

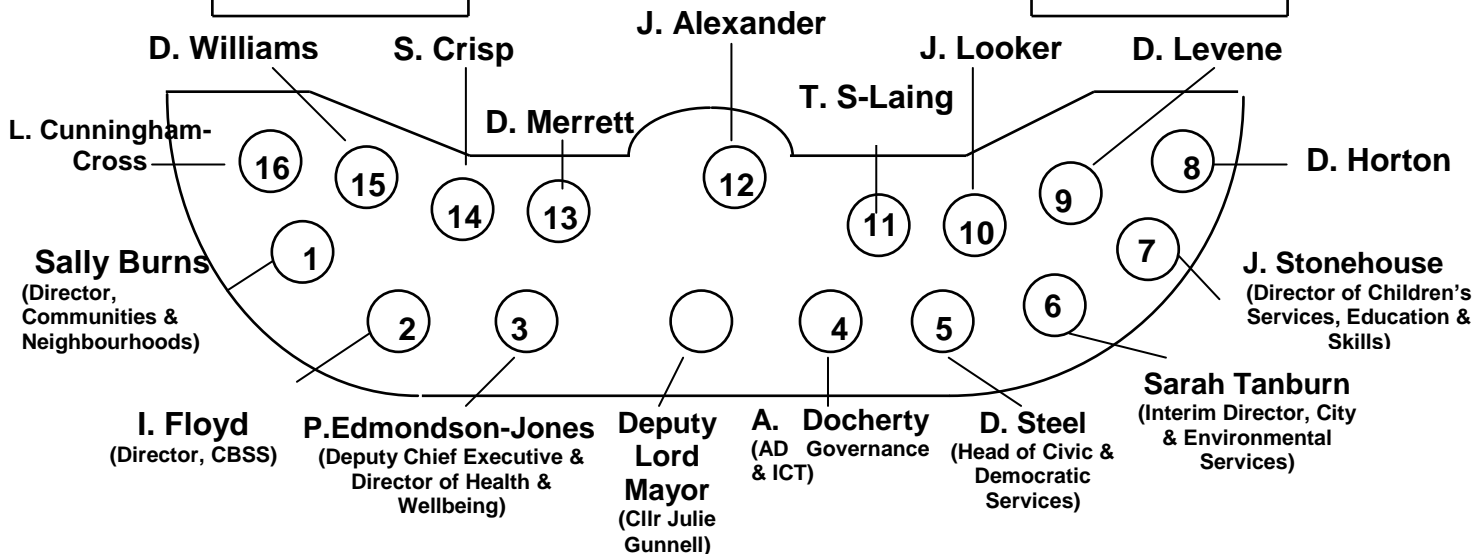
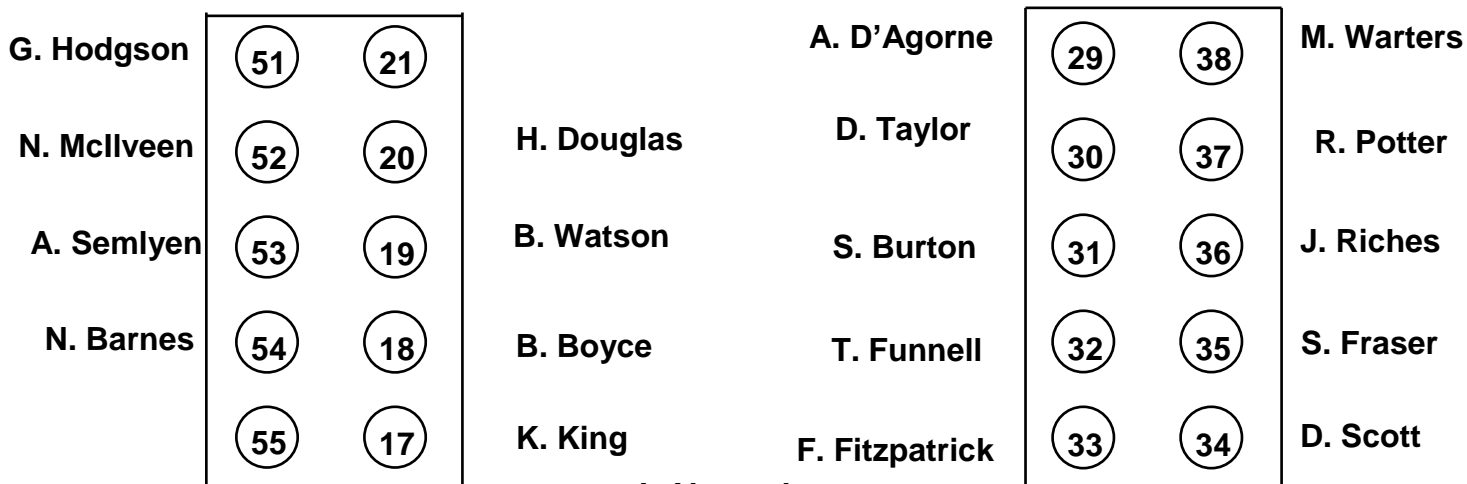
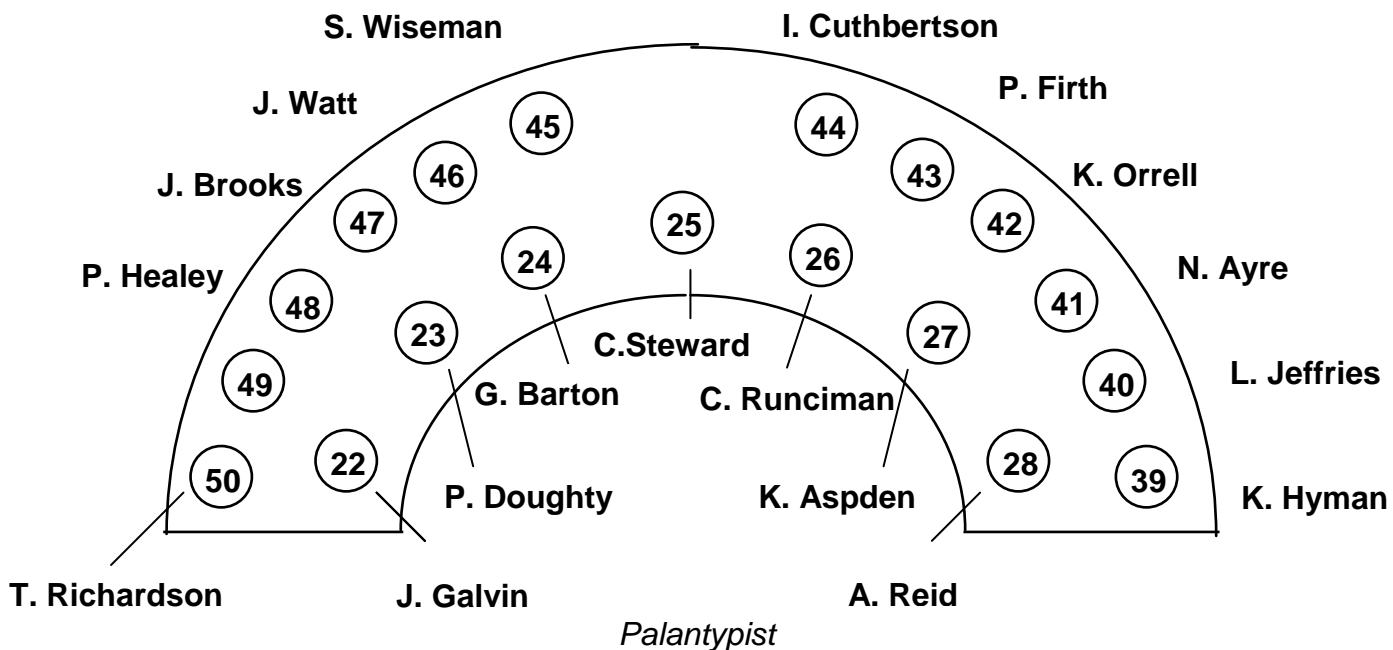
**CITY OF YORK COUNCIL  
SUMMONS**

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, 17 July 2014 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 interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

### **2. Minutes (Pages 1 - 72)**

To approve and sign the minutes of the last Ordinary meeting of Council held on 27 March and the Annual Meeting of Council held on 20 May 2014.

