision?”

(viii) To the Cabinet Leader from Cllr Taylor:

“Can the Leader guarantee that whatever is negotiated regarding Castle/Piccadilly, that the Council will deliver a public park on the site of the Castle Car Park in keeping with the wishes of the majority of citizens of York?”

(ix) To the Cabinet Leader from Cllr Runciman:

“Will the Council Leader ensure he abides by motions passed by this Council and provides an update at every Council meeting on the Sports Village Pool and the new Council HQ?”

(x) To the Cabinet Leader from Cllr Runciman:

“Would the Council Leader please indicate how – and by whom - the specification for the fittings, fixtures and furnishings required at the new Council HQ is being drawn up, what the agreed budget is for each service/activity area. Would he explain how he intends to monitor the prudent use of the budgets that have been provided for this part of the HQ project and how he intends to update Council members and residents on the progress being made?”

(xi) To the Cabinet Leader from Cllr Reid:

“Does the Council Leader agree with decision to employ the Interim Director of City and Environmental Services on £3,000 a week?”

(xii) To the Cabinet Leader from Cllr Reid:

“Could the Council Leader provide a full breakdown of the recruitment process for the new Director of City and Environmental Services and indicate what succession planning took place when the outgoing Director announced he was leaving the position at the beginning of March?”

(xiii) To the Cabinet Leader from Cllr Ayre:

“Would the Leader confirm how many reports have been received since its launch via the Smarter York mobile phone application and how this compares to the number of reports made during the same period via other channels?”

(xiv) To the Cabinet Leader from Cllr Ayre:

“Is the Leader aware that the names of residents reporting issues via the Smarter York system is accessible for anyone to view via the public web site. As many of the reports concern illegal activities such as incidents of graffiti, would the Leader agree that residents registering to use the system should in the future have the option of keeping their personal details confidential?”

(xv) To the Cabinet Leader from Cllr Reid:

“Now that the Cabinet Member Decision sessions have been abandoned when will members be informed of:

- the process by which Cabinet members will make decisions
- how members of Council and members of the public will know when and where those decisions will be made
- how representations can be made and
- how the calling in process will operate?”

(xvi) To the Cabinet Leader from Cllr Ayre:

“In April the Council said it expected to “receive full payment within the next month” for the outstanding rent still owed by UK Entertainment Online Ltd in regards to the Winter Wonderland in Exhibition Square last December. Could the Council Leader indicate whether this was achieved and if not what money is still owed to the Council?”

(xvii) To the Cabinet Member for Corporate Services from Cllr Steward:

“Is the cabinet’s ongoing policy of financially discriminating against villages for services like youth provision deliberate or due to incompetence?”

(xviii) To the Cabinet Member for Corporate Services from Cllr Steward:

“Why has the lack of planning for Bill Woolley’s departure left taxpayers paying £3,000 per (four day) week for an interim replacement?”

(xix) To the Cabinet Member for Corporate Services from Cllr Steward:

“How much has ‘free’ Wi-fi now cost the council and how much additional revenue is it believed to have brought to the city?”

(xx) To the Cabinet Member for Corporate Services from Cllr Steward:

“In the wake of the adverse financial changes she continues to make for Parish Councils and her condemnation of many in The Press, can the cabinet member detail what engagement she has had with parish councils and specifically how many Parish Council Meetings she has attended in the last year?”

(xxi) To the Cabinet Member for Corporate Services from Cllr Steward:

“In the wake of cuts to elderly care, youth provision and rubbish

collection are there any cuts the Cabinet will not consider before looking at cutting funding paid for Trade Union representation time?”

(xxii) To the Cabinet Member for Corporate Services from Cllr Barton:

“Whilst congratulating Ian Floyd and his team on the excellent results they have achieved in attaining an overall council tax recovery rate of 98%, how much of the £3.5 million worth of unpaid council tax 2010/11/12 has been budgeted to be written off, and over what period?”

(xxiii) To the Cabinet Member for Planning and Sustainability from Cllr Steward:

“What is the estimated cost in this council term for ‘consulting on’, announcing and implementing more 20mph zones?”

(xxiv) To the Cabinet Member for Planning and Sustainability from Cllr Steward:

“Are there any plans to look at trial closures of Ouse and or Lendal Bridges and if so under what time scales?”

(xxv) To the Cabinet Member for Planning and Sustainability from Cllr D’Agorne:

“When is CYC likely to follow the example of the West Yorkshire Integrated Transport Authority in formally moving forward on adopting a Quality Bus Contract for the city to address high fares, inadequate evening and weekend services and declining non park and ride bus usage?”

Could you explain why the most recent publicly available minutes of the York Quality Bus Partnership are from Sept 2011 and the council website indicates that this body was 'decommissioned' as a body in May 2012?

What progress has been made in discussions with North Yorkshire Police in securing a partnership approach to achieving effective compliance with 20mph and 30mph speed limits within

the city?

What studies have been undertaken in York or elsewhere to identify any link between the introduction of lower speed limits and air quality, notably the prevailing NO₂ /PM₁₀ and CO levels?"

(xxvi) To the Cabinet Member for Planning and Sustainability from Cllr Taylor:

"How does the Cabinet Member for City Strategy plan to try to compensate for the impact of the approved Monk's Cross development on the city's transport networks and air quality?"

(xxvii) To the Cabinet Member for Planning and Sustainability from Cllr Taylor:

"How does the Cabinet Member for City Strategy justify retaining the Government funding for the Local Sustainable Transport Fund work which now merely compensates for the damage that will be caused in terms of air quality and traffic congestion by the Monk's Cross development, when that money was awarded to the city to tackle already existing high traffic levels, congestion and air pollution in the north-east quadrant around Monk's Cross?"

(xxviii) To the Cabinet Member for Planning and Sustainability from Cllr Firth:

"The introduction of a £5 a day "All York" bus ticket on the 1st July was announced a few weeks ago. How much is this initiative costing and how are these costs being apportioned?"

(xxix) To the Cabinet Member for Planning and Sustainability from Cllr Aspden:

"What is the Council doing to fulfil the requirement of the Localism Act to maintain a list of "assets of community value?"

(xxx) To the Cabinet Member for Planning and Sustainability from Cllr Reid:

“Could the Cabinet Member and Flood Defence Representative update Council on the Leeman Road Flood Defences Project?”

(xxxi) To the Cabinet Member for Crime and Stronger Communities from Cllr Steward:

“What tangible achievements against decreasing crime does the member believe were only made possible by the actions of his predecessor Councillor Fraser in what many of my constituents have told me was an expensive but fruitless year in the job?”

(xxxii) To the Cabinet Member for Crime and Stronger Communities from Cllr Steward:

“How many Neighbourhood Watch meetings does he hope to achieve and in what new ways does he intend to work with the organisation?”

(xxxiii) To the Cabinet Member for Crime and Stronger Communities from Cllr Steward:

“What enforcement has there has been of 20mph zones to date and how this will change when more of the city has this speed limit?”

(xxxiv) To the Cabinet Member for Crime and Stronger Communities from Cllr Steward:

“Why there was so little information to Parish Councils about the recent removal of bins?”

(xxxv) To the Cabinet Member for Crime and Stronger Communities from Cllr Orrell:

“Would the Cabinet Member for Crime and Stronger Communities please confirm – detailing each ward separately - the number of residents who recorded votes in the Ward Committee budget ballot, undertaken in the Autumn of 2011, together with the comparable turnout figures for 2010 and 2009.

Would he confirm what he intends to do to increase the numbers participating in consultation exercises like these and would he agree with me that, in wards like Holgate and Westfield, where local Councillors largely ignored the results of the ballot, this is likely to increase the cynicism felt about the present Council Leadership by many local residents?"

(xxxvi) To the Cabinet Member for Crime and Stronger Communities from Cllr Orrell:

"How will the dates and details of 'informal' ward committee meetings be communicated to residents?"

(xxxvii) To the Cabinet Member for Crime and Stronger Communities from Cllr Orrell:

"Why are Parish Councils not allowed to apply for funding from the ward committee budgets?"

(xxxviii) To the Cabinet Member for Crime and Stronger Communities from Cllr Runciman:

"How does the cancellation of meetings, the increasing tendency to take decisions behind closed doors, and the undermining of the award winning ward public participation scheme, fit with Labour's manifesto promise to listen to residents and make consultation with communities genuine?"

(xxxix) To the Cabinet Member for Crime and Stronger Communities from Cllr Reid:

"Instead of rolling out the programme to all wards, the Cabinet has taken the decision to cut the Capable Guardian neighbourhood policing project. Could the Cabinet Member indicate why this decision was taken, what consultation was undertaken, and how effective coordination between the Council, Police, Schools and other partners will now be achieved?"

(xl) To the Cabinet Member for Environmental Services from Cllr Barton:

"Would the Cabinet Member agree that the recent recovery of

many of the city's litter bins was a tactical disaster leading to a monumental number of calls of complaint to the CYC Contact Centre and that the reputation of the City of York has been left damaged as a result?"

(xli) To the Cabinet Member for Environmental Services from Cllr Barton:

"Will the many litter bins owned by parish councils and recently "recovered" without notice by CYC staff be reinstated without delay should the parish councils lay claim to them?"

(xlii) To the Cabinet Member for Environmental Services from Cllr Wiseman:

"Can you confirm that there are no plans for the closure of the Towthorpe tip [or refuse centre or whatever its official name is]?"

(xliii) To the Cabinet Member for Environmental Services from Cllr D'Agorne:

"Can the Cabinet Member please explain why there was no consultation with or information provided to ward councillors prior to the removal of about a third of the city's litter bins, and is he now belatedly prepared to allow ward councillors a say in prioritising appropriate locations in which to retain the remaining bins?"

(xliv) To the Cabinet Member for Environmental Services from Cllr D'Agorne:

"In the light of recent unprecedented flash flooding events in Newcastle and West Yorkshire (and on a smaller scale in the Badger Hill area of York) will he reconsider the budget decision to abandon annual planned gully clearing operations in York?"

(xliv) To the Cabinet Member for Environmental Services from Cllr Reid:

"In the light of the decisions made at Budget Council to reduce the funding for green waste collection by £50k in 2012/13 and a further £200K in 2013/14 (Ref CANs 103), would the Cabinet

member for Environmental Services please explain:

- a) What progress he has made in achieving the savings agreed for the current financial year and give details of how the saving is being/will be achieved?
- b) How he intends to achieve the proposed saving in 2013/14 together with an indication of when residents can expect to be consulted on his proposals?"

(xlvi) To the Cabinet Member for Environmental Services from Cllr Reid:

"Does the Cabinet member intend to implement the proposed £300,000 budget saving (£150k per year) identified as "rationalising refuse collection rounds" (ref. CANS31) and if so when will he do so and with what implications for residents. And how will these implications be communicated to residents?"

(xlvii) To the Cabinet Member for Environmental Services from Cllr Aspden:

"In light of the decision to ask Parish Councils to take on the funding of salt bins previously funded by the Ward Committees. Would the Cabinet Member please explain:

- a) Does Cllr Sonja Crisp's commitment that City of York Council will fund all salt bins required still stand?
- b) What feedback has been received from Parish Councils?
- c) What will happen to the salt bins previously funded by the Ward Committees in non-Parished areas?
- d) Is there a threat of double taxation as residents will be paying two authorities for the service?
- e) What are the legal implications for City of York Council in terms of not refilling salt bins?
- f) Was it sensible to train 'Salt Wardens' last year and then this year not give them the tools to do their job?"

(xlviii) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Doughty:

"With reference to the Labour Cabinet's proposed changes to Social Care support in the City, the Cabinet Member for Health, Housing and Adult Social Services was reported to have said that

it has been "calculated that to continue to provide services to people in the moderate, substantial and critical bands, it would cost us an additional £3.7M next year".

1. How much is expected to be saved from this £3.7M by the proposed removal of those with needs assessed as 'moderate'?
2. How many people will be affected and is there a group that are likely to be particularly affected, eg. The elderly, those with learning difficulties, physical disabilities, mental health issues?
3. Does the Cabinet Member not believe this will put extra pressure on family members who will have to pick up the extra responsibility in the Carers role should Statutory assistance be withdrawn?"

(xlix) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr D'Agorne:

"In the light of increasing energy prices and our CO2 reduction targets, what plans does the Council have for ensuring that energy efficiency and renewables continue to be installed in significant numbers of York's private housing stock after the Government's flawed Green Deal and ECO schemes replaces existing grant schemes this Autumn?"

(l) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Aspden:

"How much does it cost City of York Council on average to change a light bulb in our residential care homes?"

(li) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Aspden:

"I recently visited the YorkCraft factory and heard more about the inspiring Workstep Programme, which not only provides a vital social function but also produces first-class results for City of York Council. Could the Cabinet Member investigate whether more could be done to support this project?"

(lii) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Cuthbertson:

“The 2011 Lib Dem budget agreed £700,000 for the investment in insulation and replacement of draughty windows in Council owned properties. Could the Cabinet Member update Council on this work?”

(liii) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Aspden:

“Could the Cabinet Member indicate how many people will be affected by the plan to withdraw financial support from residents with 'moderate' care needs and what will be done to help the older people, people with learning disabilities and disabled people affected by the cut?”

(liv) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Barton:

“Now that the project team for the Community Stadium has fulfilled its role, when will it be disbanded, bearing in mind the current need for major cost savings?”

(lv) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Ayre:

“Given that the granting of planning permission means movement to more detailed discussion on the make-up of the community facilities at the Community Stadium. When will the next meeting of the Stadium Advisory Group be? And what opportunity will the public have to input?”

(lvi) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Ayre:

“Under the terms of reference for the Equality Advisory Group (EAG) there should be 3 business meetings, 2 community engagement event days, 1 CMT meeting and 18 Equality Impact Assessments (EIAs) should have been considered . Can the cabinet member state on which date each of these meetings took place and detail the 18 EIAs that have been considered by the

EAG?”

17. Urgent Business

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

Democracy Officer for this meeting:

Name: Jill Pickering

Contact details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

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

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

Contact details are set out above.

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 29th March, 2012, starting at 6.30 pm

Present: The Lord Mayor (Cllr David Horton) in the Chair, and the following Councillors:

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD

Galvin

CLIFTON WARD

Douglas
King
Scott

DERWENT WARD

Brooks

**DRINGHOUSES &
WOODTHORPE WARD**

Hodgson
Reid
Semlyen

FISHERGATE WARD

D'Agorne
Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
Watson

HAXBY & WIGGINTON WARD

Cuthbertson
Firth
Richardson

HESLINGTON WARD

Levene

HEWORTH WARD

Boyce
Funnell

HEWORTH WITHOUT WARD

Ayre

Potter

HOLGATE WARD

Alexander
Crisp
Riches

HULL ROAD WARD

Barnes
Fitzpatrick

HUNTINGTON & NEW
EARSWICK WARD

Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Warters

RURAL WEST YORK WARD

Gillies
Healey

SKELTON, RAWCLIFFE &
CLIFTON WITHOUT WARD

McIlveen
Watt

STRENSALL WARD

Doughty
Wiseman

WESTFIELD WARD

Jeffries
Burton
Williams

WHELDRAKE WARD

Barton

Apologies for absence were received from Councillors Hyman,
Steward and Cunningham-Cross

63. DECLARATIONS OF INTEREST

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

The following **personal** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Alexander	8. Pay Policy 2012/13	Member of GMB Union
Ayre	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Member of Planning Committee
Boyce	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Member York NHS Foundation Trust
Brooks	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Planning Committee Substitute
Crisp	8. Pay Policy 2012/13	Member of retired section of Unison
D'Agorne	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	As an employee of York College Member of Planning Committee
Doughty	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Member - York Hospitals NHS Foundation Trust Member of Planning Committee Supporter and season ticket holder of York City

		Football Club
Fraser	6. Petitions 7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case) 8. Pay Policy 2012/13	Resident of Millfield Road. Local Authority Member - York Hospitals NHS Foundation Trust Member of retired section of Unison and Unite (ACTS/TGWU Sections)
Galvin	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Member - York Hospitals NHS Foundation Trust Member of Planning Committee
Gillies	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Daughter was a Board member of the York City Supporters Club
Gunnell	8. Pay Policy 2012/13	Member of Unison
Hodgson	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Member of Unison Ex employee of York Hospital Trust
Levene	8. Pay Policy 2012/13	Member of Unite
Merrett	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Member - York Hospitals NHS Foundation Trust
Potter	7. Cabinet Recommendations (Minute 118: Neighbourhood	Had made a bid for Ward funding from the voluntary sector.

	Working) 8. Pay Policy 2012/13	Member of Unison
Reid	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Member of the Planning Committee
Richardson	8. Pay Policy 2012/13	Member of Unite
Riches	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case) 8. Pay Policy 2012/13	Local Authority Member - York Hospitals NHS Foundation Trust As an employee of Unison and a member of Unite
Scott	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case) 9. Recommendations of the Audit and Governance Committee	Wife has a major shareholding in Flax and Twine Limited that is currently negotiating a lease of a building for business purposes within the boundary of the Council. Chair of the Young People's Working Group and first elected Young People's Champion
Semlyen	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Member - York Hospitals NHS Foundation Trust
Simpson-Laing	7. Cabinet	Daughter a

	Recommendations (Minute 119: The Community Stadium: Business Case) 8. Pay Policy 2012/13	Member of York Athletics Club. Member - York Hospitals NHS Foundation Trust Member of Unison
Taylor	9.Recommendations of the Audit and Governance Committee (Minute 54: Changes to the Constitution)	As the first and last Heritage Champion
Watson	7. Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	As a sponsor of York City Knights players
Warters	7 .Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	As he undertook work for Mr J Guildford but had no other connection with York City Knights or the stadium
Watt	7 .Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Member of Planning Committee
Williams	8. Pay Policy 2012/13	Member of Unite and Unison
Wiseman	7 .Cabinet Recommendations (Minute 119: The Community Stadium: Business Case)	Public Governor of York Hospitals NHS Foundation Trust As a possible future member of the Planning Committee

64. EXCLUSION OF PRESS AND PUBLIC

Cllr Alexander moved, and Cllr Simpson-Laing seconded:

“That the press and public be excluded from the Chamber during discussion on Annexes A and B (including Annexes 1-12) of agenda item 7 (Community Stadium: Business Case), on the grounds that the discussion will include reference to information relating to the financial or business affairs of particular persons, which is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).”

RESOLVED: That the above motion be approved and that the press and public be excluded from the Chamber during consideration of the recommendations on the Community Stadium: Business Case.

65. MINUTES

RESOLVED: i) That the minutes of the Ordinary Council meeting held on 8 December 2011 be approved and signed by the Chair as a correct record subject to:

The addition in Minute 43 (Declarations of Interest) of the declaration of a personal non prejudicial interest by Cllr Levene in Agenda items 9. Report of Cabinet Member and 13. Questions to the Cabinet Leader and Cabinet Members relating to terms and conditions and Union members as a member of Unite.¹

ii) That the minutes of the Budget Council meeting held on 23 February 2012 (circulated at the meeting) be approved and signed by the Chair as a correct record.

Action Required

1. Amend and republish minutes.

JP

66. CIVIC ANNOUNCEMENTS

The Lord Mayor asked Members to join him in thanking Bill Woolley, the Director of City Strategy for all his work for the city over a number of years and wishing him well in his retirement.

The Lord Mayor reported receipt of the civic gift of a framed certificate from the Maritime Theatre Missile Defense Forum awarded in appreciation of their visit to the Mansion House.

67. PUBLIC PARTICIPATION

The Lord Mayor announced that six members of the public had registered to speak at the meeting.

Reuban Mayne spoke as lead petitioner in support of retaining the Beckfield Lane Recycling Centre. He expressed his thanks to the 2,870 signatories, and referred to feedback received from concerned users at the proposed closure of the site. He acknowledged the hard working staff on site and assistance they gave to residents using the facility. It was also noted that there had been no on site injuries since opening. Reference was also made to the affect any closure would have on vulnerable residents and the environment and he urged members to reverse their closure decision.

Harry Telfer spoke on behalf of the Badger Hill Community Group, in relation to the excessive on street parking by university students on their estate roads. Access to emergency vehicles was impeded as parking prevented two way traffic. He therefore requested members to consider extending the experimental traffic regulation order within the southern part of the 'Traffic-Count Zone 9' at Badger Hill to the whole of Zone 9.

Mike Fisher spoke as owner of a local business in relation to the Community Stadium proposals, particularly to the four years taken to produce the business case. Reference was made to the reports reliance on a rise in attendance figures at the stadium and increasing income when gate numbers were falling for clubs. Concerns were also expressed that the report was not objective and contained flawed information.

Denise Craghill also spoke in respect of the business case for the Community Stadium and her concerns at its content and preparation prior to consideration of the planning application. She questioned the lack of information as to how the provision would benefit the city and if this was the most suitable location for a community hub. There was still insufficient information provided on which to make a decision and she urged members to defer further consideration pending receipt of further information.

Matthew Greenwood also spoke on the business case for the Stadium expressing concern at the monetary case put forward prior to consideration of a planning application. In particular he referred to the suggested returns from Waterworld following the recent opening of a number of competing gym facilities in the area. There was a lack of research and financial information in the report and no fall back plan if required.

Suzanne Lawson spoke in support of the petition, to be presented later in the meeting, for the gating of the alley between Nunmill Street and part of Bishopthorpe Road. Reference was made to a number of recent burglaries in the area and that 66% of the areas residents supported gating of the alley which would provide security, and safety for families.

68. PETITIONS

Under Standing Order 7, petitions were presented by:

- i) Cllr Fraser on behalf of residents of Nunmill Street and part of Bishopthorpe Rd calling for the gating of the alley between the two streets.¹
- ii) Cllr Levene on behalf of Heslington residents regarding the proposed Field Lane-University Road changes.²
- iii) Cllr Barnes on behalf of Badger Hill residents group regarding parking in the area.³
- iv) Cllr Boyce on behalf of Heworth ward residents requesting the replacement of a seat on Hempland Lane.⁴

- v) Cllr Reid on behalf of residents objection to the closure of the Beckfield Lane Household Waste Recycling Centre.⁵
- vi) Cllr Brooks on behalf of Dunnington residents requesting the provision of lighting to a snicket at Holly Tree Croft, Dunnington.⁶

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

Action Required

1-6 Schedule items on the Forward Plan if required and keep relevant member updated on progress. SS

69. REPORT OF CABINET LEADER AND CABINET RECOMMENDATIONS

A written report was received from the Cabinet Leader, Cllr James Alexander, on the work of the Cabinet.

A Questions

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

- (i) From Cllr Barton
“Will the cost of the improved gifts to international visitors come from the new Innovation Fund personally controlled by Cllr Alexander and what is likely to be the revised annual cost?”

The Leader replied:

“No. You have misunderstood the purpose of the delivery and innovation fund.

What I have said in my report is not about increasing the cost of diplomatic gifts to international dignitaries, it is about bringing this council’s processes and procedures on this matter in line with cities across the UK and showcasing York products and businesses to an international market. At meetings of the

internationalisation group I have set up, your Group Leader Councillor Gillies has agreed with me on this.”

(ii) From Cllr Ayre

“How much money does he believe taxpayers should be paying for gifts?”

The Leader replied:

“It is appropriate that we are culturally sensitive to international visitors and the markets we are trying to attract. In many cultures the exchange of gifts is important for fostering relationships. I am not expecting anything expensive but something that says something about York and is of quality. We are not currently doing this in a systematic way. This is not about paying more for diplomatic gifts, it is about working with businesses across our city and ensuring their products are showcased to key international markets.”

(iii) From Cllr Warters

“Whilst congratulating the Council Leader for the expedient removal of the ftr buses, would he demonstrate that this is not just a political gesture and commit to the removal of the other equally unsuitable, equally dangerous and equally damaging bendy buses from York’s streets?”

The Leader replied:

“The FTR buses had specific negative impacts on our city due to their size, poor fuel consumption and weight. The integrity of our city’s roads was affected and heavy maintenance costs incurred as a result.

We listened to residents’ complaints and addressed this issue. We have had no such complaints, nor seen the same impacts from the ‘bendy’ buses.”

(iv) From Cllr Firth

“As the Leader has claimed credit for terminating the number 4 FTR service, could he tell us what representations he has made to First regarding the future of the 20 staff who have been made redundant as a result of his decision?”

The Leader replied:

"I have asked the Cabinet Member for transport, in conjunction with council officers, to lobby for redeployment where possible. As a result, six conductors have already been redeployed. We will continue these efforts.

I do not agree with the Liberal Democrats calling for council taxpayers' money to fund these redundant posts."

(v) From Cllr Ayre

"Can the Leader state whether he believes the shift from FTR to double-decker buses in the city will make public transport more or less accessible to those with disabilities?"

The Leader replied:

"Until we have seen some information regarding the usage of the new vehicles, it would be premature to answer this question. However, double-decker buses are wheelchair accessible."

(vi) From Cllr Healey

"Regarding the council's record on apprenticeships, will the Council Leader acknowledge that it was as a result of the 2011/2012 budget, which his Labour Group opposed, that an initial £100,000 for apprenticeships was provided by the council which, subsequently matched by council departments, enabled the council to recruit 32 apprenticeships since May 2011, and not the Labour Group's amendment of £25,000, which would have only resulted in 9 or 10 apprenticeships?"

The Leader replied:

"Of course, if Councillor Healey is also willing to recognise that Labour increased this budget by 15% at the 30th June 2011 council meeting following winning control of the council and that his party voted against this increase."

(vii) From Cllr Cuthbertson

"Given his comments (with regards to police commissioners) that communication with residents using the Internet rather than by mail delivery is unacceptable,

can he explain why this is the precise policy he is now using for resident engagement in York?”

The Leader replied:

“Electronic communications have a place in communicating with residents, but should not be used to completely replace traditional forms of communications. We are committed to providing a range of communication tools including electronic and paper-based, as well as personal contact, to ensure that our residents are communicated with appropriately, effectively and efficiently.

This is why the reduction in ward committee leaflets as a consequence of the last Liberal Democrat budget is to be reversed with new efficiency savings.

It should be noted that the Government has given guidance to limit the number of printed council publications.”

(viii) From Cllr Aspden

“How much has the new City of York Council phone application cost (to develop, purchase and/or maintain)?”

Reply:

“The cost for the application is £7,500 in total. The application will be maintained by CYC IT team as part of their remit.

Lewisham council has achieved a saving of £20,000 in the first 6 months of using this application. I believe we will achieve similar savings. In addition there were significant reductions in graffiti and fly-tipping.”

(ix) From Cllr Healey

“Regarding CYC’s first phone application, what procurement activity was undertaken for the ‘grot-spot’ reporting smart-phone app to ensure that future applications as envisaged by Digital York (point 6 in the Cabinet Papers for 3 April 2012) can be purchased according to the principles of the CYC Procurement and Commissioning Strategy?”

Reply:

“The purchase of the license complied with the Council’s Procurement and Commissioning strategy and financial regulations for a procurement of this financial value. The application only required minimal development to tailor it to York’s requirements and this was done using the in-house development team. It is a ‘re-skinned’ Keep Britain Tidy application and has had proven success in Lewisham and across London, delivering savings to many councils. The Mayor of London, Boris Johnson, personally backs this initiative.”

(x) From Cllr Reid

“With reference to the plan to introduce a text reporting system for graffiti in the City, could the Leader confirm:

- i. How many reports of problems with graffiti were received by the Council during the last 12 months and how many included a photograph?
- ii. How much the proposed new system has cost to research, design and implement?
- iii. How many successful prosecutions there were during the last 12 months against people who were responsible for graffiti in the City?”

Reply:

“The council is not introducing a text reporting system. We are introducing a phone application that is multi-platform.

1. *It’s unfortunate that the former Executive Member for Neighbourhood Services takes such a negative view of service improvement and innovation. If smartphones are becoming more widely used then she should welcome this development as a new means of quickly reporting and tackling problems out in our wards.*

She should be aware as the former Executive Member for Neighbourhood Services that the council has not recorded how many photograph-related graffiti problems are received. I do not have the details of how many reports were received in total during the past 12 months but I will ask officers to provide her with these figures.

2. *Councillor Keith Aspden has already asked this question and I have answered it.*
3. *CYC officers are in liaison with the Police, who hold these records, and we can provide an update on this following the meeting."*

(xi) From Cllr Runciman

"If he is frustrated by lack of debate about LEPs what is he doing to encourage it?"

Reply:

"I mention it at every business meeting I attend. I spoke about it to the economic scrutiny meeting when I was called before it and I have mentioned it at every council meeting since the election. I have also negotiated the Leeds City Region summit to be held in York this year. This should engage more businesses in York."

(xii) From Cllr Healey

"Regarding the minimum wage, does the Leader disagree with the former Labour Government's introduction of a different level of minimum wage for those under 21, or has this only come to his attention since the General Election of 2010?"

Reply:

"I have always opposed this differential. I believe if you do the same work, you should get the same wage irrespective of age. I also disagree with the differential widening under recent announcements of the Tory-led Government."

(xiii) From Cllr Orrell

"Given the last paragraph in the Leader's report about Labour's manifesto commitments can he confirm progress on his following manifesto commitments:

- i. Increase spending on Ward Committees?
- ii. Increase spending on road maintenance?
- iii. City Centre swimming pool?
- iv. More money on libraries?"

Reply:

1. *"Labour reversed a Liberal Democrat cut to ward committee funding for the 2011-12 financial year*

- by £16k at the Full Council meeting on 30th June 2011. Liberal Democrats voted against.
2. Labour increased the road resurfacing budget from Liberal Democrat levels for the 2011-12 financial year by £60k at the Full Council meeting on 30th June 2011. Liberal Democrats voted against.
 3. Labour included our long-term aspiration for a city centre swimming pool in the Local Development Framework changes approved at the Full Council meeting on 30th June 2011. Liberal Democrats voted against.
 4. Labour reversed a Liberal Democrat cut to library staff budgets for the 2011-12 financial year by £40k at the Full Council meeting on 30th June 2011. Liberal Democrats voted against.

On 20th January 2012 Liberal Democrats were quoted in *The Press* newspaper as saying that Labour honouring these manifesto pledges for the 2011-12 financial year was somehow inappropriate and was a “mini-spending spree.”

We reversed almost £1m of Liberal Democrat cuts and I am proud to have done so. This included reversing an 80% to Holocaust Memorial Day funding.

Liberal Democrats voted to cut these areas outlined in the question at the Executive meeting on 15th February 2011. Liberal Democrats voted again to approve these cuts at the 24th February 2011 council meeting. Liberal Democrats voted against reversing some of these cuts including the 80% Holocaust Memorial Day cut at the 7th April 2011 council meeting. Then the Liberal Democrats voted against the reversal of these cuts at the 30th June 2011 council meeting.

Yet when interviewed by the *Jewish Chronicle* on 8th July 2011, Liberal Democrat group leader, Councillor Carol Runciman said, “I have visited the camps in Germany and Poland and if the day needs this budget, then it should have it”. I don’t need to politically attack on this issue; this picture speaks for itself.”

B Cabinet Recommendations

Neighbourhood Working – A New Approach

Cllr Alexander moved, and Cllr Crisp seconded, the following recommendations contained in Minute 118 of the Cabinet meeting held on 6 March 2012:

“[That Council] approve a change in the Council’s constitution in respect of ward committee arrangements, as set out in the Annex to the report.”

A named vote was then requested and taken on the recommendation, with the following result:

For	Against	Abstained
Cllr Alexander	Cllr Aspden	Cllr Horton (Lord Mayor)
Cllr Barnes	Cllr Ayre	
Cllr Boyce	Cllr Barton	
Cllr Burton	Cllr Brooks	
Cllr Crisp	Cllr Cuthbertson	
Cllr Douglas	Cllr D’Agorne	
Cllr Fitzpatrick	Cllr Doughty	
Cllr Fraser	Cllr Firth	
Cllr Funnell	Cllr Galvin	
Cllr Gunnell	Cllr Gillies	
Cllr Hodgson	Cllr Healey	
Cllr Jeffries	Cllr Orrell	
Cllr King	Cllr Reid	
Cllr Levene	Cllr Richardson	
Cllr Looker	Cllr Runciman	
Cllr McIlveen	Cllr Taylor	
Cllr Merrett	Cllr Warters	
Cllr Potter	Cllr Watt	
Cllr Riches	Cllr Wiseman	
Cllr Scott		
Cllr Semlyen		
Cllr Simpson-Laing		
Cllr Watson		
Cllr Williams		
24	19	1

The above recommendation was declared CARRIED.

RESOLVED: That the above recommendation in respect of Neighbourhood Working be approved. ¹.

Community Stadium: Business Case

Cllr Alexander then moved, and Cllr Gunnell seconded, the following amended recommendations to Minute 119 of the Cabinet meeting held on 6 March 2012, and set out in the additional papers circulated around the chamber:

“[That Council:]

- (i) **Note** the business case as presented **including** the financial risks and potential resultant liabilities that may arise as a result of proceeding with the scheme.
- (ii) **Note that the business case is to be submitted** to the Planning Committee in support of the outline planning application submitted by Oakgate Group plc
- (iii) **Note that Members of the Planning Committee will determine that application on its planning merits**
- (iv) Approve the inclusion in the Capital Programme of the Community Stadium scheme at the value of £19.2m to be funded from £14.85m of S106 Contribution, £4m of Prudential Borrowing (£200k 11/12 and £3.8m 12/13) and £350k York City FC. Members should note that the funding from York City Football Club could be higher than a £350k contribution and this would result in a reduction of the Council’s contribution.
- (iv) Approve the release of the balance of the Council’s £3.8m Prudential Borrowing as shown in the capital programme in 12/13 in order to progress the Community Stadium project.
- (v) Approve, that as part of the release of the £3.8m capital funding available, that £2m be allocated for the new athletics facility with York University and commit to the delivery of the project. Note the risks

outlined in paragraph 50 of the report that if the stadium scheme does not proceed that £2m of CYC Prudential

Borrowing will be spent on delivering athletics provision for the City.

- (vi) **Note** the risks set out in the risk management section of the report, and the financial implications section.

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

RESOLVED: That the above recommendation in respect of the Community Stadium business case be approved. ²

Action Required

1. Take any action necessary to implement the agreed new approach.
2. Proceed as agreed.

CC, SH
CC, TA

70. PAY POLICY 2012/13

Cllr Gunnell, as Cabinet Member for Corporate Services, presented a written report presenting the Pay Policy Statement for 2012/13 relating to the pay of the Council's senior staff, to fulfil the requirements of Sections 38-43 of the Localism Act 2011.

Cllr Gunnell then moved a motion to approve the Pay Policy Statement, which was seconded by Cllr Alexander.

RESOLVED: That the motion in respect of the Pay Policy Statement for 2012/13 be approved.

71. RECOMMENDATIONS OF THE AUDIT AND GOVERNANCE COMMITTEE

A Changes to the Constitution

As Chair of the Audit & Governance Committee, Cllr Jeffries moved, and Cllr Barnes seconded, the following recommendations contained in Minute 54 of the meeting of that committee held on 13 February 2012:

“[That Council] approve the following Constitutional changes:

- i. Remove references to Member Champions from the Constitution.*
- ii. Merge the terms of reference for the Effective Organisation Overview and Scrutiny Committee and the Scrutiny Management Committee from the start of the next municipal year.*
- iii. Note the abolition of the Young People’s Working Group with a recommendation to Cabinet for the retention of a Mansion House Advisory Group.*
- iv. Welcome the establishment of a Corporate Parenting Board and to agree that membership should be formalised at each annual meeting.*
- v. Agree that the Procurement Strategy, the HR Strategy and the Risk Management Strategy no longer be treated as part of the Council’s policy framework.*
- vi. Agree to the removal of the HR Procedure Rules and the ICT Procedure Rules from the Constitution.*
- vii. Retain the requirement for Officer decisions to be recorded within the Officer decision log with an amendment to the Constitutional wording to record only the decisions which the decision makers consider to be exceptionally noteworthy.*
- viii. Remove provisions for pre-decision call in.”*

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

RESOLVED: That the recommendations in Minute 54 of the Audit & Governance Committee meeting held on 13 February 2012 be approved.¹

B Constitutional Changes

Cllr Jeffries then moved, and Cllr Barnes seconded, the following recommendations contained in Minute 57 of the meeting of that committee held on 19 March 2012:

- “i) [That Council] agree to remove references to Cabinet Member decision sessions from the Constitution*
- (ii) That Council note the above comments in respect of the Mansion House and Mayoralty Advisory Group.*
- (ii) That Council note the above comments in respect of the proposed Constitutional provisions for Ward Committees.”*

Cllr Cuthbertson then moved, and Cllr Runciman seconded, an amendment to the recommendations, as follows:

“On page 313 of Council Papers, **removal of recommendation (i)** from the minutes.”