### **3. Civic Announcements**

To consider any announcements made by the Deputy 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 16 July 2014.**

To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

## **WEBCASTING NOTICE**

**Please note: this meeting may be filmed for live or subsequent broadcast via the internet - at the start of the meeting the Deputy Lord Mayor will confirm if all or part of the meeting is being filmed.**

**You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.**

**Public seating areas will not be filmed by the Council.**

## 5. Petitions (Pages 73 - 78)

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

- i) Cllr Merrett on behalf of local residents, which is to be debated, following receipt of over 1,000 signatures, in accordance with the Council's petitions scheme:

Frack-Free York Petition to City of York Council – signed by 863 people plus 750 online signatories

The signatories "*petition the Council to:*

*Not permit any hydraulic fracturing (fracking) or coal seam gas extraction from within or underneath the York area. We the undersigned are completely against the exploitation of any 'unconventional gas' in the York area."*

[A background report is attached to the agenda at Agenda item 5 - Annex A]

- ii) Cllr Reid on behalf of residents of Woodthorpe and Acomb Park objecting to any development on Green Belt land south of Moor Lane, Woodthorpe.
- iii) Cllr Reid on behalf of residents of Newbrough Street in Bootham to ask the Council to consider taking the street into the Residents Priority Parking Scheme.
- iv) Cllr Doughty on behalf of Earswick residents opposing plans to build houses on the Strensall Road site (Earswick).
- v) Cllr Runciman on behalf of local residents organised by the Strensall Liberal Democrats against the allocation of Site 810 (Land to the East of Strensall Road, Earswick) in the Draft Local Plan.

**6. Report of Cabinet Leader and Cabinet Recommendations (Pages 79 - 88)**

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

Meeting	Date	Recommendations
Cabinet	1 July 2014	Minute 16: Capital Programme Outturn 2013/14 and Revisions to the 2014/15 Programme <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&amp;MId=8327&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&amp;MId=8327&amp;Ver=4</a>

**7. Recommendations of the Corporate and Scrutiny Management Committee (CSMC) (Pages 89 - 104)**

Meeting	Date	Recommendations
CSMC	12 May 2014	Minute 62: Draft Annual Scrutiny Report 2013-14 (Report attached) <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=144&amp;MId=7717&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=144&amp;MId=7717&amp;Ver=4</a>
CSMC	23 June 2014	Minute 16: Request for Change of Scrutiny Committee Terms of Reference <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=144&amp;MId=8381&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=144&amp;MId=8381&amp;Ver=4</a>

**8. Recommendations of the Health Overview and Scrutiny Committee (HO&SC) (Pages 105 - 106)**

Meeting	Date	Recommendations
HO&SC	23 April 2014	Minute 99: Joint Health Overview and Scrutiny Committee (Yorkshire and

the Humber)

<http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=671&MId=7671&Ver=4>

**9. Recommendations of the Staffing Matters and Urgency Committee (Pages 107 - 108)**

Meeting	Date	Recommendations
Staffing Matters & Urgency Committee	23 June 2014	Minute 14: Appointments to Committees and Outside Bodies <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=120&amp;MId=8089&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=120&amp;MId=8089&amp;Ver=4</a>

**10. Recommendations of the Audit and Governance Committee (Pages 109 - 162)**

Meeting	Date	Recommendations
Audit & Governance Committee	25 June 2014	Minute 13: Draft Revised Financial Regulations (Regulations attached)  Minute 14: Audit and Governance Committee Effectiveness - Action Plan Update <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=437&amp;MId=8115&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=437&amp;MId=8115&amp;Ver=4</a>

**11. Annual Report of the Audit and Governance Committee (Pages 163 - 176)**

To consider a report which presents to Council the Annual Report of the Audit and Governance Committee for the year ended 16 April 2014.

**12. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee (Pages 177 - 180)**

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

**13. Report of Cabinet Member** (Pages 181 - 208)

To receive a written report from the Cabinet Member for Environmental Services, Planning and Sustainability, 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.

**14. Substitute Arrangements for Independent Members** (Pages 209 - 212)

This report asks Council to agree substitute arrangements on Committees for the Councillors who are not members of a political group.

**15. 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://democracy.york.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12959&path=0>

Copies may also be obtained by contacting Democracy Support Group at West Offices, Station Rise, York (tel. 01904 551088)

- Quality Bus Partnership – 17 March 2014 (Draft Version)
- Local Government North Yorkshire and York – 6 December 2013
- Local Government Yorkshire and Humber – Member Improvement and European Board -2 April 2013, 18 September 2013, 20 January 2014 and 15 April 2014
- Safer York/DAAT Partnership Board – 3 February 2014

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

**16. Notices of Motion** (Pages 213 - 230)

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)**

To deal with the following Lendal Bridge notice of motion referred back to Council by Cabinet, from its meeting on 6 May 2014,



after consideration of the evaluation of the trial. A copy of the Cabinet report and minute are attached as Annexes 1 and 2 (Annexes A to G of this report are available online only).

(i) From Cllr Reid

“Council notes the report in *The Press* on 27th February which revealed important facts about the Lendal Bridge closure.

Council further notes that:

1. The Labour Cabinet’s six-month trial closure of Lendal Bridge should have finished at the end of February
2. The closure has brought widespread criticism from local residents, business owners, tourists and tourist groups
3. Negative media and social media coverage has been generated to the detriment of our city
4. The closure has failed to significantly improve overall bus journey times
5. Traffic displaced by the closure has caused increased congestion elsewhere in the city e.g. Foss Islands Road and Water End at Clifton Bridge
6. Officers have admitted that the trial closure has had little impact on overall air quality
7. The Labour Cabinet Member responsible has admitted that the signage at the start of the trial was “very confusing”
8. Around 45,000 motorists have received fines for crossing the bridge.

Council therefore resolves to ask Cabinet to:

- a. immediately end the trial closure of Lendal Bridge
- b. publicly admit that the trial has been botched and to apologise for this
- c. immediately publish the raw data on the trial ahead of their detailed evaluation report
- d. commit to consulting with residents and local businesses before bringing forward any future plans for Lendal Bridge.”

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

### (i) From Cllr Burton

“Council notes the difficult trading circumstances of the high street with challenges from internet shopping and a fragile economic recovery. Although York has one of the lowest shop vacancy rates in the country, Acomb has some of the highest concentrations of empty properties of any concentration of retail in the city.

Council believes that under the Liberal Democrats City of York Council did little to reverse Acomb’s fortunes and this was a stance backed by Conservatives.

Council resolves that under a Labour administration the Cabinet will receive options to consider extending business rates relief for all empty properties on Front Street being brought back into use.”

### (ii) From Cllr Steward

“Regarding York potentially becoming a fully constituted member of the West Yorkshire Combined Authority (WYCA), council notes:

1. Lack of cross-party support on a commitment which will affect York for many years;
2. Lack of consultation with residents, businesses and community groups;
3. That a minority of residents know about the WYCA and its implications for York, and of those who do the majority oppose membership;
4. That payments have been made by the council to the Authority with nothing to show and no tangible benefits for the future;
5. Disappointment that WYCA failed to back York’s bid for the

Rail College.

Council notes that legislation requires local authorities to provide proof of support for joining a combined authority and therefore, as this exercise has never taken place, commits to an appropriate consultation period to engage with residents, businesses and community groups on membership of the WYCA and that it will take all such views into account prior to committing the City of York to permanent membership of the same.”

(iii) From Cllr Runciman

“Council notes:

- the Pupil Premium is an additional allowance to support certain groups of school-aged children and young people at risk of not achieving their potential;
- this year’s allocation of £4,884,000 means that primary and secondary schools in York have received over £12.6 million since the Pupil Premium was introduced in 2011;
- children entitled to free school meals are eligible for Pupil Premium of £1,300 a year for primary pupils and £935 a year for secondary pupils;
- whilst eligibility for free school meals is the main criteria for entitlement to Pupil Premium, other groups are also entitled to the Pupil Premium, including children in care, adopted children, children in hospital schools and service personnel children.
- Tim Farron MP, Liberal Democrat Party President, along with groups such as the Carers Trust has called for this eligibility to be extended to include young carers;
- There are 113 young carers registered with the York Carers Centre; however, the number of young people undertaking caring roles in York is widely believed to be far higher;
- The Government is currently consulting on its plans to extend the Pupil Premium in April 2015 to include a new ‘Early Years Pupil Premium’ for three and four-year-olds alongside plans to move the statutory entitlement to early learning for

- disadvantaged two-year olds to a participation funding model;
- An Early Years Pupil Premium would pay early years providers up to an additional £300 for each of the estimated 359 children currently eligible in York, providing an additional £103,330 in funding every year.

This Council believes that including young carers as a category of recipient eligible to receive the Pupil Premium would enable schools and colleges to provide additional support to these young people in York.

Council further believes that introducing an Early Years Pupil Premium would help all children get the best start in life and tackle what the Sutton Trust has identified as a 19 month gap at the start of school between the most and least advantaged children.

This Council therefore resolves to ask:

- The Chief Executive to write to the Secretary of State for Education, the Minister of State for Schools, and Dr. John Dunford OBE, the national Pupil Premium Champion, noting the contents of this motion and asking the Government to widen the eligibility for Pupil Premiums to include young carers;
- The Chief Executive to respond to the current consultation on Early Years Pupil Premium and funding for two-year olds in support of the Government's proposals and its plans for rolling-out the schemes."

(iv) From Cllr Looker

"Council notes the good work carried out by a range of organisations in the city providing safe homes for vulnerable people. Some of these and the people they help are facing an uncertain future with changed funding arrangements, tighter benefit entitlement and no clear plans for the bulk transition of existing claims to Universal Credit.

Council also believes that the absence of choice that can be exercised by tenants in deciding who the housing element of Universal Credit is paid to is a particular worry.

Council resolves to invite the Chief Executive, on its behalf, to write to the Minister for the Department for Works and Pensions expressing concern over the roll out of Universal Credit, the implementation of Personal Independence Payments (PIPs) and difficulties with the delays in the processing of Employment & Support Allowance (ESA) claims, all affecting people in very difficult circumstances, and to appeal to the Government to resolve these issues quickly.”

**17. Questions to the Cabinet Leader and Cabinet Members received under Standing Order 11.3(a)**

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 were the full costs, including everything from time of officer salaries to pre conference wine and canapes of the recent Fairness Conference and what are the tangible outcomes which the conference led to?”

(ii) To the Cabinet Leader from Cllr Healey:

“What were the reasons given for the University of York's withdrawal of funding from Science City York?”

(iii) To the Cabinet Leader from Cllr Jeffries:

“Why did the Council Leader not take earlier action to address the overspends being recorded on social care budgets and what is his latest estimate of expenditure against budget for this area for the current financial year?”

(iv) To the Cabinet Leader from Cllr Brooks:

“If the Leader of the Council may exercise any function of Cabinet where a decision cannot reasonably wait until the next meeting, will he explain what was so important about the decision to re-open Lendal Bridge that it could not wait until the Cabinet meeting?”

(v) To the Cabinet Leader from Cllr Aspden:

“As the council’s revenue account only came in on budget last year because of Automatic Number Plate Recognition fine income and lower than anticipated debt charges (itself the result of low interest rates coupled with many capital projects having slipped into the current financial year), will the Cabinet Leader agree now to abandon at least some of his profligate “vanity” projects?”

(vi) To the Cabinet Leader from Cllr Steward:

“Will the leader use this opportunity to finally apologise to York’s residents for the shambles of the Lendal Bridge trial?”

(vii) To the Cabinet Leader from Cllr Healey:

“What have been the outcomes and jobs created from the additional 2 year funding given to Science City York by this administration?”

(viii) To the Cabinet Leader from Cllr Healey:

“How many applicants have been considered for the Interim Director position of the new company to be formed to provide ‘Marketing and Business Development’?”

(ix) To the Deputy Leader from Cllr Ayre:

“There has been interest from citizens in contributing to the revised council constitution – could the Deputy Leader explain how this can be facilitated in the light of the Leader’s commitment to coproduction and engagement?”

(x) To the Cabinet Member for Homes and Safer Communities from Cllr Barton:

“Has the Dutch government’s “Container Housing Scheme” been investigated for York and if so what conclusions have been drawn?”

(xi) To the Cabinet Member for Homes and Safer Communities from Cllr Barton:

“Does the Cabinet Member have statistics available showing the success in York of the Government's "Help to Buy" scheme?”

(xii) To the Cabinet Member for Homes and Safer Communities from Cllr Jeffries:

“When will tenants receiving the garden assistance service be notified about how the new contractor will catch-up the backlog of work which has left very neglected gardens all around the west of the city and what steps have the council put in place to ensure that this situation is not repeated?”

(xiii) To the Cabinet Member for Homes and Safer Communities from Cllr Jeffries:

“On the garden assistance scheme why were tenants not informed of the meeting to re-tender the work with yet another decision being made behind-closed-doors?”

(xiv) To the Cabinet Member for Homes and Safer Communities from Cllr Reid:

“ What are the net additional dwellings delivered in the council area over the last five years - is this the same as the Communities and Local Government figures or is it defined differently?”

(xv) To the Cabinet Member for Homes and Safer Communities from Cllr Reid:

“There is apparently a new housing office opening on Lindsay Avenue. Where is the business case that supports this decision?”

(xvi) To the Cabinet Member for Environmental Services, Planning and Sustainability from Cllr Doughty:

“Can the Cabinet Member please give all details, including dates, when any officer or member has had any dialogue, written or otherwise, with any agent, developer, housing association or

other interested party regarding the proposed removal of 220 acres of green belt land at Earswick, which as part of the Local Plan further sites consultation, is to be re-categorised as 'safeguarded' land for future development?"

(xvii) To the Cabinet Member for Environmental Services, Planning and Sustainability from Cllr Richardson:

"Using Defra calculations fly tipping removal costs for York have risen year on year, with removal costs for 2011/12 approximately £44,618 and rising to £56,720 for 2013/14. How does the cabinet member propose to address this continuing overspend?"

(xviii) To the Cabinet Member for Environmental Services, Planning and Sustainability from Cllr Reid:

"Would the Cabinet Member confirm that residents will have an opportunity to address members of the Local Plan Working Group before a final draft Local Plan is drawn up?"

(xix) To the Cabinet Member for Environmental Services, Planning and Sustainability from Cllr Richardson:

"Given Councils additional funding from Government of £311,000 for road repairs. Will Council replace the many pot holes across the City with infill of a consistent thickness and sealed with a proprietary sealant so as to reduce the number of return visits required by contractors?"

(xx) To the Cabinet Member for Environmental Services, Planning and Sustainability from Cllr Aspden:

"What steps does the new Cabinet Member propose to reverse the decline in recycling rates?"

(xxi) To the Cabinet Member for Environmental Services, Planning and Sustainability from Cllr Aspden:

"The Government has recently announced new incentives for local authorities to build homes on brownfield sites, including an idea to put local development orders on brownfield sites that are suitable for housing. Will the Cabinet Member explore whether



these options could help develop brownfield sites in York?”

(xxii) To the Cabinet Member for Environmental Services,  
Planning and Sustainability from Cllr Reid:

“How many Full Time Equivalent (FTE) staff did the council have working on gulley cleaning in each of the last 4 years, how many vehicles are used for this purpose, and how many and what proportion of gullies were/are routinely cleaned in each year since 2010?”

(xxiii) To the Cabinet Member for Environmental Services,  
Planning and Sustainability from Cllr Reid:

“How many FTE street cleaners were/are employed in each year since 2010?”

(xxiv) To the Cabinet Member for Environmental Services,  
Planning and Sustainability from Cllr Hyman:

“In the light of encouragement for cycling and the need to ensure a safe road surface could the Cabinet Member detail the response time for filling in potholes from being reported to the work being completed?”

(xxv) To the Cabinet Member for Environmental Services,  
Planning and Sustainability from Cllr Firth:

“Could the Cabinet Member detail the response time for the removal of graffiti as reported to the council?”

(xxvi) To the Cabinet Member for Environmental Services,  
Planning and Sustainability from Cllr Jeffries:

“Whilst recognising that staff are working hard to make the best of the situation they are being let down by the council in keeping the city tidy, in particular the state of grass cutting and strimming. When will the Cabinet Member take a lead on the situation and detail what will be done to make the city presentable?”

(xxvii) To the Cabinet Member for Environmental Services, Planning and Sustainability from Cllr Richardson:

“Following Councils decision to close Haxby Hall and to relocate its residents to other homes across the City the site has a potential of helping reduce the parking congestion in Haxby. Would the Cabinet Member support its transfer to the local community?”

(xxviii) To the Cabinet Member for Health and Community Engagement from Cllr Doughty:

“Can the Cabinet Member explain why we cannot receive an update on the Council’s Elderly Person’s Homes programme, a project way overdue?”

(xxix) To the Cabinet Member for Health and Community Engagement from Cllr Doughty:

“Like myself, the Cabinet Member must be concerned that two Assistant Director’s and at least two other Senior Officer’s within Adult Social Care have either resigned or already departed recently. Has the Cabinet Member sought reasons for this and what will she do to steady the ship, protect services for our city’s most vulnerable and restore morale in the department?”

(xxx) To the Cabinet Member for Health and Community Engagement from Cllr Jeffries:

“What is the expected timetable for the development of the Lowfields Care Village, when will local residents be updated on the project, when will a planning application be submitted and what are the estimated completion and occupation dates?”

(xxxi) To the Cabinet Member for Health and Community Engagement from Cllr Jeffries:

“On the Lowfields Care Village, would the Cabinet Member confirm that she intends to restrict any development to the “footprint” of the former school and would she indicate what the future of the rest of the site is please?”

(xxxii) To the Cabinet Member for Transport from Cllr Reid:

“Would the Cabinet Member confirm the total cost – including the provision of external disabled parking spaces – of the new barrier controlled system at the Marygate Car Park and would he say who made the decision not to include a charge card payment option as part of the new arrangements?”

(xxxiii) To the Cabinet Member for Transport from Cllr Aspden:

“ Would the Cabinet member confirm the number of Fixed Penalty Notices issued for breaches of the access restrictions on Coppergate since 1st April 2014 and would he confirm that no action is currently being taken to enforce the restrictions?”

(xxxiv) To the Cabinet Member for Transport from Cllr Reid:

“Who took the decision, and when, to open the new Park and Ride site at Poppleton before work had been completed (the outstanding works on 9th June included car parking space, signage, traffic signals, road junction layout, layout, A1237 junction improvements etc) and when will all work connected with the Park and Ride site and associated road works be completed?”