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

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

RESOLVED: That the recommendations in Minute 57 of the Audit & Governance Committee meeting held on 19 March 2012 be approved.²

Action Required

1&2. Make the necessary amendments to the
Constitution

AD

72. RECOMMENDATIONS OF THE STANDARDS COMMITTEE

As Vice Chair of the Standards Committee, Cllr Scott moved, and Cllr Taylor seconded, the following recommendations contained in Minute 18 of the meeting of that committee held on 16 March 2012:

“[That Council] be recommended:

- (i) To adopt an interim Code of Conduct, whereby the existing Code continued with the addition of a requirement to register and declare Disclosable Pecuniary Interests, until Council was in a position to adopt a new Code at its meeting on 19 July 2012.
- (ii) To establish a joint Standards Committee with parish councils. The membership to be as follows:
 - 4 City of York Councillors (one from each of the main political groups)
 - 3 Parish Councillors with voting rights (nominations to be made by the Local Association)
- (iii) The Standards Committee to have the power to co-opt non-voting community members if this benefits the work of the Committee.
- (iv) The Chair of the Committee to be appointed by the Committee at its first meeting of the municipal year.
- (v) That two independent persons be appointed to undertake the functions set out in the Act and the draft procedures.”

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

RESOLVED: That the recommendations in Minute 18 of the Standards Committee meeting held on 16 March 2012 be approved. ¹.

Action Required

1. Adopt the interim code and establish a joint committee.

AD

73. REPORT OF THE CHAIR OF THE SCRUTINY MANAGEMENT COMMITTEE AND RECOMMENDATIONS OF THE SCRUTINY MANAGEMENT COMMITTEE

A Report of the Scrutiny Management Committee

Council received a report from Councillor Galvin, Chair of the Scrutiny Management Committee, on the work of the committee.

B Amalgamation of the Effective Organisation and Scrutiny Management Committees

Cllr Galvin then moved, and Cllr Alexander seconded, the following recommendations contained in Minute 17 of the meeting of the Scrutiny Management Committee held on 27 February 2012:

- “(i) [That Council] approves the proposed merger of Scrutiny Management Committee and Effective Organisation Overview and Scrutiny Committee.
- (ii) [That Council] approves the terms of reference as revised by any applicable comments received by the Chair and other Members of this Committee and taking into account the comments detailed above.”

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

RESOLVED: That the recommendations in Minute 17 of the Scrutiny Management Committee meeting held on 27 February 2012 be approved.¹

Action Required

1. Proceed with merger and arrangement of future meetings.

DS

74. REPORT OF CABINET MEMBER

Council received a written report from Cllr Crisp, Cabinet Member for Leisure, Culture and Social Inclusion.

Notice had been received of eighteen questions on the report, submitted by Members in accordance with Standing Orders. The first four questions were put and answered as follows and Members agreed to receive written answers to their remaining questions, as set out below:

(i) From Cllr Gillies

“Will you be allocating extra funding for Illuminating York, and if so how much?”

Cabinet Member replied:

“No.”

(ii) From Cllr Burton

“Can the Cabinet Member inform Members what is happening concerning public art at West Offices?”

Cabinet Member replied:

“The developer’s contribution has enabled the public art element of the new headquarters to be secured. I have ensured that this contribution is used to support and develop the work of our local creative sector. From the inception of the public art work we have focused on ensuring that new and emerging talented artists from York and Yorkshire have the opportunity and support to contribute works to our new headquarters. Their brief is not only to make the public spaces welcoming and friendly but also to delight.”

We are working with six York and Yorkshire artists and John Newling, Emeritus professor of Public Art at

Nottingham Trent University. While I cannot yet unveil the details of the works I can say that they range from glass pieces through to digital and light works. I am a member of the Public Art Steering Group and have been closely involved since the selection of the artists in steering the work and ensuring the budgets are kept to. There have been some delays as there inevitably are with building projects but I have been working with the staff team and the artist to make sure all obstacles of this nature have been overcome.

John Newling is working with the Staff team at the council to continue the creative legacy of this project. He has kindly offered to organise a session for Council Members if we would like to attend.”

(iii) From Cllr Aspden

“Can the Cabinet member outline which events in the York 800 programme would not have happened if it had not been York 800 and which would have occurred anyway?”

Cabinet Member replied:

“While I have many powers I cannot see into alternative universes. As a City of Festivals we have many fantastic events year on year but the response in support of York 800 has been fantastic from all across the creative cultural and voluntary sector in terms of new events.

As we are only a third of the way through the year it will be hard to answer this accurately but I would hope by the end of 2012 everyone in the city and a good many of our visitors will have experienced and enjoyed York 800 activities. This morning I launched the York Stories project and we have already got the website populated with stories from across the city. Cllr Aspden could check out the website for this www.yorkstories2012.com or the York 800 page on the City of Festivals website www.york800.com. I can assure him that the York800 anniversary has inspired a great many people to be come involved in events and activities in the city.

We do have at least three new events coming in each week so given we are only in March it is impossible to

know how many events will be added for York 800 alone.”

(iv) From Cllr Gillies

“As Blackpool was being actively promoted in respect of Illuminating York, why is there no update or has the link been deemed inappropriate due to the criticism of the illumination offer by the residents and landlady’s of the resort last year?”

Cabinet Member replied:

“The link has not been deemed inappropriate, other than by the Leader of the main opposition.

There has been no update as yet to Members as I have been working with officers to establish the extent to which York will benefit from our Blackpool collaboration.

To date, I can confirm Blackpool will be working with us to provide lightworks and projectors for Illuminating York 2012, worth at least £15k.

So there is an obvious benefit to the city.”

(v) From Cllr Barnes

“What does the Cabinet Member consider to be the main pressures for leisure and culture, both locally and nationally?”

Reply:

“This is a challenging time for culture both nationally and locally. The government's deficit reduction plan is going too far and too fast. And my fear is that arts and culture will suffer incredibly from those cuts.

The protection of my own portfolio is made especially difficult:

- by cuts from the Arts Council, whose own budget has been cut by 30%*
- with the abolition of the Regional Development Agencies, which helped draw in investment and stimulate creative growth in our regions - putting great*

financial pressure on our tourism partners Visit York and Welcome to Yorkshire.

- *with the ending of the Future Jobs Fund which helped young people get work in the creative industries.*

Public spending cuts will potentially mean that some children just won't ever get the chance to develop their creative potential.

The reality is that local government has to make really tough choices. Some will argue that, now the good times are over, arts are a luxury we can no longer afford.

We must sustain our commitment to tourism, sports, culture and the arts as they are at the heart of young people's lives, and the life of our communities.

The Olympics are a huge boost to participation in sport and so it's disappointing – after the build up of children and young people playing sport in school – to see the School Sport Partnership abolished and central government funding for school sport cut by 60%.

That is so short-sighted, especially when you consider the importance of sport not just for enjoyment but for health and in bringing families and communities together.

We must do what we can locally to support our schools and communities as they try and make up for the axing of the school sports partnerships.

There is a clear need especially in difficult times to encourage and nurture York's burgeoning creative industries which are key to our economic vitality and a key driver for tourism – which is a huge provider of jobs, 1.3 million nationally and worth £105 billion to the UK economy each year.

This administration is working closely with the creative industries in York to ensure we do our bit to support the aspirations and growth of that industry and medium for the future.”

- (vi) From Cllr Gillies
“What Government cuts have you implemented?”

Reply:

“I have implemented my portfolio’s share of the Government’s funding cuts to the council for the period 2012/13 – 2013/14.

Members attending the Budget Meeting in February will recall clearly how the budget was set and if they don’t, can easily reference this information on the council’s website. I don’t intend to take up Members’ time going through how the Government cuts have impacted York as it would take too long.”

- (vii) From Cllr Gillies
“Give an example of being outward looking and innovative and what have you contributed?”

Reply:

“There are a number of areas in which we have been outward looking and innovative, from the sharing of ideas and best practice with tourism, leisure and culture leaders beyond York’s boundaries to our collaboration with Blackpool.

Whilst the main opposition Leader might scoff, the collaboration is a mutually beneficial one. However, if he has any inspirational ideas for collaborations with the likes of Gothenburg, then I’m all ears. I’m happy to work with anyone if I think it will benefit our city.

I have contributed to York being seen as a city awakening after having had no involvement in influencing regional and national decision-making for a number of years. York is innovating in the way we do things, and I am speaking regularly with people to tell them about how York is open for business, particularly to those in the arts and tourism sectors.”

- (viii) From Cllr Doughty
“On Page 332 of the Council Agenda, you indicate that the Council has supported 55 Voluntary Sports Clubs in

the City through Officer time and expertise to gain nationally recognised accreditation. Can you give an indication of how many of these were supported by Ward Committee funding?"

Reply:

"Two of the 55 accredited sports clubs have received ward committee funding this year (Heworth Cricket Club and Carr Vikings Junior Football Club), a total of £2,500. Wards will of course still be able to use their ward allocation to fund their local sports clubs in the future if they consider it a local priority."

(ix) From Cllr Ayre

"Given the Cabinet Member's previous comments to The Press that, "We have a concessionary policy in place whenever we make a charge for something which aids those who are disadvantaged, so I cannot see why this would be any more complicated if people put their minds to it. The elderly and disabled should be included because many of them enjoy their trips out, and it would benefit them by ensuring they do not feel isolated," can she confirm how many residents have received a concessionary discount for York Cards since May 2011?"

Reply:

"The current YorkCard system was put in place by Cllr Ayre so he will recall deciding not to provide any concessions when the council was in a position to do so. I am pleased to say, however, that active promotion of the YorkCard since May has ensured excellent take up with more than half of all young people in the city now having YorkCards.

I will review the budgetary position periodically to see if the concession can be introduced at any stage in the future."

(x) From Cllr Orrell

"We welcome the introduction of cafes to York and Acomb Explore and the investment in refurbishing and

the addition of self issue machines to branch libraries. Can the Cabinet member confirm when this was agreed and who was Cabinet Member at the time?"

Reply:

"The refurbishment is an investment by this administration which has resulted in the cafes now making a profit, when previously they did not.

I have made sure that the installation of self-issue machines has been accompanied by additional improvements to the layout of libraries; part of our commitment to ensuring high customer service standards.

As to when the cafes were introduced, it may have been during the time as Executive Member of the former Member for Wheldrake ward. His time as Executive Member was one of very few highlights for the former administration.

However, my focus is on the positive changes this administration is making to the way the council runs its services after the electorate passed its own judgment on the previous administration's record."

(xi) From Cllr Reid

"How can the Cabinet Member claim to have supported 55 voluntary sports club when her budget will strip DRR from many costing them thousands?"

Reply:

"There will be no change whatsoever for voluntary sector sports clubs arising from the budget set in February. They will continue to receive DRR as normal."

(xii) From Cllr Barton

"What is the value of the voluntary sector Transformation Fund and what criteria will be used to decide upon the recipients and values of the awards?"

Reply:

"The value of the fund was £100k. The following criteria were established:

Neighbourhood Working grants – up to £5k

New ways of Neighbourhood Working

- *Extend access and participation by encouraging more people to become actively involved in the delivery and shaping of community or neighbourhood services.*
- *Improve volunteering initiatives / infrastructure, encouraging residents to give up their time for the benefit of the community.*

Addressing Gaps in Provision

- *Supporting voluntary and community organisations to provide valuable new services and activities locally.*
- *Enabling voluntary and community organisations to trial new services and approaches at a neighbourhood level.*

Improving the Quality of Life

- *Supporting schemes that significantly improve people's opportunities, welfare or quality of life through voluntary action, local projects or initiatives.*
- *To support other capacity building activities by which local community and voluntary groups can contribute to the regeneration of their local area.*

Bursary Grants – up to £3k

Consortia / Collaboration

- *Support for voluntary and community sector organisations to 'supersize' themselves, e.g. to form consortia, to bid for larger contracts, to become contract ready.*
- *Support for consortia of voluntary and community sector organisations to access social impact bonds and other new forms of community investment and finance.*

Service Restructuring

- *Support for voluntary and community organisations to demonstrate and implement cost savings through co-location reducing the burden of rents and running costs.*
- *Support for voluntary and community organisations to consider restructuring, including consolidation of*

services, or formalised mergers with other bodies or groups.

Income Generation

- *Support for voluntary organisations to undertake ‘market testing’ in preparation for the launch of a new type of service or activity.*
- *Support for activities that develop new, sustainable income streams for charities or voluntary sector organisations over the longer term.*
- *Support the creation of new Community Interest Companies, Co-operatives and Social Enterprises that are able to offer alternative, viable service delivery models and mechanisms.”*

(xiii) From Cllr Gillies

“What tangible change has been achieved since York became a City of Sanctuary?”

Reply:

“York has not yet become a City of Sanctuary, though I hope it will; rather it is seeking City of Sanctuary Status from the National City of Sanctuary Movement.

Good progress has been made so far. The City of Sanctuary Working Group has now been formally established, and constituted as an independent community organisation in its own right - City of Sanctuary York. Over the next year there will be a clear workplan of events and activities promoting the objectives of City of Sanctuary York and encouraging new members to join the movement.

The Council is likely to be able to help in a number of practical ways, for example:

- *Providing access to information and signposting people to help*
- *Providing meeting space with resources such as PCs and telephones*
- *Displaying signs to welcome people seeking sanctuary*
- *Creating a central drop-in as a focal point for friendship, food, support and practical advice*

- *Facilitating access to leisure and cultural activity*
- *Creating fact sheets for officers, members and the public*
- *Creating a pool of people with a range of languages to act as voluntary interpreters.*
- *Ensuring access to good quality legal support*
- *Facilitating community conflict resolution services for areas experiencing tension over new arrivals (already happening)*
- *Civic receptions for new arrivals in the City (already happening)*
- *Designing workshops for schools on sanctuary issues*
- *Facilitating speaker events for local people to hear from those seeking sanctuary directly about their experiences*
- *Providing ways for people to feel involved in the community*

None of this will cost much at all but could make a real difference to newcomers arriving in the city who don't know where to turn."

(xiv) From Cllr Gillies

"Give an example of local community tensions and how Community Conversation training will assist?"

Reply:

"Following the training colleagues in York Racial Equality Network are currently using community conversations in an area of Heworth as there have been some tensions there. Discussions have started with some foreign students at York St John University to explore whether a community conversations approach can usefully improve their experience of living in York as they have had some experiences that were isolating and racially abusive."

(xv) From Cllr Doughty

"I am interested to learn more about the Voluntary Sector Transformation Fund that has been set up (refer page 335). Can you tell Council more about the innovative schemes you claim have benefited, who/what

each scheme is and by how much each has benefited financially?”

Reply:

“The following bursary grants have been made:

Brunswick Organic Nursery: *Developing a variety of new social enterprise opportunities for people with learning disabilities – £3k*

York Mind: *Expanding the York Mind design and print social enterprise, supporting people with mental health problems to access employment opportunities - £3k*

York Wheels: *To investigate new forms and mechanisms of voluntary sector led community transport solutions - £760*

Healing Clinic: *The lead organisation of a consortia of voluntary sector groups - the bursary grant supported the launch of the new Social Enterprise Pop-Up Shop on Micklegate - £3k*

Melbourne Centre: *In support of the Micklegate Pop-up Shop - to provide managerial input, and supervision / support for clients with learning disabilities - £3k*

Disabled Workers Co-operative: *A grant to enable the co-operative management team to be mentored by expert social enterprise advisors, and also to secure expert mentoring around sales and marketing strategies - £3k*

The following neighbourhood grants have been made:

York Unifying and Multicultural Initiative: *To map the activities and actions of all BME organisations in the City and develop a coherent, multi agency approach to addressing cohesion in York, shaping and developing new services and solutions - £3,525*

YREN: *To raise residents’ awareness of harassment, victimisation and discrimination – and how to develop new community led solutions to combat these issues - £4,920*

One&Other: *To launch and develop a new electronic community and voluntary sector e-zine, investigating how different mechanisms by which CYC and other agencies are able to address resident concerns and shape services accordingly - £5k*

York City of Sanctuary: *To help launch and establish the resident-led City of Sanctuary initiative in York - and to investigate potential new way of delivering a variety of CYC services supporting marginalised and vulnerable people - £5k*

Millers Yard: *To establish and develop new neighbourhood schemes and community events and services led by a community interest company - £3,175k*

Wilberforce Trust: *To launch a number of new social enterprises led by people who are blind or partially sighted - £5k*

Space 109: *To establish a new stitching / sewing co-operative and social enterprise working with marginalised groups and individuals - £5k*

Friends of St. Nicholas Fields: *To create Community Greenspace Champions across the City, working closely with the CYC Environment team to enhance, monitor and preserve green spaces throughout the City - £5k*

In addition, £30k was allocated to York CVS to sustain the activities of the Volunteer Centre.

We were therefore able to pay out a total £82,380 – this was as much as was practicable during this financial year.”

(xvi) From Cllr Healey

“Regarding the Voluntary Sector Transformation Fund, can the Cabinet Member describe how this fund’s aims and awarding of funds guidelines have been developed and implemented since she took office in May 2011 and how these actions have met the original purpose, as outlined in the 2011/12 Budget Council papers of a £93,000 provision (plus a subsequent increase of

£7,000), which was to fund “pump-prime initiatives in the voluntary sector which will enable council costs to be reduced in future years?”