(xxxv) To the Cabinet Member for Transport from Cllr Doughty:

“Can the Cabinet Members please advise when work will be completed on the cycle path and the shoulder length grass and weeds on the northern A1237 between Haxby and Wigginton, whether costs will exceed further the already £400,000 over budget cost and what general maintenance will take place in the future as it currently stands as a very sad and expensive Labour ‘legacy’ to the Tour De France?”

(xxxvi) To the Cabinet Member for Transport from Cllr Reid:

“ What has been the number of vehicles parked on average each day at the new Park and Ride site at Poppleton and how many passengers have been carried by the new buses on each day

since 9th June?”

(xxxvii) To the Cabinet Member for Transport from Cllr Reid:

“Would the Cabinet Member confirm the numbers who were killed and seriously injured on York’s roads in each of the last 5 years and what target for accident reduction has he set for the current calendar year?”

(xxxviii) To the Cabinet Member for Transport from Cllr Reid:

“How many residents have so far applied and paid for one of the new “Minster” badges and when, where and by whom was the decision taken not to allow non-residents, who make frequent trips to the City, to purchase a badge if they wished to do so?”

(xxxix) To the Cabinet Member for Transport from Reid:

“At the March Council meeting the Cabinet member confirmed that car parking space availability information had not been accessible through the Council’s website “since the move to West Offices”, but assured Council that “live information from the car parks (would be) available on the web site by May 2014”. Why was this deadline not met and what alternative steps have been taken to provide real time parking information for those travelling to the City for events like the Tour de France?”

(xl) To the Cabinet Member for Transport from Cllr Reid:

“When can we expect the car park space availability information to be available again “on-line” and when does the Cabinet Member anticipate that the street located Variable Message Boards will all be working reliably?”

(xli) To the Cabinet Member for Transport from Cllr Runciman:

“When will the relevant part of the Council’s website be updated to allow residents to see when road repairs in their area are likely to take place?”

(xlii) To the Cabinet Member for Transport from Cllr Reid:

“How long have the automated car park spaces signs been out of action, why haven't they been working, and when will they be working again?”

(xliii) To the Cabinet Member for Transport from Cllr Richardson:

“Government funding for the Real Time Information System has been a resounding success for many of the bus users of this City. However given the displacement of the information points are mainly in the City Centre. Can Council confirm when the remainder of routes across the City are to be installed including the replacement of bus shelters?”

(xliv) To the Cabinet Member for Finance and Performance from Cllr Steward:

“Does the Cabinet Member agree with me that it is wrong so many officers have been appointed on what Cllr Warters correctly calls ‘living it up wages’ of over £500 per day without any elected member input?”

(xlv) To the Cabinet Member for Finance and Performance from Cllr Galvin:

“Given that the Guildhall complex has been empty for some 12 months what plans are being discussed by officers or Cabinet member for it's future use?”

(xlvi) To the Cabinet Member for Finance and Performance from Cllr Galvin:

“What have been the overall costs expended on the Guildhall complex in the past 12 months in terms of heating, business rates and any other charges incurred?”

(xlvii) To the Cabinet Member for Finance and Performance from Cllr Richardson:

“With the introduction of the new Residents Parking Discount Badge at £20 for two years in September. Can Council state

what is the expected average savings expected for a resident over that time frame and will residents be given extra discount for paying for there parking by Credit/Debit Card?”

(xlviii) To the Cabinet Member for Finance and Performance from Cllr Barton:

“What measures is the Cabinet Member taking to investigate the cause of what appears to be job dissatisfaction amongst senior officers?”

(xlix) To the Cabinet Member for Finance and Performance from Cllr Richardson:

“Given Councils flagship call centre has had time to find its feet, will Council provide the following information:

1. What is the longest time taken to answer an incoming call?
2. What was the cost of that phone call based on the standard local call rate?”

(l) To the Cabinet Member for Finance and Performance from Cllr Ayre:

“Why is the facility to report potholes, faulty street lights, blocked footpaths etc from the “Do it on line - Report it” section of the council website still not available despite assurances given by the Cabinet Member in March that this would be available by the end of April?”

(li) To the Cabinet Member for Finance and Performance from Cllr Reid:

“Residents are still not being given a reference number for any complaint that they raise and instead are being given a standard response saying: “at present, due to current technical problems, we are unable to provide you with a reference number”. This has been the position for over 12 months now. When can those reporting issues to the Council expect to be given a reference number?”

(lii) To the Cabinet Member for Finance and Performance from Cllr Ayre:

“What is the current gap between the Council’s overall borrowing requirement and the amount that has currently been borrowed and does the Cabinet Member expect that borrowing to take place before or after the local elections?”

(liii) To the Cabinet Member for Education, Children and Young People from Cllr Brooks:

“Does the Cabinet Member have an estimate of the expected uptake of free school meals for classes up to Year 2 in September?”

(liv) To the Cabinet Member for Education, Children and Young People from Cllr Barton:

“In view of the shortage of foster parents, does the Cabinet Member agree that the dissemination of what little information that exists to the general public is sadly lacking and needs to be more proactive?”

(lv) To the Cabinet Member for Education, Children and Young People from Cllr Runciman:

“Could the Cabinet Member update Council on what is happening with Space 217?”

(lvi) To the Cabinet Member for Education, Children and Young People from Cllr Aspden:

“Will the Cabinet member make a commitment to retain the same number of Youth Centres as currently exist and detail the activities which will be available to young people operating from them?”

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

“Can the Cabinet Member inform the council what stage has been reached in the discussions between the York Conservation

Trust and the York Theatre Royal to take over or purchase the Theatre Royal and the De Grey rooms, and has a value been agreed for the properties?”

(lviii) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Cuthbertson:

“Regarding the “Grand Depart” held at Huntington Stadium on 4th July, how much was spent on this event (broken down by artist fees, charity contributions, equipment hire, stadium costs, traffic management, staffing costs, hospitality etc), how much income was derived (broken down by ticket sales, sponsorship etc), and who took the decision – and when – to add this event to the Tour de France calendar?”

(lix) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Cuthbertson:

“What is the Cabinet Member’s deadline for starting work on the ground at the new Community Stadium at Huntington and what is her current best estimate of its opening date?”

## **18. 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](mailto: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 and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

This page is intentionally left blank

**City of York Council**

Resolutions and proceedings of the Meeting of the City of York Council held in The Guildhall, York on Thursday, 27th March, 2014, starting at 6.30 pm

**Present:** The Lord Mayor (Councillor Julie Gunnell) in the Chair, and the following Councillors:

Acomb Ward

Bishopthorpe Ward

Horton  
Simpson-Laing

Clifton Ward

Derwent Ward

Douglas  
King  
Scott

Brooks

Dringhouses & Woodthorpe Ward

Fishergate Ward

Hodgson  
Reid  
Semlyen

D'Agorne  
Taylor

Fulford Ward

Guildhall Ward

Aspden

Looker  
Watson

Haxby & Wigginton Ward

Heslington Ward

Cuthbertson  
Firth  
Richardson

Levene

Heworth Ward

Heworth Without Ward

Boyce  
Funnell  
Potter

Ayre

Holgate Ward

Alexander  
Crisp  
Riches

Hull Road Ward

Barnes  
Fitzpatrick

Huntington & New Earswick Ward

Hyman  
Orrell  
Runciman

Micklegate Ward

Fraser  
Gunnell  
Merrett

Osbalwick Ward

Warters

Rural West York Ward

Gillies  
Healey  
Steward

Skelton, Rawcliffe & Clifton  
Without Ward

Cunningham-Cross  
McIlveen  
Watt

Strensall Ward

Doughty  
Wiseman

Westfield Ward

Jeffries  
Burton  
Williams

Wheldrake Ward

Barton

Apologies for absence were received from Councillor Galvin

## 67. Declarations of Interest

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary 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>
Horton	5 i) Petitions – Restrict Supermarket Expansion in York	As Chair of Planning Committee he stated that he would not participate in the debate on this issue.
Simpson-Laing	5 i) Petitions – Restrict Supermarket Expansion in York	As a member of Planning Committee
King	5 i) Petitions – Restrict Supermarket Expansion in York	As a member of Planning Committee
Crisp	5 i) Petitions – Restrict Supermarket Expansion in York	As a member of Planning Committee
Boyce	5 i) Petitions – Restrict Supermarket Expansion in York	As a member of Planning Committee
Burton	5 i) Petitions – Restrict Supermarket Expansion in York	As a member of Planning Committee
Riches	5 i) Petitions – Restrict Supermarket Expansion in York	As a member of Planning Committee
Williams	5 i) Petitions – Restrict Supermarket Expansion in York	As a member of Planning Committee
McIlveen	5 i) Petitions – Restrict Supermarket Expansion in York	As Chair of Area Planning Sub-Committee

**68. Minutes**

Resolved: That the minutes of the Budget Council meeting held on 27 February 2014 be approved and signed by the Chair as a correct record.

**69. Civic Announcements**

It was noted that there were no items of civic business.

**70. Public Participation**

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

Kevin Dobbin spoke in support of Councillor Reid's motion relating to the closure of Lendal Bridge, which was due to be debated later in the meeting. He stated that he felt aggrieved by the closure and had suffered financial detriment. He expressed concern at the number of penalty charges that had been imposed and stated that the arrangements had been poorly implemented, ill advised and that the national media coverage had been bad for the city. He urged that the motion be supported.

Peter Kilbane spoke against Councillor Reid's motion relating to the closure of Lendal Bridge, which was to be debated later in the meeting. He outlined some of the benefits of the restrictions, including making the area a more pleasant and inviting environment. He drew attention to the pollution caused by cars and the impact on long-term health and happiness. He urged that the motion be rejected.

Gwen Swinburn spoke in relation to the recommendations of the Audit and Governance Committee and the report of the Chair of the Corporate and Scrutiny Management Committee. Ms Swinburn urged that consideration be given to the Council's consultation procedures and suggested that scrutiny of this issue be carried out. She requested that the process for consultation on the review of the Council's Constitution be made clear and she also expressed an interest in serving as an Independent Person on the Audit and Governance Committee.

Johnny Hayes, from Bishopthorpe Road Traders' Association, spoke in support of the petition asking the Council to restrict supermarket expansion in York. Mr Hayes stated that independent shops encouraged people to shop locally and were a good resource

for the community. He gave details of the number of employees working for small businesses on Bishopthorpe Road and the income brought to the city. He stated that there were many supermarkets in York and this tended to have a detrimental impact on small businesses. He urged that there be no further supermarkets in the city.

Adam Sinclair spoke on behalf of York City Retailers, in support of the petition asking the Council to restrict supermarket expansion in York. He endorsed the comments made by the previous speaker and stated that small and independent specialist businesses also attracted world class businesses that were keen to be located where there was a vibrant independent sector. He stated that there was too much supermarket space across the city and requested that the petition be supported.

Graham Kennedy, organiser of the petition asking the Council to restrict supermarket expansion in York, stated that he owned an independent family business that employed a number of people in York. He stated that there were already sixteen major supermarkets in York and that further supermarkets were not needed. He stated that supermarkets created traffic problems, and resulted in job losses to local businesses. Supermarkets also acted in the interest of their shareholders and not the local community. He urged that there be no further supermarkets.

## 71. **Petitions**

A. **Petition – Restrict Supermarket Expansion in York** – signed by 1441 people plus 19 online signatories (956 York residents/505 East Riding/Selby area)

In view of the number of signatories to the following petition asking the Council to not approve any further planning permissions for supermarkets in York without a public debate and, in accordance with the Council's current petitions scheme, this was discussed by Members. Consideration was also given to a background report from the Head of Development Services and Regeneration:

The signatories *"petition the Council to:*

*Not approve any further planning permissions for supermarkets in York without a public debate.*

*We believe that York has now too many large supermarkets and any further expansion will threaten the very existence and sustainability of independent local retailers*

Councillor Warters presented the petition.

Following the debate the Lord Mayor confirmed that the petition and debate had been noted.

## **B. Petitions Presented Under Standing Order 7**

Under Standing Order 7, petitions were presented by:

- (i) Councillor Doughty, on behalf of Stockton on the Forest and Hopgrove residents calling for the reinstatement of late evening bus services from the city centre. <sup>1.</sup>
- (ii) Councillor King, on behalf of residents of Burdyke Avenue, regarding parking in the area. <sup>2.</sup>
- (iii) Councillor Reid, on behalf of residents in the Dringhouses and Woodthorpe Ward, calling on the Council to improve the condition of the roads, footpaths, verges and traffic calming humps in the area, including Ryecroft Avenue, Moor Lane, Waines Road, West Thorpe, The Horseshoe and North Lane. <sup>3.</sup>

### Action Required

1, 2 & 3. Schedule items on Forward Plan, if required, and keep relevant Member updated on progress.

SS

## **72. Report of Cabinet Leader**

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

The Cabinet Leader offered his condolences to the family and friends of Megan Roberts and Ben Clarkson.

Thanks were expressed to Darren Richardson – Director of City and Environmental Services and to Andrew Crookham – Principal Accountant for their services to the Council.



## A Questions

Notice had been received of eleven questions on the written report, submitted by Members in accordance with Standing Orders. The first three questions were put and answered as follows and Councillor Alexander undertook to provide Members with written answers to the remaining questions:

(i) From Cllr Warters

“Can the Council Leader explain how his desire to class York as a top ten European city for economic growth by 2015 will be reconciled by the clearly expressed desire, as evidenced by the Local Plan consultation responses of existing York residents, to maintain the environment and quality of life in York by opposing the development of Green Belt land for his over enthusiastic housing targets?”

**The Leader replied:**

*“By ensuring there is balance between protection of green spaces and new developments for homes and businesses. This has to be done in context of the needs of York and Government policy - both of which show no new developments is not an option. Without a local plan which takes into account planned growth, there is no protection of our green spaces.”*

(ii) From Cllr Steward

“With the leader wanting to know whether others are ‘in favour of rent capping’ can he outline the system he is proposing so others could at least have a chance of knowing what he is seeking their agreement to?”

**The Leader replied:**

*“I am proposing that mechanisms are looked at to introduce rent capping in - even if on a temporary basis. This could reduce the nation's housing benefit bill and ensure funds are available for grants to kickstart stalled construction. It could also fund large amounts of social housing. Once the housing market is repaired through an increase in supply, there is a legitimate argument to question whether a rent cap is required any longer.*

*Administration of such a cap could be taken at a regional or sub-regional level. I personally believe that councils are too small to take on board this function and that it would be inappropriate for politicians to set rent-caps of their own electors. I would advocate a national*

*independent body to set rent caps based on median income along combined authority or LEP geography.”*

(iii) From Cllr Aspden

“Could the Cabinet Leader explain his decision to re-join the NYYER LEP Board in February?”

**The Leader replied:**

*“I have explained here in full council and in various speeches over the past year that what we sought was clarity over funding streams through local enterprise partnerships. It made no sense for York to have to compete against itself for fair funding on two different and potentially opposing economic plans. I am pleased the Government took this into account and has given us assurances over these funds. I also have to say both Local Enterprise Partnerships of which York is part are working well together. For example the York, North Yorkshire and East Riding Local Enterprise Partnership is backing York securing larger funding for outer ring road improvements through the Leeds City Region than can be secured through the York, North Yorkshire and East Riding Local Enterprise Partnership.*

*There has been recognition from Government over how both Local Enterprise Partnerships’ growth plans need to work together and this has been recognised in both strategic economic plans and growth bids.*

*I am comfortable we have the assurances we need and we are now in a position where our membership of each Local Enterprise Partnership is advantageous rather than detrimental as it was.*

*I am also looking forward to some announcements from each Local Enterprise Partnership over funding I have argued for - some of which was not going to be awarded before I argued for it.”*

(iv) From Cllr Cuthbertson

“Does the Cabinet Leader agree with me that remaining part of the EU is vital to York’s economy and would he agree that UKIP and Conservative plans to pull Britain out of Europe would put local jobs at risk?”

**Reply:**

“Yes.”

(v) From Cllr Warters

“Whilst welcoming the Council Leader’s acknowledgement that the student let landlords have contributed to increasing house prices in York and driving up rental costs does he now regret the Labour Groups policy of a 20% acceptability threshold when accessing new HMO planning applications?”

**Reply:**

“No.”

(vi) From Cllr Runciman

“When the Cabinet Leader claims that housing numbers in the Draft Local Plan have been unanimously backed by Leaders in North Yorkshire and East Riding on the NYYER LEP – can he confirm that he is referring to Cllr John Weighell (North Yorkshire County Council), Cllr Tom Fox (Scarborough Borough Council), Cllr Stephen Parnaby (East Riding) and Cllr Chris Knowles-Fitton (Craven)?”

**Reply:**

*“Yes. All council leaders across York, North Yorkshire and East Riding back the Local Enterprise Partnership of York, North Yorkshire and East Riding in its growth plans to double housing across the Local Enterprise Partnership geography by backing the highest possible housing numbers in all agreed or draft local plans.”*

(vii) From Cllr Reid

“Would the Leader confirm how many new homes were built in York during the first 3 years of the last (majority) Liberal Democrat led Council between 2003 and 2006 and contrast that with the numbers built under the current majority Labour administration (2011-2014)?”