Reply:

“In July this year Cabinet established this as a ‘pump priming’ fund for the voluntary sector, with the aim of building the capacity of the sector to deliver against priorities identified in the Council Plan. The objectives set were:

- *To create a strong, successful volunteering centre: To enable the continued work of the Volunteer Centre operating at 3 days per week and to provide new services such as “time banking”, volunteering pilots, support for volunteering as a route into employability, and volunteering programmes for vulnerable adults.*
- *Voluntary Sector Bursary Scheme - New Business Models: To enable voluntary organizations to trial or develop new business models including trading companies and fundraising initiatives, including for groups who need to expand existing activity.*
- *Voluntary Sector Projects – Neighbourhood Based Initiatives: To enable the voluntary sector to establish projects and initiatives that directly respond to community need evidenced through area working.*

In operating the fund I established a voluntary sector steering group to give me expert advice on developing the criteria, and to advise on both individual applications and on opportunities to encourage the voluntary sector to work together and to stimulate appropriate bids.

The grants have made a significant impact on growing the voluntary sector especially through the creation on new social enterprises and the support provided for volunteering.”

(xvii) From Cllr Ayre

“Given the Cabinet Members aim to gain “Excellent” status in EFLG will she confirm whether after 50% of the equalities staff are cut there will still be a named equalities officer?”

Reply:

“I have no idea where Cllr Ayre gets the idea that half of the staff who deal with equalities will be cut. On the contrary, the review of the NMU will ensure that equalities becomes an integral part of the function of that team. All of the team will be concerned with equalities whether or not it appears in their job title (as I’m sure in some cases it will). I intend to introduce Community Contracts with all our communities of interest to ensure that their needs are identified and met in the future. The NMU will be instrumental in this.”

(xviii) From Cllr Ayre

“Will the Cabinet Member please confirm how much has been spent by this administration on external “equalities consultants” as part of her plan to reach level “excellence”?

Reply:

“This administration has not used “equalities consultants”. We have, however, had some vacancies in our business support team and a long-term sickness absence in the equalities team and this has meant that we needed to bring in an extra pair of hands. We have used the funding freed up by vacancies to employ a single specialist, Arif Sain, to help us put together a work plan to get us to Excellent level. This (£16.5k) has proved an excellent use of our resource as Arif was able to bring skills and insights not available within the Council.”

75. ACTIVITIES OF OUTSIDE BODIES

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

- Without Walls – Minutes – 8 February 2012
- York NHS Trust – Minutes – 21 December 2011
- Fire Authority – Minutes – 7 December 2011
- Safer York Partnerships – Minutes – 30 January 2012

- York & North Yorkshire Waste Management – Minutes – 30 January 2012

No questions had been submitted to representatives on outside bodies.

76. NOTICES OF MOTION

At this point in the meeting, the guillotine fell and the motions and amendments were deemed moved and seconded and were voted on without debate.

(i) Local Housing Allowance

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

“Council expresses concern over the introduction of the Local Housing Allowance which will financially impact York residents on low incomes.

Council notes that the allowance is sub-regionally calculated which results in an average allowance that falls short of even the lowest 30% priced private sector housing costs in the City.

Council is concerned that:

- a. many residents will be faced with possible homelessness, with the cost falling on the Council.
- b. there will be no housing for low paid workers who will be forced out of the City.
- c. the Housing Benefit cut will result in poor social cohesion and a lack of mixed communities.

Council requests the Chief Executive to write to Grant Shapps requesting that areas of high rent, such as the City of York Council, are given special consideration so that the Local Housing Allowance is not affected by lower rent in the sub - regional area.”

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

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

(ii) Neighbourhood Working Funding

It was moved by Cllr Richardson and seconded by Cllr Galvin that:

“Council acknowledges that the changes to ward funding provisions incorporated as part of CYC’s new “Neighbourhood Working” model will have the effect of reducing ward funding to York’s outer villages and will therefore significantly impact those activities this funding has previously supported, in particular local youth provisions in rural and suburban areas which rely on ward budget grants for most of their operating expenses.

Council therefore asks officers to prepare two reports for Cabinet:

Firstly, to examine how and where replacement money can be found to continue to fund youth provisions in York’s outer wards, given that these wards will no longer be able to rely upon ward-specific grants to fund their activities; and

Secondly, to review the issue of the funding of youth provisions on a council-wide basis to correct any anomalies which have developed over time between the funding of youth organisations within the city centre wards and those in the council’s outer wards in order to insure parity of funding for youth provisions throughout the city.”

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

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

(iii) Waste Collection and Recycling

It was moved by Cllr Reid and seconded by Cllr Runciman that:

“Council notes the significant improvement in the proportion of waste that has been recycled under the previous Liberal Democrat administration, from 12% in 2003 to 45% in 2011. Council supports the principle that waste collection and recycling should be convenient and fair to residents across the city.

In light of the fact that the Budget 2012/13 has deleted the provision of a Recycling and Reuse Centre in the west of the city, Council requests that the Cabinet halts the closure plan for Beckfield Lane Household Waste Recycling Centre. Council also supports the principle of the provision of a free receptacle for the collection of waste to all residents across the city requests that the provision of free black bin bags should continue to all areas of the city where wheeled bins are not in use.”

Under his constitutional authority, the Lord Mayor then referred the above motion to Cabinet for urgent consideration and requested a report on the associated implications.

RESOLVED: That the above motion be referred for urgent consideration to Cabinet on 3 April 2012 together with an officer report addressing the full implications. ³.

(iv) Regional Government

It was moved by Cllr Alexander and seconded by Cllr Riches that:

“Council believes that people and the economy do not recognise authority boundaries.

The Government’s enforced demise of the Regional Development Agencies and the drive towards Local Enterprise Partnerships have undermined the cohesion of the recognised regions and the counties.

Council resolves to lead a campaign for regional government for Yorkshire and the Humber.”

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

“In the second paragraph - Delete “enforced demise” replace with “removal”

Delete all words “undermined the cohesion of the recognised regions and the counties”, replace with “changed the relationship between recognised regions and the local authorities within them.”

In the third paragraph - Add Council resolves to lead a campaign for regional government “with appropriate powers” for Yorkshire and the Humber.”

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

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

RESOLVED: That the above motion be approved. ⁴.

Action Required

1. Write to Grant Shapps requesting special consideration in respect of Local Housing Allowance. KE
3. Prepare report, republish agenda and circulate. JP, RR
4. Promote campaign for regional government for Yorkshire and the Humber. KE

77. QUESTIONS TO THE CABINET LEADER AND CABINET MEMBERS RECEIVED UNDER STANDING ORDER 10(C)

Thirty five questions had been submitted to the Cabinet Leader and Cabinet Members under Standing Order 11.3(a). The guillotine having fallen at this point, Members agreed to receive written answers to their questions, as set out below:

- (i) To the Cabinet Member for Leisure, Culture and Social Inclusion, from Cllr Doughty:
“With reference to the Cabinet meeting of 6 March, Agenda item 7 (Neighbourhood Working – A New Approach), Part 7(d), Page 46 refers to 'Locating staff within wards, making them a 'hub' for local information so they can work more effectively with communities.' How will this work in reality when staffing numbers in the

Neighbourhood Management Unit have been significantly reduced?”

Reply:

“There are clearly assumptions being made here which are not in any way founded in fact, as the staffing review is yet to be undertaken by the Director of Communities and Neighbourhoods in consultation with myself.

As I don't know what the new structure of the NMU will be yet, meaning you also don't know, then the second part of your question is not relevant.

The staff team will work effectively with other ward-based staff such as estate managers in Housing and Street Environment Officers sharing their community contacts and streamlining working arrangements. In this way they will share intelligence and information. The ward team meetings will provide additional opportunity for this. The new arrangements represent a much more efficient use of staff time and the Council's resources.”

(ii) To the Cabinet Member for Leisure, Culture and Social Inclusion, from Cllr Doughty:

“Part 7(e) of the report at Agenda item 7 of the Cabinet meeting of 6 March, (Neighbourhood Working – A New Approach), refers to 'introducing Facebook and Twitter and regularly getting messages out into the community.' I acknowledge social media might be a useful tool to assist in engaging with what will probably be a small number of younger people in the City but how does the Cabinet Member envisage the majority of the City's residents will be kept informed, particularly as the number of assisted Ward meetings and publications are being cut?”

Reply:

“Committee meetings per year. Councillors will be assisted at every meeting of the Ward Committee - up to 3 per year. One will be the Ward Committee AGM and a further 2 meetings will be arranged if requested by the Ward Committees.

This is not a significant change to the number of meetings and publications that presently exist, albeit the formats will be different. And although many people may not use

Facebook and Twitter, many more people are online and will access information through the council's website."

(iii) To the Cabinet Member for Leisure, Culture and Social Inclusion, from Cllr Doughty:

"With reference to the £130K portion of the Neighbourhoods budget, can the Cabinet please explain if a fee or percentage will be payable to the 'standalone third sector management organisation' who will be administering the bids and funding? How much will this be and will it be funded from the £130K portion?"

Reply:

"A fee will be payable to the third sector management organisation. We are currently seeking tenders for this work to ensure that the fee is as competitive as possible. This will be a more efficient arrangement for the Council taking away the need for officer time spent monitoring service level agreements. The fee will be more than balanced out by the efficiency savings created."

(iv) To the Cabinet Member for Communities and Neighbourhoods, from Cllr D'Agorne:

"Which gritting routes and locations are to be removed from the network to achieve the budget savings and what criteria will be applied to determine which ward funded grit bins should be retained or removed?"

Reply:

"After every winter there is a full review of the winter maintenance programme for the coming year based on the outcomes of the previous year. This is published in the revised Winter Maintenance Manual. The changes to the gritting routes will be considered as part of this review. The Labour administration has put in place a contingency fund for bad weather of £250,000, meaning that York should always be able to cope in periods of very bad weather. This is a reversal of the decision taken last year by the Liberal Democrats to remove any contingency funds."

With regard to ward funded grit bins, they will stay out during the summer. A decision on the criteria for the future allocation of salt bins has yet to be taken."

(v) To the Cabinet Member for City Strategy, from Cllr D'Agorne:

"What further delays are anticipated in implementing Labour's manifesto commitment to introduce a 20mph limit in all residential areas in the city?"

Reply:

"We have in fact been making important progress. As you will be aware a 20mph steering group has been set up.

- A revised and reduced signing approach has been worked out and needed to be agreed with the Police as well as myself. The new approach will significantly reduce the number of signs required across the city.*
- Discussions with the Police have taken place regarding the approach to be taken as it is important to have Police 'buy-in' and support for the project. The Police initially had a number of concerns but I'm very pleased to say are now supportive of the proposed policy approach, and of the roll-out across the city and will be willing to work with us as part of the delivery.*
- I would acknowledge that progress hasn't been as fast as I'd have liked, but following previous year's budget cuts by the former administration, resources within the team have been stretched with a number of projects being progressed by the same member of staff.*
- I have therefore discussed and agreed with officers the intended appointment of a project manager for the city wide delivery to expedite delivery, now we are clear on the basis of our new approach. We are looking to set up web pages to assist with the consultation and have everything on line to view – timetables, maps, consultation results etc, this will take time to construct/populate but is a more fundamental part of the project once we start to deal with larger areas of the city and raising awareness across the city as a whole.*

- *I'm also pleased to say the consultation leaflets on the extended Bishopthorpe Road and South Bank scheme is at the printers and will be distributed at the end of next week. Subject to the response, the Traffic Regulation Orders should follow in May and implementation in June.*

(vi) To the Cabinet Member for Communities and Neighbourhoods, from Cllr Galvin:

"Regarding the Beckfield Lane Waste Disposal Site, how many accidents to members of the public have there been in the past ten years and what were the circumstances of said accidents (if any)?"

Reply:

"There have been a number of vehicle related accidents, bumps due to vehicles manoeuvring on the tight site and others hitting the height barrier.

A good Health and Safety Management System identifies the risk and looks to remove it whenever possible before it happens. Previous incidents are irrelevant to the potential risk."

(vii) To the Cabinet Member for Communities and Neighbourhoods, from Cllr Galvin:

"Has the likely increase in fly tipping near the Beckfield Lane Waste Disposal Site been considered as a result of its closure and if so what measures will be taken to deal with this eventuality?"

Reply:

"Fly tipping has been considered as a risk as part of the decision to make the savings. It will be closely monitored and prosecutions carried out where offenders can be identified."

(viii) To the Cabinet Member for Communities and Neighbourhoods, from Cllr Galvin:

"Have there been any consultations or surveys of users of the Beckfield Lane Waste Disposal facility prior to the decision to close this site?"

Reply:

“No. We are only required to provide one HWRC and we will still be providing two such facilities. As we are not removing the services to residents, there is no requirement to consult and budget savings are needed to be made immediately.”

(ix) To the Cabinet Member for Leisure, Culture and Social Inclusion, from Cllr Barton:

“Could the cabinet member tell us if she would agree that development of an attractive archive tourist/research centre in the centre of York incorporating the City Archives and elements of the Borthwick Institute and the Minster Archive collection would create an asset for both residents and visitors to the city?”

Reply:

“I am pleased to be able to confirm that the Council is already in the process of developing a new, state of the art archive and research centre as part of the phase 2 development of our popular York Explore.

We have received development funding totalling £107,500 from the Heritage Lottery Fund with the aim of submitting a £1.3m bid to the HLF later on in the summer to take forward the 'Gateway to History' project. This will transform the first floor of York Explore Library Learning Centre into a purpose-designed home for the city's archives and local history collection - with an entire new floor on the east wing to house the archives themselves. We are aiming to receive a final HLF decision in December this year, so that construction work can commence in spring 2013.

This is excellent timing, coinciding as it does with York's plans to mark its 800th anniversary as a self-governing city. This represents a big step towards realising our vision that the archives should be accessible to everyone and a source of pride for the whole city. The new facility will enable us to show off these nationally important collections to our visitors.

As the name suggests, the facility will provide a gateway to all of the city's collections including at the Minster and the Borthwick. This does not mean physically moving those collections as they both have their own excellent facilities already, but it does mean signposting users and

working together so that users receive a seamless experience. We are already actively cooperating with the other institutions on matters such as storage, access and collecting policy.”

(x) To the Cabinet Member for Leisure, Culture and Social Inclusion, from Cllr Barton:

“In preparing the cost estimates for the Community Stadium, have the pre- during- and post build salaries/expenses of the senior CYC officer responsible for delivery of the stadium and the cost of other officers working on the stadium project (as all or part of their responsibilities) been calculated and if so what is the total sum and over what period of time has this figure been calculated?”

Reply:

“Yes the costs have been calculated. The project costs for delivery of the project are estimated at £750k. The council’s project management costs are included in this figure. The estimate for CYC’s direct costs within this is £410k over a 3 year period. They include the following posts (which would not necessarily be full time dedicated posts):

- *Project Manager (x1)*
- *Assistant Project Managers (x2)*
- *Administrative support (x1)”*

(xi) To the Cabinet Member for Leisure, Culture and Social Inclusion, from Cllr Barton:

“Assuming the Community Stadium project goes ahead, who will finance the additional training pitch which will be required and where will it be located?”

Reply:

“An options paper is presented as part of the business case which is included with the Council papers. This sets out three deliverable options that would provide both a training facility and a reserve grade pitch. All can be delivered within the £500k capital budget identified in the business case. The options in the report are as follows:

- *YCFC’s training ground at Wigginton Road.*

- *York Sports Village at Heslington East Campus*
- *Acorn Rugby Club, Acomb*

Officers are currently exploring a further option with York City Knights at York College.”

(xii) To the Cabinet Member for Leisure, Culture and Social Inclusion, from Cllr Barton:

“What is the estimated working-life expectancy of the Waterworld complex and what plans have been made to update its outdated technical requirements in the short term prior to replacement of the current facility?”

Reply:

“A full condition survey was commissioned by the Council last year and a copy is available should any Member wish to view it. It noted that the buildings and site are in a good condition commensurate with their age. Only the changing areas were identified as needing immediate attention. The procurement exercise that I have approved will seek investment in the building to address these immediate issues as well as longer term replacement of the electrical and mechanical system and general updating of the building to maintain its appeal to customers.”

(xiii) To the Cabinet Member for Leisure, Culture and Social Inclusion, from Cllr Healey:

“Regarding the proposed Community Stadium, what financial incentives and/or subsidies if any will be made available by CYC to the successful bidder for the Operations Management contract for the stadium?”

Reply:

“No financial incentives or subsidies are proposed. It is proposed that the operation of the stadium should deliver a surplus. This is set out in the procurement paper that was approved at the Member for Leisure, Culture and Social Inclusion’s Decision Session in January 2012. It is also set out in the Business Case presented to Cabinet on 6th March 2012 and included in the Council agenda papers.”

(xiv) To the Cabinet Member for Leisure, Culture and Social Inclusion, from Cllr Healey:

“Regarding the Community Stadium, what financial liabilities will rest with CYC should either or both the football or rugby clubs become unable to meet their contractual obligations regarding the stadium and what steps will be put in place to limit the liability of CYC in this regard?”

Reply:

“As part of the procurement process, it is proposed to transfer some of this risk to the overall operator of the wider leisure contract. The detail of how this will work will be explored as part of the Competitive Dialogue process.

The business case has been developed using prudent projections. Furthermore, a contingency has been built in. A number of scenarios relating to the clubs being unable to pay their rent are covered in the risk analysis. The likelihood of both clubs going out of business for a sustained period is low.

The ultimate responsibility will rest with the council, although the business model for the stadium is designed so the income streams for the facility are spread and not reliant solely on the sports clubs.”

(xv) To the Cabinet Member for Leisure, Culture and Social Inclusion, from Cllr Healey:

“Regarding the Community Stadium, should the NHS or the University of York St John fail to take part as tenants of the stadium, have potential alternative tenants been identified and have preliminary discussions been held?”

Reply:

“The Council is committed to delivering the innovative partnerships set out between York St John University, the NHS Hospital Trust, and other stakeholders. Heads of Terms have been agreed with five separate organisations. The Council has also received independent commercial advice (provided by Lawrence Hannah) that confirms the potential attractiveness of the accommodation for future tenants and the scope to re-let it. Market testing undertaken by the Council also identified that there would be considerable commercial interest in the ‘hub’ area of the stadium. If one or more of the tenants do not proceed

with the proposals there are a number of alternative options that could be developed.”

(xvi) To the Cabinet Leader, from Cllr Runciman:

“Will the leader please confirm the total reduction in the core government grant anticipated for the financial year 2012/13? And the subsequent reduction anticipated for the year 2013/14?”

Reply:

“In 2012/13, £5m, and for 2013/14, the figure is not yet known, but no doubt it will be significant once again.”

(xvii) To the Cabinet Leader, from Cllr Runciman:

“Will the leader confirm that all officer and other supporting reports to be considered by Cabinet members will continue to be made available for public scrutiny on the Councils web site at least 1 week before the decision is scheduled to be taken?”

Reply:

“Yes.”

(xviii) To the Cabinet Member for City Strategy, from Cllr Hyman:

“Given that the planning inspector has confirmed that it is not the case that areas of search will not be touched “for at least 25 years”, will the Cabinet member now undertake a full public consultation on the use of Green Belt land?”

Reply:

“The initial correspondence from the Planning Inspector has centred around questions regarding the approach taken to a variety of issues, including in relation to the Spatial Strategy, approach to accommodating growth and the Green Belt. The Inspector has not yet made recommendations to the Council which would pre-empt the Exploratory Meeting and formal Examination process and I suggest we wait for these first before we consider any more precipitate actions.”

(xix) To the Cabinet Member for City Strategy, from Cllr Hyman:

“Would the Cabinet member for City Strategy state when he now expects that new low emission buses will be introduced onto stage carriage services in the City?”

Reply:

“I can’t give a date tonight. Whilst there is no strict definition of ‘low emission buses’, I’m assuming Coun. Hyman means buses that have significantly lower emissions of nitrogen dioxide, particulates and carbon dioxide than conventional diesel buses currently operating in the York fleet.

Therefore low emission buses would include those fuelled by hybrid diesel and electric, compressed and liquefied natural gas (CNG and LPG) and biogas.

The issue of moving to low emission buses is clearly an important one, but is potentially going to require substantial investment, as vehicles and maintenance support charges are not cheap. It is therefore not a five minute job. We will need to demonstrate a clear case to the companies to justify these levels of investment.

We have commissioned, and work is underway on a low emission zone feasibility (LEZ) study for buses to determine the reduction in emissions possible by upgrading the emission standards of York’s bus fleet. This will assist the Council in meeting health-based air quality targets across the city. The results of this study should be available later this year, including a cost-benefit analysis. This should help us, working with the main bus operators, to introduce low emissions buses into York at the earliest opportunity.”

(xx) To the Cabinet Member for Corporate Services, from Cllr Firth:

“Would the Cabinet member state how much the City of York Council has contributed towards the costs of providing present "free" WiFi access in the City Centre?”

Reply:

“The reference to it being free is to users of the service, rather than that there being no cost associated with setting it up for the council, as I’m sure Cllr. Firth is aware.

The cost to the council was £30k with no ongoing costs.”

(xxi) To the Cabinet Member for Neighbourhoods and Communities, from Cllr Reid:

“Would the Cabinet member list for each Ward Committee in the City the votes cast for, and estimated costs of, each of the 10 most popular schemes balloted on in the autumn by residents and which of these schemes is likely to get the go ahead given the reduced level of funding now being made available?”

Reply:

“These matters are not within my portfolio.”

(xxii) To the Cabinet Member for Neighbourhoods and Communities, from Cllr Orrell:

“What budgetary assumptions has the Cabinet member made on a likely increase in accident claims arising from the reduction in highways maintenance expenditure agreed by the Council at its last meeting?”

Reply:

“The council is fully insured against accident claims so there will not be a short term direct impact on the revenue budget as a result in any changes in the claims profile.”

(xxiii) To the Cabinet Member for Neighbourhoods and Communities, from Cllr Reid:

“Would the cabinet member state the number and type of lampposts that will remain to be tested and replaced at the end of the 12/13 financial year?”

Reply:

“4,500 concrete lampposts are still to be tested, in the three years from April 2013. It is unclear how many of these will need replacing until the testing is complete.

Steel lampposts will not need testing for a further three years as all those condemned or in need of testing within two years will be replaced during the current replacement programme funded by this administration.”

(xxiv) To the Cabinet Member for Neighbourhoods and Communities, from Cllr Firth:

“What assumptions did the Cabinet member make on the additional costs which would arise at the other two

recycling centres in the City to reflect the transfer of activity from Beckfield Lane?”

Reply:

“It has been assumed that the 2,800 tonnes of waste going through Beckfield Lane at the moment will arise elsewhere in the waste stream, therefore costed within the savings. When Hazel Court was built, the total tonnages going through the three sites were over 25,000 tonnes, today it is less than 22,000 tonnes, so there is capacity in the system to accommodate the Beckfield Lane closure.”

(xxv) To the Cabinet Member for Neighbourhoods and Communities, from Cllr Reid:

“Could the cabinet member outline the budget implications of the additional cleansing costs to address the increase in fly tipping that has been forecast by one of his colleagues?”

Reply:

“Fly tipping has been considered as a risk as part of the decision to make the savings. It will be closely monitored and prosecutions carried out where offenders can be identified.”

(xxvi) To the Cabinet Member for Neighbourhoods and Communities, from Cllr Cuthbertson:

“Given the obvious effect on residents in the surrounding areas, why has there been no public consultation on the implications of the decision to close Beckfield Lane?”

Reply:

“We are only required to provide one Household Waste Recycling Centre and we will still be providing two such facilities. As we are not removing the services to residents, there is no requirement to consult and budget savings are needed to be made immediately.”

(xxvii) To the Cabinet Member for Neighbourhoods and Communities, from Cllr Reid:

“Can the cabinet member confirm the total amount spent on road repairs in 2010/11, 2011/12 and the budget for 2012/13”

Reply:

“There has been so many changes to government funding, winter maintenance grants, one off grants and local political decisions that make it difficult to confirm the exact amount spent in previous years.

It is unclear from your question whether you mean revenue repairs, capital schemes, LTP improvements, or one off schemes from specific grants like cycleways, footways and bridle ways.

If you could be more specific, I will be happy to provide you with the information you require.”

(xxviii) To the Cabinet Member Leisure, Culture and Social Inclusion, from Cllr Ayre:

“Could the Cabinet member state how much rental has now been received from the organisers of last year's Christmas Grotto in Exhibition Square and say whether she plans to repeat this, or a similar event, in 2012?”

Reply:

“No, and I cannot report on something I never had any involvement with.

Cllr Ayre clearly does not yet understand my portfolio despite him being the Executive Member for a small portion of it for 2 years.

The Christmas Grotto was in no way connected to the Leisure and Culture portfolio. Information concerning the Grotto was passed on to Cllr Reid following a request many months ago when she was digging for someone to blame.

It is a great shame you did not ask Cllr Reid before wasting council's time with this rather silly question. It's the second time this council a question has been asked by a Liberal Democrat Member when a colleague already has the answer or has asked a similar or identical question.

(xxix) To the Cabinet Member Leisure, Culture and Social Inclusion, from Cllr Ayre:

“Can the Cabinet member please outline the total ward committee budget for each of the last four years and for this year?”

Reply:

“The ward committee budget for the last 4 years has been £646k each year. This year is no different.”

(xxx) To the Cabinet Member Leisure, Culture and Social Inclusion, from Cllr Ayre:

“Will the Cabinet Member confirm that all salt bins currently funded by Ward Committees will now be filled and refilled from the core budget?”

Reply:

“Certainly, all the salt bins required across all wards will be refilled from the core budget.”

(xxxii) To the Cabinet Member for Education, Children and Young People’s Services, from Cllr Ayre:

“Will the Cabinet member please provide assurances that Hempland Kids Club will not be evicted following the public consultation on Burnholme School?”

Reply:

“Cllr. Ayre seems to be jumping to a conclusion rather rapidly. The public consultation is still ongoing and no decision has been taken as regards the future of Burnholme School.”

(xxxiii) To the Cabinet Member for Education, Children and Young People’s Services, from Cllr Aspden:

“Can the cabinet member commit to a successful future for Street Sport following the ward committee cuts?”

Reply:

“Street Sport is being retained beyond this financial year – while recognising the changes to ward funding. As from 1st April the equipment and resources of Street Sport will transfer out of the Play team to Energise. The Assets to be transferred include the Mobile Skate Park, Multi Sports Equipment the Mobile Climbing Wall and the Trailer and Ford Ranger.”

Some funding for citywide sessions has been secured for the next year, but has obviously been impacted by the Council's reduction in funding. But Play workers and Energise are actively exploring other sources of funding and looking to identify how to continue and grow the service. I am confident that, based within Energise, Street Sport – which will retain its separate identity – will continue to be a resource that is much valued by the children and young people of the city."

(xxxiii) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Cuthbertson:

"Can the cabinet member outline plans to cater for the needs of those people affected by the change in eligibility criteria from moderate to severe during the transitional period?"

Reply:

"The consultation on the proposal to move the FACS criteria from Moderate to Substantial level, not 'Severe' as stated by Cllr Cuthbertson, will begin by the middle of next month and it is aimed to be completed by the middle of June. Consultation is legally required and must be adequate. Letters and short questionnaires will be sent to customers and key stakeholders.

If the change is agreed the Council will undertake a Care Management review for those who are currently supported with Moderate Level needs. This review will consider whether people's needs have changed since their last review, and if they do remain at the Moderate Level, the Council will support people to look at alternative ways that their needs can be met.

The level of savings proposed at Budget Council enables reinvestment of significant funding into the Voluntary and Community Sector to meet such needs and commissioning, after consultation, could include services to help with :

- o Shopping, domestic cleaning or laundry*
- o Supported leisure activities, social opportunities and clubs*
- o Help to get a hot meal*
- o Breaks for carers*

These suggestions are based on the support that many of those with Moderate Level needs receive presently. The Consultation will also ask if people think these are the right sort of services to support with the additional investment.”

(xxxiv) To the Cabinet Member for Crime and Community Safety from Cllr Orrell:

“Can the cabinet member outline what he considers his main achievement in the past year?”

Reply:

“Firstly, I am grateful to Cllr Orrell for the opportunity to highlight the achievements of the new Council’s Labour administration, following my appointment to the new post of Cabinet Member for Crime & Community Safety.

Amongst the many of these, I would particularly wish to draw attention to:

- *On day one of this Labour administration, the creation of the high level post of a Cabinet Member, dedicated to tackling crime and community safety. A manifesto commitment fulfilled !*
- *The increased use of Community Payback by the Council, which sees offenders, sentenced to community service, making reparations to our community by undertaking unpaid work of use to the community, charities and faith organisations. Another manifesto commitment fulfilled !*
- *A date has now been set for the first of the annual Crime Summits to be held on the 25th of April 2012. This will fulfil yet another manifesto commitment !*
- *Discussions with North Yorkshire Police, which are ongoing, to strengthen the Council’s Noise Patrol, with a view to implementing one further manifesto commitment.*

No doubt Cllr Orrell will wish to welcome these initiatives, which demonstrate this Labour administration’s determination to fulfil its election promises, in contrast to his own Government’s record of welching on theirs.”

(xxxv) To the Cabinet Member for Crime and Community
Safety from Cllr Orrell:

“Does the cabinet member agree that his £14,700 Special Responsibility Allowance would have more direct effect on reducing low level crime and Anti-Social Behaviour if it was used to fund Community Ranger patrols in 3 Ward Committee areas?”

Reply:

“No.”

Cllr David Horton

LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 10.05 pm]

CITY OF YORK COUNCIL

Resolutions and proceedings of the Extraordinary Meeting of the City of York Council held in the Guildhall, York on Tuesday, 24th April, 2012, starting at 6.30 pm

Present: The Lord Mayor (Cllr David Horton) in the Chair, and the following Councillors:

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD**CLIFTON WARD**

Douglas
King
Scott

DERWENT WARD

Brooks

**DRINGHOUSES &
WOODTHORPE WARD**

Hodgson
Reid
Semlyen

FISHERGATE WARD

D'Agorne
Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
Watson

HAXBY & WIGGINTON WARD

Cuthbertson
Firth
Richardson

HESLINGTON WARD

Levene

HEWORTH WARD

Boyce
Funnell

HEWORTH WITHOUT WARD

Ayre

Potter

HOLGATE WARD

Alexander
Crisp
Riches

HULL ROAD WARD

Barnes
Fitzpatrick

HUNTINGTON & NEW
EARSWICK WARD

Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Warters

RURAL WEST YORK WARD

Gillies
Healey
Steward

SKELTON, RAWCLIFFE &
CLIFTON WITHOUT WARD

Cunningham-Cross
McIlveen

STRENSALL WARD

Doughty
Wiseman

WESTFIELD WARD

Jeffries
Burton
Williams

WHELDRAKE WARD

Barton

Apologies for absence were received from Councillors Galvin,
Hyman and Watt

DECLARATIONS OF INTEREST

78. 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 – that is, the petition and notice of motion relating to the Beckfield Lane Household Recycling Centre.

The following **personal** interests were declared:

<u>Councillor</u>	<u>Description of Interest</u>
Alexander	Member of GMB Union
Crisp	Member of retired section of Unison
Fraser	Member of retired section of Unison and Unite (ACTS/TGWU Sections)
Funnell	Chair of St Nicholas Fields Environment Centre who had a recycling contract with the authority
Gunnell	Member of Unison
Hodgson	Member of Unison
Levene	Member of Unite
Potter	Member of Unison
Riches	Member of Unite
Simpson-Laing	Member of Unison
Williams	Member of Unite and Unison

PUBLIC PARTICIPATION

79. The Lord Mayor reported that two members of the public had registered to speak at the meeting in relation to the Beckfield Lane Household Recycling Centre. Each was invited to speak for three minutes, in accordance with the Council's Public Participation Scheme.

Peter Ashton spoke as a resident of Beckfield Lane pointing out the volume of signatories of the petition and concerns raised by local residents at the proposed closure of a major local asset. Reference was made to support of immediate neighbours, concerns at possible future fly tipping and the fact that there had been no reported accidents at the site over a thirty year period.

Reuben Mayne, spoke as lead petitioner and supporter of the campaign to keep the Recycling Centre open. He expressed concern at the effect closure would have on the community and the environment affecting the poorest and disadvantage those without access to a vehicle. With no evidence of on site injuries the health and safety issues raised were not sustainable. If no savings were made following closure this would be felt reflect badly on the authority and he urged members to save the site.

BECKFIELD LANE HOUSEHOLD RECYCLING CENTRE

80. A Petition

In view of the number of signatories, the petition signed by over 2,870 people, presented at the last Council meeting on 29 March 2012, was then discussed by members.

Following discussion, the Lord Mayor confirmed that the petition would be taken into account, during consideration of the next item when Council debated and determined the motion from Councillor Reid about the closure plan for Beckfield Lane.

B Notice of Motion

It was then moved by Councillor Reid and seconded by Councillor Runciman, that:

“Council notes the significant improvement in the proportion of waste that has been recycled under the previous Liberal Democrat administration, from 12% in 2003 to 45% in 2011. Council supports the principle that waste collection and recycling should be convenient and fair to residents across the city. In light of the fact that the Budget 2012/13 has deleted the provision of a Recycling and Reuse Centre in the west of the city, Council requests that the Cabinet halts the closure plan for Beckfield Lane Household Waste Recycling Centre. Council also supports the principle of the provision of a free receptacle for the collection of waste to all residents across the city requests that the provision of free black bin bags should continue to all areas of the city where wheeled bins are not in use.”

Following lengthy discussion, a named vote was then requested and taken on the motion, with the following result:

For	Against	Abstained
Cllr Aspden	Cllr Alexander	Cllr Horton (Lord Mayor)
Cllr Ayre	Cllr Barnes	
Cllr Barton	Cllr Boyce	
Cllr Brooks	Cllr Burton	
Cllr Cuthbertson	Cllr Crisp	
Cllr D'Agorne	Cllr Cunningham-Cross	
Cllr Doughty	Cllr Douglas	
Cllr Firth	Cllr Fitzpatrick	
Cllr Gillies	Cllr Fraser	
Cllr Healey	Cllr Funnell	
Cllr Orrell	Cllr Gunnell	
Cllr Reid	Cllr Hodgson	
Cllr Richardson	Cllr Jeffries	
Cllr Runciman	Cllr King	
Cllr Steward	Cllr Levene	
Cllr Taylor	Cllr Looker	
Cllr Warters	Cllr McIlveen	
Cllr Wiseman	Cllr Merrett	
	Cllr Potter	
	Cllr Riches	
	Cllr Scott	
	Cllr Semlyen	
	Cllr Simpson-Laing	
	Cllr Watson	
	Cllr Williams	
18	25	1

The motion was declared LOST by 25 votes to 18 and it was

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

Cllr D Horton
LORD MAYOR OF YORK
[The meeting started at 6.30 pm and concluded at 8.10 pm]

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CITY OF YORK COUNCIL

Resolutions and proceedings of the Annual Meeting of the City of York Council held in the Guildhall, York on Thursday, 24th May, 2012, starting at 11.00 am

Present: The Lord Mayor, Councillor David Horton, in the Chair during the first part of the meeting; the Lord Mayor, Councillor Keith Hyman, in the Chair during the second part of the meeting, and the following Councillors:

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD

Galvin

CLIFTON WARD

Douglas
Scott

DERWENT WARD

Brooks

**DRINGHOUSES &
WOODTHORPE WARD**

Hodgson
Reid
Semlyen

FISHERGATE WARD

D'Agorne
Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
Watson

HAXBY & WIGGINTON WARD

Cuthbertson
Firth
Richardson

HESLINGTON WARD

Levene

HEWORTH WARD

Boyce

HEWORTH WITHOUT WARD

Ayre

Funnell
Potter

HOLGATE WARD

Alexander
Crisp
Riches

HULL ROAD WARD

Barnes
Fitzpatrick

HUNTINGTON & NEW
EARSWICK WARD

Hyman
Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell

OSBALDWICK WARD

Warters

RURAL WEST YORK WARD

Gillies
Healey

SKELTON, RAWCLIFFE &
CLIFTON WITHOUT WARD

Cunningham-Cross
Watt

STRENSALL WARD

Doughty
Wiseman

WESTFIELD WARD

Jeffries
Burton
Williams

WHELDRAKE WARD

Barton

Also in attendance: Honorary Aldermen B. Bell, Mrs. M. Bwye, C Hall, M Kirk, R Pulleyn, R Watson, I Waudby, D Wilde and K. Wood

Apologies for absence were received from Councillors King, Merrett, Steward and McIlveen

DECLARATIONS OF INTEREST

1. Members were invited to declare at this point any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

APPOINTMENT OF LORD MAYOR

2. Councillor Carol Runciman moved, Councillor Ruth Potter seconded and the Council unanimously

RESOLVED: That Councillor Keith Hyman, of 1a The Old Village, Huntington, York YO32 9RA, be elected Lord Mayor of the City of York for the ensuing municipal year.