**Reply:**

*“I can indeed but you are not comparing like with like as the national economy growing more substantially under a Labour Government than the present coalition. I know you will try to argue Liberal Democrats therefore have a better record on housing than Labour but the facts do not support this. In recent years Liberal Democrats have opposed almost every house building scheme to come forward and made little progress on any of the large brownfield sites.*

2003/04

669 (gross)

525 (net)

2004/05

1193 (gross)

1160 (net)

2005/06	949 (gross)	906(net)
2011/12	354 (gross)	321 (net)
2012/13	540 (gross)	482 (net)
2013/14 to 1 <sup>st</sup> Oct 2013	179 (gross)	159 (net) [latest figures available]

*It can be argued that the figures in 2003/04 and 2011/12 were both as a result of policies of previous administrations as it would take time for any change in policy to filter through into housing completions.*

*Labour's Get York Building initiative has already seen a 600% increase in planning consents since 2011/12 with the first three quarters of 2013/14 showing a year-on-year increase of more than 233% alone. I expect to therefore see greater numbers of completions in the coming years. Our aim is to see increasing numbers of new homes and the private sector and York, North Yorkshire and East Riding Local Enterprise Partnership believes our aim of over 1,200 homes per year is deliverable. Instead of housing numbers reducing over the course of our term of office they will increase – something the Liberal Democrats didn't manage to achieve."*

(viii) From Cllr Ayre

"House prices in York have fallen from the high seen in 2008 and have been stable now for a period of 5 years (Source [House price index](#)). Would he therefore agree that the provision of more Council homes to rent, and in particular single person flats, would be the quickest and most effective way of addressing affordable housing shortfalls in the City and, therefore, would he agree to use part of the surplus on the housing account to purchase empty homes on the open market?"

**Reply:**

*"I am surprised by this question as Liberal Democrats have previously distributed leaflets in York saying that Labour plans for new homes will ensure homes are given over to immigrants and that this will lower house prices. Now the councillor is arguing they are already falling - I don't think we have much mass immigration in York leading to the picture inaccurately painted in these leaflets. I was very surprised that when I spoke recently at a housing conference one of the national speakers used this leaflet as a national example of the nasty politics that surrounds simply trying to supply the right land allocation for homes in this country for people to have access to homes they can afford.*

*I would question the basis of arguing York's house prices have fallen. Estate agents I speak to say the reverse.*

*I refer the councillor to some recent news reports:*

- *"House prices in York have soared to nearly six times the average buyer's earnings – making it one of the most expensive places to live in the UK, a new report says " (The Press: York among the most expensive places in Britain to buy a house, 10th March 2014).*
- *"The average wage in York would need to rise by £22,000 to keep up with soaring house prices, new research has shown" (The Press: £45,786 - what the average wage in York should be to match house prices, says charity, 12th February 2014).*
- *" House prices are going up as a result" (The Press: Is York's economy in recovery?12th September 2013)*

*I am always in support of ways to increase social housing and although there isn't as large a surplus as the councillor imagines I will look into the possibilities. I would like to ask a question in reverse though? Why did he not advocate this when Liberal Democrats led the council for eight years? We might not have the extent of the housing crisis we have now in York if measures were actually taken to promote an increase in council housing during this tenure."*

(iv) From Cllr Warters

*"As well as driving up the cost of purchasing and renting homes, the student let HMO market in York also contributes to pressure on council tax levels, as the 3,677 households receiving the educational exemption place a burden of £3.4m onto the council tax payers of York. Does the Council Leader believe this is fair and indeed affordable given that with Labour's HMO Policy 20% of York's housing could potentially become non-council tax paying?"*

**Reply:**

*"Government says that non-payment of council tax by students is taken into account in allocating funding to the council annually. The burden as the councillor describes is not as articulated."*

(x) From Cllr Reid

“Is the Leader aware that many city-centre traders are reporting an average 15% reduction in sales since the Lendal Bridge restrictions were introduced and that one relatively good Christmas – the result entirely of a recovering national economy and benign weather conditions - cannot make up for these losses?”

**Reply:**

*“I would like to ask the councillor to look back at her question and try and reconcile her statement. If the good Christmas York enjoyed was "entirely" due to a recovering national economy, why did other cities or large companies not see the trading figures enjoyed here in York? If York businesses are so dependent on the national economy, then why would the trial traffic restriction of a bridge be responsible for the 'entire' loss in trade some are reporting?”*

*I suggest the councillor continues to argue against the trial restriction that her previous administration called for to show that she and her colleagues are friends of the motorist whilst calling for York to be the greenest city in the north. Liberal Democrats do irony very well.”*

(xi) From Cllr Warters

“The Council Leader talks of the UK housing market being broken, of rising demand and the housing market being repaired by increasing supply. The South East of England has consistently seen huge increases in house building and yet house prices remain stubbornly high. No matter what level of housing is provided in the South East, and indeed the wider UK, demand outstrips supply. Does the Council Leader agree that one way to rebalance the UK housing market would be to cut demand by encouraging the current Government to make good on manifesto promises to drastically cut the previous Labour Government’s immigration levels?”

**Reply:**

*“The first part of your question justifies why I have said repeatedly that an increasing in the number of homes in York will not lower house prices - because to achieve this supply would have to outstrip demand and this will not happen in an attractive city like York. An increase in housing supply would however stem the rate of increase in house prices - allowing wages a chance to catch up so that local residents have more of a chance of being able to afford their own home.*

*I am used to the councillor being anti-traveller, anti-student, anti-immigrant and using the worst type of politics of division and fear for his own ends - but in terms of answering the question logically, I would understand the argument if York's demand for housing was based on immigration. I think you can tell by the residents on Derwenthorpe that we are not talking about new homes for immigrants. Furthermore there is a large amount of property being bought by foreign investors that remain empty in this country and that has nothing to do with immigration and these homes are in some of the country's wealthiest areas where hardworking people in this country can never afford to buy property.*

*Labour's politics is not about fear or division, it is about unity. We will ensure those York residents who work hard and want to get on can rent or buy their own home for their family whilst the councillor continues to peddle lowest common denominator politics.*

### **73. Recommendations of the Audit and Governance Committee**

As Chair of the Audit and Governance Committee, Councillor Potter moved and Councillor Burton seconded the following recommendation contained in minute 64 of the Audit and Governance Committee meeting held on 12 February 2014:

“*[That Council]* approve the amended draft “Summary and explanation” section of the Constitution to replace section one of the current Constitution forthwith”

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

Resolved: That the above recommendation of the Audit and Governance Committee meeting held on 12 February 2014 be approved. <sup>1</sup>.

#### Action Required

1. Update Council's Constitution.

JC

### **74. Recommendations of the Gambling, Licensing & Regulatory Committee**

As Chair of the Gambling, Licensing and Regulatory Committee, Councillor Boyce moved and Councillor Gillies seconded the following recommendation contained in minute 20 of the Gambling, Licensing and Regulatory Committee meeting held on 17 March 2014:

“[*That Council*] adopt the Statement of Licensing Policy subject to the amendments detailed in minute 20”

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

Resolved: That the above recommendation of the Gambling, Licensing and Regulatory Committee meeting held on 17 March 2014 be approved. <sup>1.</sup>

Action Required

1. Subject to the amendments implement new Licensing Policy.

LC

**75. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee**

Council received the report of the Chair of the Corporate and Scrutiny Management Committee at pages 111 to 114, on the work of the Committee.

Councillor Runciman then moved and Cllr Horton seconded acceptance of the report and it was

RESOLVED: That the scrutiny report be received and noted.

**76. Report of Cabinet Member**

Council received a written report from Councillor Levene, Cabinet Member for Environmental Services.

Notice had been received of twelve questions on the report submitted by Members in accordance with Standing Orders. The first eight questions were put and answered as follows and Councillor Levene undertook to provide Members with written answers to the remaining questions:

(i) From Cllr Richardson

“Regarding the planned Spring Clean, can you compare the amount of rubbish collected, in general figures, during last year’s campaign with the amount of rubbish collected annually prior to the closure of



Beckfield Lane and the restricted hours at Towthorpe Recycling Centres?”

**The Cabinet Member replied:**

*“Specific tonnages arising from the Spring Clean were not collected. However, the trend of the cost for dealing with flytipping is actually going down:*

08/09	£69.5k
09/10	£43.3k
10/11	£52.5k
11/12	£44.6k
12/13	£49.4k

*Latest figures for 13/14£31.5k”*

(ii) From Cllr Aspden

“Would the Cabinet Member agree that the fall in recycling levels is a regrettable consequence of this administration’s policies?”

**The Cabinet Member replied:**

*“I do not agree that the change in recycling levels is a consequence of this administration’s policies.”*

(iii) From Cllr Jeffries

“Why does the Cabinet Member give such a low priority to maintaining environmental standards in the City’s sub-urban estates?”

**The Cabinet Member replied:**

*“The City’s suburban estates are not given a low priority. Resources are deployed based on the needs of individual areas, not location, or indeed the fantasies of opposition councillors.”*

(iv) From Cllr Reid

“What performance targets have been set for the “Smarter York” team and when can we expect the new structure to provide measurable improvements in the local environment?”

**The Cabinet Member replied:**

*“Whether it’s the almost 100 events going on as part of this year’s Spring Clean, the 32 different projects being supported across the city, or the growing number of residents and businesses signing up to the Smarter Charter, Smarter York has already made measurable improvements to the local environment.*

*The team is still becoming established and objectives will therefore evolve, however the primary objectives of the Smarter York officers will be around increasing the number of volunteering opportunities, publicity for those opportunities, and engagement with those opportunities.”*

(v) From Cllr Richardson

“What were the “skill gaps” which prevented staff from being able to operate the new city centre cleaning equipment and what could have been done to prepare the staff more effectively for use of the new equipment?”