QUALIFICATION OF LORD MAYOR

3. Councillor Keith Hyman signified Acceptance of the Office of Lord Mayor of the City of York, subscribed the Declaration of such acceptance and took the Oath of Allegiance prescribed by law in that behalf.

APPOINTMENT OF SHERIFF

4. Councillor Ann Reid moved, Councillor John Galvin seconded and the Council unanimously

RESOLVED: That Councillor Paul Firth, of 10 Cedar House, Back Lane, Wigginton, York YO32 2ZH, be appointed Sheriff of the City of York for the ensuing municipal year.

QUALIFICATION OF SHERIFF

5. Councillor Paul Firth made and subscribed the Declaration of Acceptance of Office of Sheriff for the City of York and took the Oath of Allegiance prescribed by law in that behalf.

APPOINTMENT OF DEPUTY LORD MAYOR

6. The Lord Mayor moved, Councillor Paul Firth seconded and the Council unanimously

RESOLVED: That Councillor David Horton, of 33 Top Lane Copmanthorpe, York YO23 3UH, be appointed Deputy Lord Mayor for the ensuing municipal year.

QUALIFICATION OF DEPUTY LORD MAYOR

7. Councillor David Horton made and subscribed the Declaration of Acceptance of Office of Deputy Lord Mayor for the City of York and took the Oath of Allegiance prescribed by law.

LORD MAYOR'S CHAPLAIN

8. The Lord Mayor advised Council that he had appointed Juliet Wright to serve as his Chaplain during his year of office.

SHERIFF'S CHAPLAIN AND UNDER SHERIFF

9. The Sheriff advised Council that he had appointed The Very Revd Canon Michael Ryan to serve as his Chaplain and Honorary Aldermen Richard Watson to serve as his Under-Sheriff during his year of office.

VOTE OF THANKS TO THE OUTGOING LORD MAYOR AND LADY MAYORESS

10. Councillor Sonja Crisp moved, Councillor Siân Wiseman seconded and Council unanimously

RESOLVED: That the Council express its sincere thanks to the outgoing Lord Mayor and Lady Mayoress for their services

to the City during the past municipal year.

VOTE OF THANKS TO THE OUTGOING SHERIFF AND SHERIFF'S LADY

11. Councillor Tracey Simpson-Laing moved, Councillor Paul Firth seconded and Council unanimously

RESOLVED: That the Council express its sincere thanks to the outgoing Sheriff and Sheriff's Lady for their services to the City during the past municipal year.

FORMAL BUSINESS OF COUNCIL - ALLOCATION TO SEATS AND APPOINTMENTS TO THE COUNCIL STRUCTURE AND OUTSIDE BODIES 2012/13

12. With reference to the recommendations contained in paragraph 14 of the report at page 9 of the Council papers, the Lord Mayor moved, and Council unanimously agreed, to:
- (i) Note the constitutional amendments as set out in paragraphs 3 and 4 of the report;
 - (ii) Agree the allocation of seats in accordance with Annex A ;
 - (iii) Approve the nominations to Committees and outside or partnership bodies, as well as appointments to Chairs and Vice-Chairs as set out at Annex B of the report together with the amendments circulated around the Guildhall;
 - (iv) Nominate Councillors Fitzpatrick and Williams to the two places on the Police and Crime Panel listed at page 31 of the report.

VOTE OF THANKS TO DEPUTY TOWN CLERK

13. The Lord Mayor expressed his thanks to the Deputy Town Clerk, Mr Bill Woolley, who was shortly due to retire from the Council after 16 years service, following his last duty as Deputy Town Clerk for the authority.

Councillor Keith Hyman
LORD MAYOR OF YORK

[The meeting started at 11.00 am and concluded at 12.15 pm]



Council

12th July 2012

Report of the Cabinet Member Planning, Transport and Sustainability

City of York Local Development Framework

Summary

1. This report considers the most appropriate way forward for the Council with regard to the City of York LDF Core Strategy. It considers the current position of the plan, the relatively recent changes in public policy and future options.

Background

LDF Core Strategy Context

2. The Core Strategy was submitted to the Secretary of State on 14th February 2012 and an Inspector was appointed to conduct an Examination. The Inspector undertook a preliminary assessment of the Core Strategy and supporting documents and identified a number of significant concerns regarding potential soundness and legal compliance. The Council responded to these concerns and provided a timetable for any extra work considered necessary.
3. The concerns raised by the Inspector reflected the new public policy context including the implications of Localism, the National Planning Policy Framework (NPPF) and the need to meet the new Duty to Cooperate. More specifically they highlighted the need for further detailed viability and deliverability work for housing and employment sites including strategic allocations such as York Central and British Sugar / Former Manor School. The need for further work relating to defining the Green Belt, the detailed policies relating to Strategic Allocations and Waste and Minerals was also identified. In addition, following recent case law, the Inspector highlighted the need to consider the presentation of evidence and information relating to the Sustainability Appraisal.

4. The Inspector called for an Exploratory Meeting to take place on 23rd April 2012 to clarify how best to proceed in the light of his concerns. At the meeting the Council confirmed the additional work that could be undertaken to address the Inspectors issues and requested that the Examination be suspended to allow this work to be undertaken.
5. On the 1st May 2012 the Inspector wrote to the Council informing us of his decision on the way forward for the Examination following the Exploratory Meeting. The Inspectors decision was to suspend the Examination process for approximately six months until November 2012. In his reasons for agreeing to the Council's request for a suspension the Inspector highlighted the Council's willingness to respond positively to address his key concerns, that the timetable for additional work shows that it can be completed within six months and that the additional evidence is intended to clarify and explain and not to dramatically change the Core Strategy's implementation intentions. The Inspector also indicated that he was satisfied that the Council had successfully demonstrated that it has complied with the duty to co-operate legal test.
6. At Planning Committee on 17th May 2012 Members approved the Community Stadium and retail scheme at Monks Cross. The Inspector wrote to the Council on the 18th May 2012 indicating that following the decision on the Community Stadium a radical review of the Core Strategy would be required. This included reviewing the Council's evidence base and policies specifically in relation to Retail (Policy CS17), Transport (Policy CS18), Employment (Policy CS16), Community Facilities (Policy CS11) and the York Central Strategic Allocation (CS3). The Inspector was concerned that such likely changes would result in a substantially different set of strategic polices and direction for York from those submitted. Accordingly, the Director of City and Environmental Services wrote to the Inspector on 28th May 2012 to inform him of the decision to reluctantly recommend to Council the withdrawal of the document.

Public Policy Context

7. During the latter stages of the development of the LDF Core Strategy there were considerable changes to the public policy context, these are briefly summarised below as they are clearly important in understanding the current context.

National Planning Policy Framework (2012)

8. The National Planning Policy Framework (NPPF) represents a fundamental reassessment of both the overall direction and the detail of the planning system in England. It is intended to support economic recovery and play a key role in delivering the government's localism agenda. The NPPF is the outcome of a review of planning policy, designed to consolidate policy statements, circulars and guidance documents into a single concise Framework (a reduction of over a thousand pages of guidance to around 50). The NPPF had been the subject of significant and prolonged public debate following consultation on a draft in the autumn of last year.
9. The overriding message from the Framework is that planning authorities should plan positively for new development, and that 'planning should operate to encourage and not act as an impediment to sustainable growth'.
10. At the heart of the new system is a new 'presumption in favour of sustainable development'. This requires local plans to meet development needs and for development proposals that accord with the local plan to be approved without delay. The NPPF includes a presumption in favour of sustainable development that applies where a local plan is absent, silent or out of date. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits. The NPPF seeks to define sustainable development and refers explicitly to the five principles of the UK Sustainable Development Strategy as well as the UN Brundtland definition.
11. A significant change to the previous policy approach is that the NPPF refers to 'Local Plans' rather than 'Local Development Frameworks'. It appears from the document that it is the Government's intention that there is to be a movement away from a folder of development plan documents to a single plan.

Neighbourhood Planning

12. The Localism Act introduces new rights and powers for communities. A new 'neighbourhood' layer has been added to the planning system. This includes local authorities having a duty to provide advice and support to communities wishing to prepare Neighbourhood Plans. These plans should be produced in conformity with an authority's Local Plan. It will be important to

ensure that work on both Neighbourhood Plans and high levels plans are appropriately interlinked.

Duty to Cooperate

13. The Localism Act requires that local planning authorities demonstrate co-operation in plan making with adjoining or nearby authorities and other organisations in relation to cross boundary issues. Section 110 of the Localism Act transposes the Duty to Co-operate into the Planning and Compulsory Purchase Act 2004 and introduces section 33a, which sets out a Duty to Co-operate in relation to the planning of sustainable development (“the Duty”). The Duty applies to all local planning authorities, county councils and ‘prescribed bodies’ and requires that they must co-operate with each other in maximising the effectiveness with which development plan documents are prepared. The Localism Act states that in particular the Duty requires that engagement should occur constructively, actively and on an on-going basis during the plan-making process and that regard must be given to the activities of other authorities where these are relevant to the local planning authority in question. Further detail on how the provisions of the Act should be implemented is provided within the NPPF.

Options

14. Given the context described in paragraph 2 -13 above the progression of the currently submitted LDF Core Strategy is not considered credible. It is not therefore possible, from a technical point of view, to recommend any other action than withdrawal of the LDF Core Strategy from the examination process.

Next Steps

15. Following the withdrawal of the plan there are effectively two options when considering the way forward:
 - the LDF Core Strategy could be revised, subject to consultation then resubmitted; or
 - a Local Plan could be produced for the City.
16. As highlighted in paragraph 11 above the NPPF published in March 2012 indicates that nationally LDFs will be replaced by Local Plans. This is interpreted to refer to a single document encompassing the function of all LDF documents. This is the clear intention of Government public policy and for this reason it is

questionable whether the resubmission of the LDF Core Strategy would be sensible. Indeed the Core Strategy Inspector in his comments prior and during the LDF Core Strategy Exploratory Meeting appeared to already be pushing the Council toward a far more detailed document than that originally envisaged for LDF Core Strategies.

17. The case for moving to a Local Plan is strengthened when consideration is given to the potential timetable for revising the Core Strategy relative the introduction of Local Plans through the NPPF. The Core Strategy Inspector indicated in his letter to the authority dated 18th May 2012 that a radical review of the Core Strategy would be required. If we were minded to amend the Core Strategy this would effectively require the re-run of the preferred options stage consultation as well as repeating the submission element. It is considered that all of this additional work, along with the other work arising from the Exploratory Meeting, would not be able to be completed in less than around 18 months. Following this the Council would also need to progress the LDF Allocations and Designations Document.
18. Officers have begun to consider the likely timetable for the production of a Local Plan. It should be stressed that whilst the broad coverage and content of Local Plans are understood they represent a new form of planning making. The exact level of detail, evidence base requirements and levels of consultation at each stage are yet to be examined and tested. This work however suggests that it would be possible to have a Local Plan in place in around a 24 – 30 month period.
19. Officers are presently considering the resource implications of this work. In addition officers are also in continued dialogue with the Planning Advisory Service to ensure that we have the best understanding possible of the national position along with resourcing implications. A report on the way forward including a project plan and a risk assessment will be presented to the Council's Cabinet in due course.

Corporate Priorities

20. The development plan for York has a relationship to all five specific priorities of the Council Plan.

Implications

21. The following implications have been assessed.

- **Financial** – The withdrawal of the LDF Core Strategy will necessitate the production of a revised plan and associated evidence base. Based on current estimates this can be accommodated within the budgets allocated for 2012/2013 (including the LDF Reserve). There will need to be additional resources allocated in future years. This will need to be considered as a part of the 2013/14 budget process.
- **Human Resources (HR)** – The withdrawal of the LDF Core Strategy will require the production of a revised plan and associated evidence base this will require the development of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within CES.
- **Equalities** – Through the stages of the Core Strategy's development equalities issues have been considered. This would need to be built into any future programme.
- **Legal** – withdrawal of the plan will need to be compliant with the relevant statutory and regulatory framework. In addition there are potential Development Management implications (see paragraph 23).
- **Crime and Disorder** - *None*
- **Information Technology (IT)** - *None*
- **Property** - *None*
- **Other** – *None*

Risk Management

22. The NPPF came into force immediately upon its publication. The provisions of the Framework, including the presumption in favour of sustainable development applies to decisions on proposals with immediate effect in areas where no adopted local plan is in place. Currently, under Section 38 of the 2004 Planning Act the development plan for York remains the RSS (until such a time as the Secretary of State uses his powers under the Localism Act to revoke it). There is no adopted or emerging plan (if the Core Strategy is withdrawn).
23. The Planning Advisory Service (PAS) has indicated that for Local Authorities where there are no adopted policies it may be particularly important to consider taking early action to effectively manage development. Potential approaches include position statements or interim policy position statements. The purpose of any such action would be to set out material considerations that

are capable of carrying weight in the determination of planning applications. This approach is recommended given the potential timescales moving forward. Any interim statement for York would need to reflect the NPPF, established evidence base and those aspects of RSS which are relevant and we would wish to continue to use.

Recommendations

24. Council is asked to instruct officers to undertake the necessary formal steps to withdraw the LDF Core Strategy from the Examination process, to enable the Council to produce a plan which is fully compliant with the National Planning Policy Framework (NPPF).

Reason: To enable the Council to produce a plan which is fully compliant with the National Planning Policy Framework (NPPF).

Contact Details

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**Report
Approved**

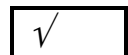


Date 3rd July 2012

Specialist Implications Officer(s)

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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Councillor James Alexander
Labour Leader of City of York Council
Report to Full Council – July 2012

It has been three months since my last report to council.....another three months of delivering for the people of York.

LGA Conference and Cuts

I recently attended the LGA conference where it was clear that the major concern for the leadership in most councils across the whole political spectrum is the speed and depth of government cuts. LB Barnet has predicted that in the coming years they will only be able to afford to provide adult social care and this alone. No other services. This is because the cuts being actioned coupled with demographic changes will not allow finances to do anything else. The LGA's own research predicts a national funding gap of £16.5 billion a year by 2019/20 for local authorities. This is a 29% shortfall between councils' income and their spending pressures.

If the next comprehensive spending review exhibits the level of cuts we are expecting to this council, we will find it difficult to keep popular services going. We have already had to take some tough decisions and we face the prospect of some services having to cease in the future with further redundancies.

And before the Liberal Democrats complain that this is the Tories, I would like to remind them that the Tories would not be in power right now if it was not for the Liberal Democrats putting them there. Every time they complain about local service cuts it reminds the public who the root cause of this is: The ideological Conservative party they now support.

Leeds City Region Amalgamated Authority

I have been in negotiation with Greg Clark MP, Minister for Cities and City Region leaders to form an amalgamated authority that works in collaboration regarding transport and skills. This grouping of West Riding authorities and York will work more closely over the coming years.

The model is similar to that exhibited by the Association of Greater Manchester Authorities.

The model will boost economic growth and begins a process of devolution of decision-making and spending power to the region. This is something this administration supports. Because it will deliver our priorities for the city – access to jobs for the people

of York. However when put to a vote previously, the opposition voted against, once again demonstrating that the opposition is out of touch with what matters to the people of York.

I have exchanged a number of letters with Greg Clark and met with him on a number of occasions too. It is clear this administration is working positively with Government ministers to get the best deal for York.

The Conservatives in Government share our agenda to promote economic growth in York, even though we may disagree on how to achieve this.

York's economy is changing and our relationships in the region are changing too. We will be increasingly looking towards collaboration with Leeds and West Yorkshire for improving job opportunities for York residents.

However I recognise the special relationship we have with North Yorkshire County Council. The rural economy is an important sector in York's economy and that together with tourism makes it important to collaborate with North Yorkshire.

Leeds Bradford Airport and Flights from Heathrow

I took part in negotiations with Leeds Bradford Airport to reinstate flights back from Heathrow to the region. York and Bradford led these negotiations with the airport.

I visited the airport with Len Cruddas from the Chamber of Commerce, Gillian Cruddas from Visit York and Councillor Sonja Crisp, Cabinet Member for Leisure, Culture and Tourism.

The return of direct flights from London to the region, plus the planned airport expansion, will be a boost to our tourism economy and business visitors.

I am currently in negotiations to secure direct transport links between the Airport and York to maximise the benefit to our local economy.

HS2

The opportunities that High Speed Rail could bring to York and the region are vital to our long-term vision for the continued economic prosperity of the city. To secure this vision I have continued to lobby Government on High Speed Rail and have worked closely as part of the Leeds City Region and along with Sheffield City Region to present an economic case for high speed rail.

I chaired the recent HS2 Conference: Opportunities for the North which brought together a panel of local and national experts to make the case for the extension of HS2 into the region and to York.

Alongside this I am also leading a number of Council's on the East Coast Mainline to lobby for significant improvements to the service. We need better and faster services at a more affordable price.

Shared Services

I believe this agenda will go further under the amalgamated authority. To prepare the options I visited Kensington and Chelsea Council to learn about their tri-borough arrangements.

And I am already actively pursuing opportunities for York to enter into shared service agreements with other local councils. I anticipate that we will soon enter into a shared management arrangement for Building Control Services with a neighbouring LA. Discussions are well-advanced and the shared service is on course to start in the late summer.

I understand that under the previous Liberal Democrat administration shared services was considered by the Leader with regards to Selby and this was rejected. I believe this was a mistake.

Leeds City Region

I remain a Vice-Chair of the Leader's Board. Councillor Tracey Simpson-Laing remains on the housing board and Councillor Dave Merrett remains on the transport board. Business remains focussed around the city deal and the ways in which York can play a full part in regional business.

Castle/Piccadilly

I have met with Centros before and after the decision on Monks Cross. They confirmed at the first meeting that their PR company was working for the campaign against the stadium. They said if the stadium was approved they would pull out and there would be other consequences.

Since the decision they have decided to enter negotiations. They are requesting a public subsidy and this is under consideration.

Skills

I am very disappointed that the Government is keen to remove the need for schools to provide work experience for teenagers.

I expressed my concern to Nick Gibb MP who is a schools minister. He wrote back saying schools should concentrate on academic qualifications and not concern themselves with work experience. The CBI, local business and I disagree. This experience is invaluable. I have, in response, asked the Chief Executive to prepare the

Council for providing worthwhile work experience programmes to those who need them. This administration led the drive to create over two hundred apprenticeships last year and we will continue to give all children the right to learn skills in the workplace.

Jobs Fair

We held a jobs and training fair in conjunction with Job Centre Plus and the National Careers Service. Over 400 people attended. It is disappointing that The Press did not cover this event despite a release being issued. I see this fair as very much a part of York meaning business.

I have asked for the event to be repeated.

Community Stadium

I am pleased that Eric Pickles has recognised the decision over the stadium was conducted properly and was a local decision. I also believe he supports this administration's aspiration for economic growth.

I am just pleased that after almost ten years of talk this administration is the one actually getting something done.

Delivery and Innovation Fund

Letters have been sent to Parish Councils and voluntary groups asking for expressions of interest in this fund being used to deliver council services at a cheaper cost or better quality.

Conservative North Yorkshire County Council have a similar scheme.

The previous Liberal Democrat administration also had a similar scheme under the venture fund.

One Year On Mansion House Speech

I will soon be giving a speech recognising achievements and what this administration has learned over the past year.

The speech will articulate the vision I have for this city and the step change we are making in ambition of what can be achieved.

York: Proud of our heritage, ambitious for our future

Councillor James Alexander
Labour Leader of City of York Council
12th July, 2012

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City of York Council

Committee Minutes

MEETING	MEMBER DEVELOPMENT STEERING GROUP
DATE	8 MARCH 2012
PRESENT	COUNCILLORS GUNNELL (CHAIR), BARNES, DOUGLAS, RUNCIMAN (VICE-CHAIR) AND WISEMAN

PART B - MATTERS REFERRED TO COUNCIL.**38. REMIT OF THE MEMBER DEVELOPMENT STEERING GROUP**

Members considered a report which proposed a revised remit for the Member Development Steering Group to enable it to advise on some proposed terms of reference and a subsequent renaming of the Group.

Officers explained that training and development cuts across other strands of supporting Members, such as travel and subsistence expenses and the format in which learning opportunities should be provided (i.e. e-learning and whether the provision of existing IT software is fit for purpose).

Presently, the remit for the Group only enables it to advise on matters strictly relating to training and development however it would be beneficial for the remit to be widened so that Members of the Steering Group can work with Democratic Services on managing appropriate support to Members in general.

It was suggested that the name of the group should be changed to reflect the wider remit to 'Member Support Steering Group' instead of 'Member Development Steering Group'.

Members considered and agreed that the revised remit for the group detailed at paragraph 8 of the report should contain the following:

- “1. To advise the Head of Civic & Democratic Services upon the provision of support to Members in accordance with the Council’s Member Development & Training Policy and its Scheme of Allowances and Entitlements to Members;*

2. *To liaise with Group Members where appropriate on matters affecting the provision of support to them and as considered by the Steering Group.”*

RECOMMENDED: That Council approves:

- (i) The name change of the Committee to “Member Support Steering Group”.
- (ii) The proposed changes to the future remit of the Steering Group.

REASON: To enable closer cross party working with Members on all aspects relating to Member support.

Councillor J Gunnell, Chair

[The meeting started at 5.00 pm and finished at 6.20 pm

City of York Council

Minutes

MEETING	STANDARDS COMMITTEE
DATE	26 JUNE 2012
PRESENT	<p>MRS BAINTON (INDEPENDENT MEMBER, IN THE CHAIR)</p> <p>MR DIXON (INDEPENDENT MEMBER)</p> <p>MR HALL (INDEPENDENT MEMBER)</p> <p>COUNCILLOR BARTON (CYC COUNCIL MEMBER)</p> <p>COUNCILLOR RUNCIMAN (CYC COUNCIL MEMBER)</p> <p>COUNCILLOR SCOTT (VICE-CHAIR, CYC COUNCIL MEMBER)</p> <p>COUNCILLOR TAYLOR (CYC COUNCIL MEMBER)</p> <p>COUNCILLOR CRAWFORD (PARISH COUNCIL MEMBER)</p> <p>COUNCILLOR FORSTER (PARISH COUNCIL MEMBER)</p> <p>COUNCILLOR MELLORS (PARISH COUNCIL MEMBER)</p>
IN ATTENDANCE	COUNCILLOR SIMPSON (PARISH COUNCILLOR)

PART B - MATTERS REFERRED TO COUNCIL

8. CODE OF CONDUCT

Consideration was given to a report that presented a draft Code of Conduct for Members' consideration. The draft Code had been prepared, as requested at the previous meeting, using the existing model as a template.

It was noted that NALC had recently produced a straightforward code which was being recommended to Parish Councils. Copies of the NALC Code were tabled for information.

Members were asked to consider a number of questions in respect of the draft code, as detailed in the report. The Committee agreed the following:

- It would be appropriate to include a definition of when a Member is “acting as such”
- A prohibition on Members scrutinising their own decisions was not a matter for the Code.
- Paragraph 3.5(d) to be amended to state only that “The disclosure is reasonable; and is in the public interest; and is made in good faith”.
- Noting that the “respect” and “disrepute” provisions had been retained, Members were content that the new filtering arrangements provided the right way to deal with this issue rather than changing the Code.
- There was a need for the non-statutory category of interests.
- Wording to be included in the Code to make provision for prejudicial interests.
- The Council should be recommended to adopt a standing order requiring members with a DPI (or a prejudicial interest) to withdraw from the room.
- There should be a requirement to register interests arising from the Council making an outside body appointment.
- Paragraph 2.2 of the draft code to be amended to read “*A co-opted member is a person who is not an elected member of the authority*”

Members also discussed whether there should be a requirement for gifts and hospitality to be registered. It was agreed that:

- Members be required to register any individual gift or hospitality worth more than an estimated value of £50 which they had received by virtue of their office.

- RECOMMEND: (i) That, subject to the amendments detailed above, the draft Code of Conduct be approved and the revised copy be submitted to Council for adoption.
- (ii) That the new Code of Conduct be kept under review by the new Joint Standards Committee.

REASON: To ensure that an effective Code of Conduct for Members is in place in accordance with the requirements of Localism Act.

9. JOINT COMMITTEE

[See also Part A minute]

Consideration was given to a report that asked the Committee to recommend terms of reference for the new, non-statutory Joint Standards Committee to member Councils.

The Monitoring Officer clarified the situation in respect of Parish Councils and their representation on the Joint Standards Committee.

It was agreed that 3.1(b) of the Terms of Reference should be amended to read "One voting member of each of the three Parish Councils".

- RECOMMEND: (i) That Council confirm its agreement to the establishment of the Joint Committee with the terms of reference as annexed to the report (subject to the amendment detailed above).
- (ii) That the powers to deal with dispensations be delegated to the Joint Committee.
- (iii) That the Monitoring Officer be appointed as Proper Office for the purpose of receiving applications for dispensation.

REASON: To ensure that terms of reference are in place for the new Joint Committee.

10. TRANSITIONAL PROVISIONS AND IMPLEMENTATION ARRANGEMENTS

[See also Part A minute]

Members considered a report that advised them of transitional provisions contained in Regulations and which made further

recommendations as to steps the Council may need to take as regards implementation.

Attention was drawn to the provision which now allowed existing independent Members to be appointed to the new role of independent person provided that the appointment was made before 1 July 2013. There remained a requirement for the position to be advertised.

The independent Members withdrew from the meeting whilst the Committee discussed interim arrangements in respect of the independent persons.

RECOMMEND: That, as an interim measure, the three existing independent Members carry out the Independent Person role pending the appointment of two Independent Persons at the Council meeting in October.

REASON: To ensure the effective implementation of requirements of the Localism Act taking account of transitional provisions.

Chair

The meeting started at 3.00 pm and finished at 4.25 pm.

(DRAFT) CODE OF CONDUCT FOR MEMBERS OF THE CITY OF YORK COUNCIL

1. Introduction

- 1.1 This Code sets out the standards of behaviour required of you whenever you are acting as a Councillor of the City of York Council. This Code also applies to any person appointed as a co-opted member of the City Council or any of its Committees when acting as such.
- 1.2 The Code has been adopted by the City Council and is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

2. Definitions

2.1 In this Code:

You are acting as a Councillor or action as a co-opted Member only when conducting the business of the Council or acting, claiming to act or giving the impression that you are acting as a representative of the Council.

- 2.2 A “co-opted member”, is a person who is not an elected member of the authority but who—
- (a) is a member of any committee or sub-committee of the authority, or
 - (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority and is entitled to vote at any meeting of that committee or sub committee
- 2.3 “meeting “ means a meeting of the Council or of any committee, sub-committee, joint committee or joint sub-committee of the authority or of the Cabinet or any committee of the Cabinet

- 2.4 A “sensitive interest” is one where you consider that disclosure of the details an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees

3. General Duties as to Conduct

- 3.1 You must treat others with respect.
- 3.2 You must not do anything which may cause the Council to breach any equality enactment.
- 3.3 You must not bully or intimidate any person, or attempt to bully or intimidate them.
- 3.4 You must not do anything which compromises the impartiality of anyone who works for or on behalf of the Authority, or do anything that is likely to compromise their impartiality.
- 3.5 You must not disclose information which is confidential, unless:
- a) You have the permission of a person authorised to give it; or
 - b) You are required by law to disclose the information; or
 - c) You disclose it to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or
 - d) The disclosure is reasonable; and is in the public interest; and is made in good faith
- 3.6 You must not prevent another person gaining access to information which that person is entitled by law.

- 3.7 You must not conduct yourself in a manner which could reasonably be regarded as bringing the Council into disrepute, or your position as a Councillor into disrepute.
- 3.8 You must not use your position as a Councillor improperly to obtain any advantage or disadvantage for yourself or any other person, or attempt to do so.
- 3.9 You must not take part in the scrutiny of any decision you have been involved in making – except that you may provide evidence or opinion to those undertaking any scrutiny process.
- 3.10 When you use or authorise the use by others of the resources the Council you must:
- a) abide by the Council's reasonable requirements; and
 - b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - c) have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- 3.11 You must have regard to relevant advice given by the Council's Chief Financial Officer or Monitoring Officer when making decisions and must give reasons for those decisions, in accordance with any requirements imposed by statute or the Council.

INTERESTS

4. Disclosable Personal Interests

Registration of disclosable pecuniary interests

- 4.1 Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'. These will be included in the register of interests which is published on the Council's website

Definition of disclosable personal interests

- 4.2 A 'disclosable pecuniary interest' is an interest of a kind described in the first schedule to this Code. An interest is disclosable if the interests of yours or of your partner. Your partner means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

Non participation at meetings in case of disclosable pecuniary interest

- 4.4 If you are present at a meeting and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting,
- a) You may not participate in any discussion of the matter at the meeting.
 - b) You may not participate in any vote taken on the matter at the meeting.
 - c) If the interest is not registered, you must disclose the interest to the meeting.
 - d) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Note: In addition, Standing Orders require you to leave the room where the meeting is held while any discussion or voting takes place.

Non participation in individual executive decision making in case of disclosable pecuniary interest

- 4.5 Where a Cabinet member may discharge a function alone and becomes aware of a disclosable pecuniary interest in a matter being dealt with or to be dealt with by her/him, the Cabinet member must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter.

Other Interests

5. Notification of interests

- 5.1 In addition to the disclosable pecuniary interests you must, notify the Monitoring Officer of any interests you have of a kind described in the second schedule. You must make that notification within 28 days of this Code coming into effect or of you becoming a Member or co-opted Member if that is later.
- 5.2 You must notify the Monitoring Officer of any changes to these interests or of any new interests within 28 days of becoming aware of them.

6. Disclosure of personal interests

- 6.1 You have a personal interest in any business of your authority where it relates to or is likely to affect you, a body named in the second schedule or any person with whom you have a close association.
- 6.2 If you are present at a meeting and you have a personal interest in any matter to be considered or being considered at the meeting:
 - a) If the interest is not registered, you must disclose the interest to the meeting.
 - b) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.
- 6.3 If you have a personal interest and a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it would be likely to prejudice your judgement of the public interest then you have a prejudicial interest. This is subject to the exceptions set out in paragraph 6.4.
- 6.4 You do not have a prejudicial interest in any business of the authority where that business:

- (a) does not affect your financial position or the financial position of a person or body named in the second schedule;
- (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in the second schedule; or
- (c) relates to the functions of your authority in respect of:
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

7. Sensitive interests

- 7.1 If you have a sensitive interest which is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.

- 7.2 If you are required to declare a sensitive interest at a meeting you need only declare the fact of the interest and not the details of the interest itself.

8. Compliance with Standing Orders

- 8.1 Standing Orders may require you to leave the meeting room when you have a personal interest. You must comply with any such Standing Order.

First Schedule – Interests which are disclosable personal interests

<i>Interest</i>	<i>description</i>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the you in carrying out duties as a member, or towards your election expenses .</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest)

	and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to your knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class,

the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

These descriptions on interests are subject to the following definitions;

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” includes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“relevant period” means the period of 12 months ending with the day on which you give a notification for the purposes of section 30(1) of the Act;

“relevant person” means you or any your partner as defined in paragraph 4.2

securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000() and other securities of any description, other than money deposited with a building society.

Second Schedule – other interests

1. Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
2. Any body —
 - (aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;

3. Any person from whom you have received the offer of a gift or hospitality with an estimated value of more than £50 (whether or not you accept the offer) which is attributable to your position as an elected or co-opted member of the Council.

DRAFT



**Report of the Corporate & Scrutiny Management
Committee to Council****25 June 2012**

Report of the Assistant Director of Governance & ITT

Annual Scrutiny Report 2011-12**Summary**

1. This annual scrutiny report summarises the work of the five Overview & Scrutiny Committees for the period June 2011 – May 2012.

Background

2. This committee is charged with monitoring overall performance in relation to scrutiny review work and providing an annual report to Full Council. The last annual report was presented to this Committee in September 2011 for the period June 2010 – May 2011.

Consultation

3. Consultation was not required for the production of this annual report. However, consultation is an important element of Overview & Scrutiny and is regularly carried out in support of all scrutiny reviews.
4. The final reports produced for each of the reviews completed during the period June 2011 – May 2012 detail all of the work undertaken, including any consultation carried out. Those final reports and all supporting information can be viewed in full at:

<http://democracy.york.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13029&path=13028>

Options

5. Having considered the Annual Report, Members may choose to:
 - agree any amendments required to the report
 - approve the report for presentation to the meeting of Full Council in July 2012

Scrutiny Reviews in 2011-12

6. The following scrutiny reviews were carried out by the Overview & Scrutiny Committees in the last municipal year:
7. Admission Arrangements & School Travel Policies
Between September 2011 and January 2012, the Learning & Culture Overview & Scrutiny Committee carried out a review of the Council's admission arrangements and school travel policies. The aim of the review was to ensure the oversubscription criteria in use in York's community and voluntary controlled schools was made up of the right priorities, and in the right order, and that the Local Authority's school travel policies were fair and appropriate given the changing demographics across the city. The review found that no changes were required to the oversubscription criteria in place. However, the final report presented to the Cabinet in early April 2012 recommended that there be a phased withdrawal of the free school transport provided on a denominational basis. As a result, the Local Authority is currently carrying out the required statutory consultation with the intention of starting the phased withdrawal as from September 2013. This is expected to result in a saving of at least £137k by 2019.
8. York Museums Trust Review
The Learning & Culture Overview & Scrutiny Committee also chose to scrutinise whether the grant allocated to York Museums Trust by the Council was delivering the council's priorities and achieving value for money. In particular, the Committee were keen to ascertain whether the cataloguing of the collections was on track, in line with the Partnership Delivery Plan agreed in 2002 when the Trust was formed. At that time it was recognised that the storage facilities required urgent attention as many of the collections were being stored in poor conditions. To date, members of the Committee have visited the internal and external storage sites to view the new facilities now being provided by the Trust and to understand the progress being made in cataloguing the hugely varied collections containing over 1.5 million objects. The work on the review started in January 2012 and the Committee plan to complete the review early in the municipal year 2012/13.
9. Staff Sickness Absence Management Review
The Effective Organisation Overview & Scrutiny Committee set up a Task Group to carry out a review of the Council's management of staff sickness. Work on the review began in September 2011. The Task Group initially received information on a range of associated issues including a national survey of annual absence & labour turnover, and a

number of recent scrutiny reviews and comparative figures from other Local Authorities. The Task Group went on to identify appropriate revisions to the Council's Absence Management Policy & Procedures to ensure they were in line with national best practice and fit for purpose in line with the introduction of the Council's new HR management system (iTrent). Work on the review will continue into the new municipal year so that the Task Group can identify and consult on appropriate training for managers and induction for all new staff.