**The Cabinet Member replied:**

*“As tasks in this role have historically been mostly manual, there was not the need to possess a driving licence, as we move to the use of machinery to help us improve standards; this means a driving license is required. We are funding driving lessons where applicable.”*

(vi) From Cllr Orrell

“What additional resources are being put into the restarting of green bin collections to ensure that bins containing garden waste accumulated since October is collected within normal schedules?”

**The Cabinet Member replied:**

*“We are confident that we will be able to collect garden waste within normal schedules on resumption of the service. As usual, in the small number of cases where a collection has not taken place as it should we will return the next working day.”*

(vii) From Cllr Richardson

“How will you address a perception on the part of residents that the increase in penalty notices for parking enforcement is as much a mechanism for collecting additional revenue as an appropriate sanction for bad parking, given the concern which has developed over the number of penalty notices having been given out on Lendal Bridge?”

**The Cabinet Member replied:**

*“It is important that following past industrial action we saw an improvement in the service and I welcome that improvement - residents are right to expect that parking restrictions are properly enforced.”*

*Cllr Richardson has repeatedly called for additional parking restrictions in his own ward – is he saying this shouldn't be enforced, or is it one rule for him and another for the rest?"*

(viii) From Cllr Reid

"Can the Cabinet Member confirm what the winter maintenance budget was for 2013/14 and whether the department came in under or over budget?"

**The Cabinet Member replied:**

*"The winter maintenance budget is projected to overspend by £107k – this would have been at least £20k more had the changes to the winter service not been implemented. For comparison, this was £479k in 9/10 and £250k in 10/11 under the previous administration."*

*There is clearly an issue with historic overspending on the winter service and this will be dealt with by the Rewiring Public Services transformation."*

(iv) From Cllr Richardson

"Further to your recognition that maintenance on the unclassified road network has deteriorated, why is your new investment of £2.3m targeting footway maintenance when these are the roads which, particularly those linking our rural villages, have no defined footways and depend on regular pothole repair and edge-of-road maintenance to enable these roads to be safe and passable for all road users, including pedestrians?"

**Reply:**

*"The Big York Survey indicated residents had concerns over footways, so the additional highways capital investment will allocate 50% for footways rather than 40%."*

*Is Cllr Richardson suggesting that we ignore residents' feedback?"*

(x) From Cllr Reid

"The Cabinet Member continues to claim that York's roads and footpaths are the best in the region. When does he expect the majority of residents to respond to independent surveys – such as those conducted by the AA - saying that they are satisfied with the condition of roads and footpaths in York?"

**Reply:**

*“Given the probable impact of the opposition constantly and incorrectly crowing about how terrible York’s roads are, I suppose that’s rather up to you. I certainly look forward to a robust data-backed analysis in the next round of Focus leaflets”.*

(xi) From Cllr Jeffries

“Will the Cabinet Member ensure that salt bins that are broken and have missing lids (allowing rain to wash out salt supplies) are repaired and that there is adequate consultation with residents on 'adopting' bins which had been removed but are nevertheless needed during a 'typical' winter?”

**Reply:**

*“All salt bins are refreshed at the start of the season and any defects reported by the operatives.*

*Consultation with residents took place prior to the changes made to the winter service.”*

(xii) From Cllr Reid

“In the Cabinet papers for November 2013 the following comments were made: "The effect of the national recession is being felt by councils across the country in the amount of recyclable material, especially paper and glass, being presented for recycling". Household Waste Growth – “Rate of growth is higher than anticipated. There could be many reasons for this situation, including: an increase in waste arisings due to the economy starting to recover”. Would the Cabinet Member say which is true?”

**Reply:**

*“Both statements are true and the officer description Cllr Reid quotes from is accurate. Though both have decreased, recycling tonnages have been affected to a greater degree than landfill tonnages, hence the changes in rates sent to landfill and recycled. This trend is reflected nationally. It is expected at the end of 2013/14 that the total amount of household waste collected will increase, again both locally and nationally, as the economy starts to recover.”*

**77. Pay Policy 2014/15**

Councillor Williams, as Cabinet Member for Finance, Performance and Customer Services, presented a written report detailing the Council's Pay Policy Statement for 2014/15 relating to the pay of the Council's senior staff, to fulfil the requirements of Sections 38-43 of the Localism Act 2011.

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

Resolved: That the motion in respect of the Pay Policy Statement for 2014/15 be approved.

**78. Activities of Outside Bodies**

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

- Yorkshire Purchasing Organisation – 31 January 2014
- NHS – 18 September 2013
- Fire Authority – 12 February 2014
- Without Walls – 10 February 2014
- Safer York – 3 February 2014

Notice had been received of one question in respect of the minutes, submitted by a Member in accordance with Standing Orders:

- i) To Councillor Williams as one of the Council representatives on the Yorkshire Purchasing Organisation

From Councillor Barton:

“Can Councillor Williams confirm that in a response to a question put by a local radio station, he acknowledged that as our voting delegate he had never attended a meeting of the YPO Management Committee but, in defence, had read reports from Officers who had attended all of them and was satisfied with their contents”

**Councillor Williams replied:**

I cannot confirm this as the quote is inaccurate. I am happy to provide a response to Councillor Barton via email outside of the meeting. I no longer serve as a City of York Council representative on the YPO.

**79. Notices of Motion**

(i) Living Wage

It was moved by Councillor Semlyen and seconded by Councillor Williams that:

“York Labour promised to set up an independent Fairness Commission before the last local elections. This was implemented soon after the election result. The commission was led by the Archbishop of York. A key recommendation of the commission was the introduction of the Living Wage. Under Labour this is the first local authority in Yorkshire and the Humber to commit and implement the Living Wage. This has so far helped increase the pay levels of 700 of our lowest paid staff.

The Leader of the Conservative Group has said he is “sceptical” about the Living Wage and the Deputy Leader of the Conservative Group has called the Living Wage “immoral”. York Liberal Democrats have previously published leaflets stating they would “realign staff costs to private sector rates”.

Council believes both the electorate and staff deserve to know where each of the party stands on the Living Wage over the course of the next council (2015-9). Council resolves to commit to the Living Wage for at least the course of this period.”

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

Resolved: That the above motion be approved. <sup>1</sup>.

(ii) Wind Turbines

It was moved by Councillor Brooks and seconded by Cllr Docherty that:

“Council notes residents’ concerns regarding the placement of wind turbines within the council’s boundaries and acknowledges their impact on residential amenities and visual landscapes and the spatial and safety issues which arise from erecting large wind turbines in the Vale of York. Therefore, as a key aspect of the next phase of York’s Local Plan process, the council recommends the Local Plan consults on imposing minimum distance setbacks between wind turbines and habitation as follows:

For all wind turbines of 15m in height and over (as measured from the ground to hub height), a distance of 1.5 km between the turbine and any habitation, unless all landowners or occupiers within this distance consent; and

For all wind turbines of whatever height, a distance of 350m from any public footpath or bridleway.”

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

Resolved: That the above motion be not approved.

(iii) Lendal Bridge Closure (proposed by Cllr Reid)

Council notes the report in *The Press* on 27th February which revealed important facts about the Lendal Bridge closure.

Council further notes that:

1. The Labour Cabinet’s six-month trial closure of Lendal Bridge should have finished at the end of February
2. The closure has brought widespread criticism from local residents, business owners, tourists and tourist groups
3. Negative media and social media coverage has been generated to the detriment of our city
4. The closure has failed to significantly improve overall bus journey times
5. Traffic displaced by the closure has caused increased congestion elsewhere in the city e.g. Foss Islands Road and Water End at Clifton Bridge
6. Officers have admitted that the trial closure has had little impact on overall air quality
7. The Labour Cabinet Member responsible has admitted that the signage at the start of the trial was “very confusing”
8. Around 45,000 motorists have received fines for crossing the bridge.

Council therefore resolves to ask Cabinet to:

- a. immediately end the trial closure of Lendal Bridge
- b. publicly admit that the trial has been botched and to apologise for this
- c. immediately publish the raw data on the trial ahead of their detailed evaluation report
- d. commit to consulting with residents and local businesses before bringing forward any future plans for Lendal Bridge.”

An amendment had been submitted by Councillor Gillies as follows:

**Add** the following additional bullet point at the end of the motion:

“e. Commit to consulting more comprehensively with residents and businesses in the future prior to any significant proposed changes to York’s transportation network.”

Councillor Fraser moved and Councillor Burton seconded that, in accordance with Standing Order 12.1(b), Councillor Reid’s motion in respect of Lendal Bridge be referred to Cabinet, as the data on the trial was currently being collated and analysed.

A named vote on the motion was requested, with the following result:

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



The motion was declared CARRIED and it was

Resolved: That the motion regarding Lendal Bridge be referred to Cabinet. <sup>2.</sup>

At this point in the meeting, the guillotine fell and all of the following business was deemed moved and seconded. Where a proposer and seconder were before Council, at the time of the guillotine falling, details are listed below:

(iv) Proliferation of Betting Shops and Payday Lenders (proposed by Cllr Boyce)

“Council notes the proliferation of betting shops and payday lenders in certain areas and is concerned by the lack of powers currently available under the planning or licensing systems to deal with this matter.