10. Reducing the Carbon Footprint in the Privately Rented Sector Review
In November 2011, the Economic & City Development Overview & Scrutiny Committee set up a Task Group to review the Council's policies and procedures in relation to the take up of available measures to reduce the carbon footprint of privately rented accommodation. The Task Group considered the council's current policies, the private sector housing regulations on domestic carbon reduction, and an overview of the policies relating to the regulation of privately rented accommodation in the city. They found that many of the current funding streams to assist with reducing the carbon footprint in the privately rented sector were coming to an end in 2012 and that they would ultimately be replaced by a new Government initiative called the 'Green Deal'. Having discovered that detailed industry guidance on this new initiative would not be available until late Spring 2012 with the first Green Deals due to appear sometime in Autumn 2012, the Scrutiny Committee agreed to postpone the review until the municipal year 2012/13.
11. End of Life Care – The Use & Effectiveness of DNACPR Forms Review
The aim of the review was to assess whether or not patients wishes and instructions were being acted upon by health professionals and carers at the end of life, especially in terms of ensuring that instructions in relation to information on 'Do Not Attempt Cardiopulmonary Resuscitation' (DNACPR) forms was being kept up to date and adhered to when required. The review found that work had been started to improve how the hospital used DNACPR forms and that specific training was being offered to all doctors on how to use the forms in order to ensure consistency. Work on the review will continue in the municipal year 2012/13 to gather the opinions/guidance & advice from the relevant professional organisations on the appropriate use of the form, and to investigate how things can be improved and who can help with any suggested improvements.
12. City Centre Access Review
In July 2011, an Ad-hoc Scrutiny Committee was formed to carry out a review of how the Council might minimise vehicular movement in the city

centre foot streets and immediate areas, to ensure the safety of pedestrians. Having initially been made aware of an ongoing foot streets review and city centre movement & accessibility study, the Committee were keen to ensure they did not duplicate that work. Instead, the Committee focussed their work on enforcement of the foot streets policy, and identified various difficulties in enforcing the foot street arrangements currently in place. They also agreed to look at access points, disabled parking provision and accessibility/safety hazards for pedestrians. The Committee also sought the views of CYC officers and North Yorkshire Police regarding partnership working to enforce the policy. The review is due to be concluded during the early part of the municipal year 2012/13.

Supporting the Council Plan 2011-15

13. All of the reviews carried out during 2011-12 (identified above) took account of the Council's need to be inclusive and ensure equality in accessing the services being reviewed. Each of the reviews also supported a number of the council's other improvement priorities and direction statements:
14. Admission Arrangements & School Travel Policies Review
The Council Plan recognises that the provision of appropriate and improved community infrastructure, including schools, which will help to build strong communities. The Council has also made a commitment to deliver equal outcomes to all its customers through the delivery of an Equalities & Inclusion Improvement Plan, and to support families.
15. Staff Sickness Absence Management Review
The Council Plan recognises that staff are the most important resource of the Council and without them it could not deliver its services and priorities. Ensuring staff receive the proper levels of support in times of illness etc is one way in which staff can be made to feel valued and engaged.
16. York Museums Trust Review
The success of the York Museums Trust and the Partnership Delivery Plan contributes to the council's priority to create jobs and grow the economy, through its investment in the tourism infrastructure. It also provides opportunities for learning, for young people across the city.

17. Reducing the Carbon Footprint in the Privately Rented Sector Review
The review was directly linked with the 'Protect the Environment' element of the Council Plan. In particular, the 'reduce carbon emissions and improve air quality' strand of that document.
18. End of Life Care – The Use & Effectiveness of DNACPR Forms Review
The review was closely linked with the 'Protect Vulnerable People' theme of the Council Plan as it specifically focussed on the provision of independence and greater choice and control over their lives for vulnerable people.
19. City Centre Access Review
This review supported the 'Get York Moving' theme of the Council Plan as many of the areas being explored as part of the review complement the theme's commitment to look at improving movement in the city centre.

Performance & Finance Monitoring

20. Throughout 2010-11 the Overview & Scrutiny Committees each received quarterly monitoring reports relating to the council's performance and finance management, in service areas specific to their individual remits. In some cases this led to individual Committees requesting detailed reports on some of the exceptional issues identified and the initiatives being put in place to address them.
20. In addition, they also received other monitoring reports specific to their individual terms of reference, as detailed below:
21. The Community & Safety Overview & Scrutiny Committee received:
 - Quarterly performance reports from the Safer York Partnership & North Yorkshire Police;
 - Updates on the Capable Guardian Pilot, and an overview of other CYC initiatives e.g. the Area Based Working Pilot;
 - A report on the restructure of community safety in North Yorkshire Police;
 - A detailed presentation on the provision of CCTV by CYC Network Management and updates on a regional CCTV Shared Services Consultation;
 - A report on the restructure of Community & Neighbourhood Services
 - A presentation on the Recycling Doorstepping Campaign and a briefing on Waste Management Services
 - A briefing report on the formation of North Yorkshire Police & Crime Panel

22. The Economic & City Development Overview & Scrutiny Committee received:

- Six monthly updates on major developments within the City and major transport initiatives and issues arising from them;
- An update on the Local Enterprise Partnerships (LEPS) and a presentation from the Chief Operating Officer of the York and North Yorkshire LEP;

23. The Effective Organisation Overview & Scrutiny Committee received:

- A presentation on the findings from a recent staff wellbeing survey
- A report on the future use & options for the Guildhall
- A monitoring report on the implementation of the Council's Workforce Plan

24. The Health Overview & Scrutiny Committee received:

- Updates on the transformation of Community Services;
- A progress report on NHS Reforms and the work of the Transition Board;
- Regular updates from York Teaching Hospital NHS Foundation Trust, and the Yorkshire Ambulance Service;
- Six monthly update reports on the Carer's Strategy for York;
- An annual performance account for Adult Social Care;
- Updates on the Dementia Strategy Action Plan;
- Regular Health Watch Procurement monitoring reports;
- An update on the proposed changes to Children's Cardiac Services
- Briefings on the proposed changes to the Mental Health Service, the redesign of Acute Care Pathway in York, and on the Major Trauma Network;
- Updates on the formation of CYCs Shadow Health & Well Being Board;
- A presentation on NHS 111 Service;
- A briefing on cuts to voluntary sector funding

26. The Learning & Culture Overview & Scrutiny Committee received:

- Bi-annual service level agreement performance update reports from the Yorkshire Museums Trust and York Theatre Royal;
- Presentations on Demographics in York Primary Schools, Corporate Parenting, and the Management of Public Parks

27. The Committee also carried out a tour of the Theatre Royal & De Grey Buildings.
28. Else on this agenda, CSMC are asked to consider reviewing how the scrutiny committees undertake performance monitoring as there are many facets to this role beyond receiving quarterly reports.

Acting as Critical Friend

28. During the municipal year 2011-12 each of the Overview & Scrutiny Committees met with the relevant Cabinet Members to hear about their challenges and priorities for the year. They also met with some of the council's appropriate statutory partners to hear about their priorities and challenges.

Monitoring Previous Recommendations

29. Finally, each of the committees received bi-annual updates on the implementation of any outstanding approved recommendations arising from the scrutiny reviews they had completed in previous municipal years.

Calling - In

30. Throughout the municipal year 2011-12 there were 4 Cabinet/ Cabinet Member decisions called-in for consideration by the Scrutiny Management Committee (SMC). SMC agreed to uphold all 4 decisions and therefore none were referred back to the Cabinet for their reconsideration. The items called-in were:
 - Revisions to the Council's Administrative Accommodation Strategy;
 - The Community Stadium & Council Leisure Facilities – Procurement of Operator Arrangements;
 - Neighbourhood Working – A New Approach
 - Water End/Clifton Green Junction: Options for Reinstating a Separate Left Turn Traffic Lane on the Water End Approach

Implications

31. There are no known legal, HR and financial implications associated with the recommendation within this report. The cost of producing and publishing the completed review booklets and this annual scrutiny report has been met from within the scrutiny budget.

Risk Management

32. There are no known risks associated with the recommendation in this report.

Recommendations

33. Having considered the information within this covering report, Members are asked to approve and present to Council the Annual Scrutiny Report which covers the period between June 2011 and May 2012.

Reason: To enable its presentation to Full Council, in line with Constitutional requirements.

Contact Details

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Chief Officer Responsible for the report:

Andrew Docherty
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Report Approved ✓ **Date** 13 June 2012

Specialist Implications Officer(s) - None

Wards Affected:

All ✓

For further information please contact the author of the report

Background Papers: None

Annexes: None

Report of the Cabinet Member for Environmental Services

Having assumed the Environmental Services Portfolio just over a month ago my priority has been to familiarise myself with the various issues within the different strands of work and the current issues, particularly the challenging savings which are contained within the Council's budget for the current year.

Amongst those issues are:

WASTE AND FLEET

Waste services are currently preparing for one of the biggest refuse round reviews for many years. With a significant level of savings to be made, yet with increasing demand on these vital services, the service is going to undergo a radical review. This will include consideration of working patterns and shifts, as well as a move away from same day collections for refuse and recycling, to facilitate greater utilisation of the plant. This will lead to a greater degree of operational flexibility which will be vital if the savings are to be achieved.

Clearly any change of collection days will have to be communicated well to the residents and the Council's website has been upgraded to provide for an online postcode checker, which identifies the particular collection day for that area. See:

<https://www.york.gov.uk/DoltOnline/Pages/NeighbourhoodServices/RefusePostcodeLookup.aspx>

There will be a number of replacement vehicles coming into the service over the next 8 months and these will be of a greater capacity, but will be fewer in number. The new recycling vehicles are of a different type that will still allow us to collect from kerbside as we do now, so no change as far as residents are concerned, but will be quicker, more efficient and fewer in number. All the new vehicles are more environmentally friendly with the refuse vehicles operating electric bin lifts.

In fleet, and fleet management, the new pool car scheme 'WeCar' has been introduced at Hazel Court. This will eventually be rolled out council-wide, in tandem with the move to West Offices. This scheme will save cost and reduce harmful emissions in relation to our business travel. In addition, a new staff taxi contract has been awarded to further reduce staff travel costs. Work is also being undertaken to establish an integrated transport unit that will support all transport and fleet activity across the council

The proposed Allerton Waste Recovery Park (PFI) project is approaching a key stage. The planning application has been submitted and is due to be heard by North Yorkshire County Council in the week commencing 10th September.

CIVIL ENGINEERING

Staff were heavily involved with crowd control and traffic management for the Olympic Torch relay and the York City FC celebrations.

Recent flooding issues also had to be dealt with in Stockton-on-Forest and Badger Hill; this involved close liaison with emergency services.

There was also the need for emergency repairs to Bishopthorpe Road following a road collapse.

50% of the R and R footway programme is now complete.

Work has also been undertaken with Housing on a programme of access ramps at sheltered and EPH facilities.

Work is progressing on the annual winter maintenance review and this will shortly be scheduled into the forward plan.

HIGHWAYS

The programme of street lighting replacement is well under way. Virtually all steel columns have been replaced and work is now underway surveying the concrete columns. Based on initial surveys, it is hoped that most if not all those in need of replacing will be able to be done this year through the capital allocation.

The current contract for street light maintenance with Amey is due to expire in March – work is underway with Procurement to examine options for taking this forward.

Work is also underway to investigate and evaluate options for mobile working for inspections and repairs.

STREET ENVIRONMENT

In terms of Street Environment the focus continues to be very much on enforcement and environmental improvements – in particular in the last month the team have been working very closely with the Universities and Colleges, Student Unions and Landlords in relation to refuse and litter, particularly in the run up to end of term with the involvement of colleagues in Waste Services and private sector housing. Part of this has been the big green clean project run by YUSU & CYC to help students get rid of unwanted stuff as they move out at end of term to stop it being dumped and to make sure that rubbish isn't left in alleys and streets.

In addition to this the team are working with the landlords, their association and the Universities, to improve the information they provide to their tenants about refuse and other environment issues. Representatives of the team attended the Landlords' Fair in the past month to spread the message and to build stronger links with the private rented sector.

A number of community clean ups have been organised by the SES around the city as part of the regular on-going work. The team have also been concentrating on some commercial businesses that are causing issues in their local neighbourhoods in relation to the storage and disposal of their waste.

Fixed penalties continue to be issued to those who drop litter – those who choose not to accept the penalty fine have been prosecuted in court. Recently, a case heard by York Magistrates saw the offender having to pay a total of £500 in fines and costs. As the Magistrates said – “a very expensive cigarette that was dropped”. A number of cases are due in court in the next few weeks including fly tipping, litter and waste. The team also continue to monitor the activities of the hairdresser who was prosecuted for fly posting in the Tang Hall area, to ensure that he does not repeat his illegal activities.

As part of the programme of working with schools the team were recently involved in an event at St George's Primary School, working with them on enviro-crime, including a mini fly tipping investigation which the children took part in.

The team will also be taking part in “Crucial Crew” when they will be working with all the year 6s in the city – about 1500 children – going through different environmental crime scenarios – including linking with Youth Offending Services – to show the different consequences of taking part in environmental crime such as graffiti. A key aim of Crucial Crew is to get the children to appreciate their local areas and to “Love Where You Live – York”.

In terms of parking services work is continuing to implement the restructure of work patterns within the Enforcement Team through the management of change process. Unfortunately despite a lengthy period of discussions and consultation, the Union representing the Enforcement Officers have recently conducted a ballot of their members, which resulted in a majority supporting industrial action. At the time of writing this report the Union have indicated that their members are being called upon to take strike action for a period of a week. At a meeting held at the Union's request further assurances were given but little progress was made; management made clear that if the strike action were to proceed this would be a matter of regret.

In parking processing – Penalty Charge Notices and Respark, work is continuing on making it easier for clients to access our services. Penalty Charge Notices can now be paid on line.

Authorities who enforce parking regulations are required to produce an annual report each year and we have just heard that our last annual report has been recognised as an example of national best practice.

STREET CLEANING, PARKS AND OPEN SPACES, and NEIGHBOURHOOD PRIDE

Mowing of Grass verges and Communal grass areas

The current wet and warm weather has led to increased grass growth. This, along with this year's additional Bank Holidays has made keeping to schedule challenging, but the staff concerned are doing their utmost to keep to the programme. The standard of cut, due to the volume of cuttings and rain, is not to the normal standard, but this should improve as (hopefully) the rain stops, but the warm weather continues.

The cutting of verges containing daffodils, which have so far been left uncut to allow the daffodils to die back, has now commenced; cutting too early would have resulted in reduced, or no flowers, in later years. Due to the increased grass growth these areas are looking worse than normal and are taking longer to cut. As is usual we have received a number of enquiries from members of the public asking why the bar walls embankments had not been cut. Staff are due to commence this work shortly; again these were left uncut to allow the daffodils to die back for the same reason.

Floral Displays

The city's floral displays are now all in place, which include over 50,000 summer bedding plants, 70 barrier baskets, 50 tubs, 100 York in bloom baskets (for shops mainly within the city centre) and 50 lamp post baskets, which as always enhance our city for our residents and visitors, as well as impressing our Yorkshire in Bloom judges who will be visiting us on the 11th July.

For the first time in many years a carpet bed is to be planted on the grass bank on Lendal Bridge. This will depict our York 800 logo; this is being planted currently and will be in place until the first hard frost.

Litter and Dog Waste Bins

Following approval at February's Budget Council to reduce the number of litter and dogs bins across the city, approximately 350 bins have been removed (this does not include the city centre – see below); the full year saving identified is £40k.

The bins to be removed were identified as being either:

- under utilised
- where alternative bins were available within a reasonable proximity.
- used predominately for unauthorised dumping of household or commercial waste.

It is intended to monitor any increase in littering which results from the removal of bins.

City Centre Bins

Separate from the review of bins outside of the city centre (as referred to above), a review of city centre bins was carried out in the course of the last year, including consideration of a more standardised design of bin in conjunction with the “Reinvigorate York” group – see separate item below. A trial was also conducted of a solar powered compactor bin (unfortunately called a “Big Belly”), in Kings Square in which six standard bins were also removed from the area. There was no increase in litter levels and a reduction in the weekly empties of bins in the location from 105 to 14. A similar trial was conducted in Acomb

The outcome of the review came to my Decision Session in May, just after I took over the portfolio, with a recommendation to reduce the number of city centre bins to 53 by:

- Removing 60 old bins
- Replacing the remaining 40 bins with new smaller bins (of a more standard design)
- Installing 13 solar powered compactor bins

The cost of the new/replacement bins will be met from an allocated budget of £75k. This should result in:

- reduced budget pressures in future years.
- improved cleanliness standards at peak times.
- reduced street clutter.
- have a minimum number of choices of bins for future years.
- we can use the bins removed from the city centre in our outer areas.
- we will be able to utilise mobile technology (which can alert operatives to when the solar powered bins are approaching capacity and require emptying).

There may also be the potential to link the bins to the wifi network and generate income through commercial adverts etc to defray the costs of maintenance of the bins.

Public Toilets

The contract with the current contractor servicing the public toilets expires next March. We are now working to secure the future procurement, which may include a possible partnership with Bristol City Council and Bath & North East Somerset Council in a joint procurement exercise.

REINVIGORATE YORK

Working with the Cabinet Members for Transport, Planning & Sustainability and for Leisure Culture & Tourism and a wide range of senior Officers I am involved in developing this ambitious project to improve the public realm, particularly in the city centre.

With funding allocated from the Council's Economic Infrastructure Fund (EIF) and from within existing budgets, a number of improvements have already been made or are progressing including, decluttering of unnecessary street furniture and signage, the removal of the Parliament Street toilets and improvements to Kings Square. Work is progressing on a Design Manual to establish a greater consistency of items such as lighting, paving, bollards, seating etc.

There will be a further progress report to be considered by the Cabinet in the next month.

Sandy Fraser
Cabinet Member for Environmental Services

**Membership of Committees, Working Groups and
Outside Bodies**

Committees/Working Groups

Health Overview & Scrutiny Committee

To amend the Conservative substitutes on the Committee and reorder as follows:

1st named sub - Cllr Wiseman

2nd named sub – Cllr Galvin

3rd named sub - Cllr Brooks

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