Council further notes the damage done by the unregulated spread of Fixed Odds Betting Terminals (FOBTs) and currently virtually uncapped payday loans, and that dealing with these issues would make a significant contribution to the Council’s Anti Poverty Strategy as well as preserving the city centre’s unique character.

Council therefore resolves to support Hackney Borough Council which is leading a cross-party group of councils in putting forward a proposal under the Sustainable Communities Act for specific action that will address this problem, such as for a new planning use class to be created for betting shops, and for appropriate licensing proposals to be brought forward to allow Councils to control the spread of betting shops and payday lenders on the high street.”

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

Resolved: That the above motion be approved. <sup>3.</sup>

Action Required

1. Note the Labour Groups commitment to the Living Wage during 2015 to 19.

KE, WB

2. Refer motion to Cabinet.

JP, RS

3. Contact Hackney Borough Council to express CYC's support for specific action to address this problem.

WB

**80. Questions to the Cabinet Leader and Cabinet Members received under Standing Order 11.3(a)**

Sixty three questions to the Leader and Cabinet Members had been received 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 Leader from Cllr Steward:

“Given public scepticism about overseas trips by cabinet members can the leader give an update on the tangible results to come from these trips under his administration?”

**Reply:**

*“Firstly, it is misleading of Coun. Steward to imply that overseas trips by Cabinet Members are a common occurrence, but on rare occasions representing a global city requires international travel. It may surprise the opposition but York having a global brand is not enough. Sometimes you have to use this brand to gain tangible benefits.*

*In a study of the most promising investment locations in Europe, fDi Magazine (Financial Times) named York in the top ten European Cities and Regions of the Future in two categories. We placed:*

- *Ninth - Small European Cities - Overall*
- *Eighth - Small European Cities - FDI strategy*

*In addition, the following benefits have accrued from these trips:*

1. *Real investor leads which have been introduced to landowners of key sites in the city, and which are keen to engage with these opportunities, such as York Central, Nestle South and the University’s Heslington East campus as and when these open to procurement of developer and/or investor partners*
2. *Tour de France coming to York*
3. *Global media coverage for York with regards to the Tour de France*
4. *Swedish model of operating elderly persons homes (visit not paid for by the council)*
5. *Tourism partnerships*
6. *A renewal of our twinning with Dijon”*

(ii) To the Cabinet Leader from Cllr Aspden:

“What is the value of the investment – detailing each development separately - made in York which can be directly attributed to the Council and its partners’ participation in the 2013 MIPIM event?”

**Reply:**

*“The nature of the developments promoted at 2013 and 2014 – namely, sites including York Central, Biovale at Heslington East, Guildhall, and a strategic city deal package (which would pair some of these developments with infrastructure investment into a single package), are of a scale and complexity that formal processes to engage investors are still being developed. When procurement of investors and potential partners are put to the market, the investor leads generated and fostered through MIPIM and the follow up undertaken throughout the year with these investors will be made clear.*

*As Coun. Aspden will know from his membership of the YEP Board, the business community have expressed their support for the city of York being represented at MIPIM and are firmly behind this initiative.”*

(iii) To the Cabinet Leader from Cllr Ayre:

“At the last ordinary Council meeting held in December, the Cabinet Member for Leisure claimed that the Council Leader would answer the following question when information became available in January. Perhaps the Leader would now give us the information: Can the Cabinet Member outline how much additional income the Council can expect to receive from parking charges, rents, leases, licences, sponsorship and similar income streams during and after the ‘Grand Départ’?”

**Reply:**

*“There are certain stipulations made by ASO – the owners of the Tour de France to ensure councils do not hike up car parking charges and so on excessively – making the Tour de France a less enjoyable and accessible experience. There are also certain regulations with regards to sponsorship and the other elements you refer to.*

*Although there are undoubted benefits to businesses with regards to the Tour de France – especially in the hotel and guest house sector, I would have said at the last Full Council meeting that my expectations on income would have been circa £175k directly to the council.*

*However, since the last meeting of Full Council I know you have been very vigorous in opposing the opportunity to generate this income through proposed camping. I suspect the negative publicity generated will harm the number of expected campers so in this respect Coun. Ayre can consider his efforts successful, but they are also likely to impact on the income generated directly to the council.*

*It must be remembered that more than creating income to the council, though important, our main objectives are to ensure local businesses benefit hugely from this once in a lifetime opportunity and that York successfully hosts a global event that residents and visitors remember for the right reasons for years and years to come.*

*As detailed in previous Cabinet reports, the economic benefits regionally are projected to be up to £100m for Yorkshire, and £30m in press and promotional opportunities. Clearly York's businesses stand to reap the rewards of our being a stage start city."*

(iv) To the Cabinet Leader from Cllr Hyman:

"How many residents (excluding council officers and members) have attended each of the "community conversation" events held so far?"

**Reply:**

*"Four meetings have taken place so far and attendance figures supplied by officers are as follows:*

- 1. Haxby and Wigginton – 61 (including 20 or so children)*
- 2. Westfield – 15*
- 3. Hull Road – 26*
- 4. Clifton – 16*

*I would like to thank opposition councillors for their participation and I welcome the positive feedback they have given me about the meetings."*

(v) To the Cabinet Leader from Cllr Cuthbertson:

"What has been the cost of staging the community conversation events held so far?"

**Reply:**

*"£772.25."*

(vi) To the Cabinet Leader from Cllr Runciman

“Please could the Cabinet Leader present a list showing York’s ranking in all sections of the 2011, 2012, 2013 and 2014 Centre for Cities: Cities Outlook reports?”

**Reply:**

*“The council does employ a researcher who works for the Liberal Democrat Group and I didn’t apply for this job when it became available. I suggest you ask him to do this research for you. However, in the spirit of cooperation, please find links to the reports in question.*

2014:

[http://www.centreforcities.org/assets/files/2014/Cities\\_Outlook\\_2014.pdf](http://www.centreforcities.org/assets/files/2014/Cities_Outlook_2014.pdf)

2013:

[http://www.centreforcities.org/assets/files/2013/CITIES\\_OUTLOOK\\_2013\\_FINAL.pdf](http://www.centreforcities.org/assets/files/2013/CITIES_OUTLOOK_2013_FINAL.pdf)

2012:

[http://centreforcities.cdn.meteoric.net/CITIES\\_OUTLOOK\\_2012.pdf](http://centreforcities.cdn.meteoric.net/CITIES_OUTLOOK_2012.pdf)

2011:

<http://www.centreforcities.org/research/2011/01/24/outlook11/>”

(vii) To the Cabinet Leader from Cllr Steward:

“In light of the leader’s remarks that himself and Cllr Merrett should not be personally pinpointed for the Lendal Bridge farce, who does he think should take the blame?”

**Reply:**

*“I don’t think any individual should be so personally associated with any policy that is collectively agreed, that was my point. So where should blame be apportioned? I would argue that Conservative North Yorkshire County Council who discussed this trial in 1974 should have initiated a trial and I also believe Liberal Democrats arguing against policies set out in their own transport plans passed shortly before the last local elections is hypocritical.*

*Your predecessor argued in The Press before the last local elections for this trial to proceed but inclusive of Ouse Bridge closing, not just Lendal Bridge. Councillor Watt expressed his support for the trial at a recent scrutiny meeting, a view I’m sure someone with such certainty*

*in his beliefs he retains to this day. So whilst your view may differ from the ex-Leader of your Group, it is unconvincing that it is a Conservative Group view and more likely one reflecting the need to try and make your mark.”*

(viii) To the Cabinet Leader from Cllr Ayre:

“How much has the Council spent both directly and indirectly (through partners such as the Leeds City Region) on promotional activities connected with this year’s MIPIM event held in Cannes and what benefits did this cost bring?”

**Reply:**

*“See responses to Qs 2 (on MIPIM 2013) and 10. Ultimately the benefits of this year’s event will be better known only in the months and years that follow when we see what investor interest results from our attendance.”*

(ix) To the Cabinet Leader from Cllr Steward:

“Following confused messages from the Labour budget and cabinet members’ comments on ‘privatisation’ can the leader confirm whether he agrees that if the private sector can deliver an output cheaper and better than the public sector that it makes sense for it to do so?”

**Reply:**

*“The private sector is sometimes best to provide some public services, but not all. Conservatives ideologically want to see private companies operating mass public services and making a profit from them. My Labour colleagues and I are pragmatic but we disagree with this wholesale approach. Such an approach undermines local accountability and democracy. Ultimately it is what is in the interests of the city’s residents and taxpayers, and that is plurality of service provision.*

*If Coun. Steward is offering his vision for public services in York, then I think he’d be a better fit for Barnet or Hammersmith than in York where quality of service as well as cost is an important consideration.”*

(x) To the Cabinet Leader from Cllr Ayre:

“Who attended this year’s MIPIM event for the council and could the Leader provide a breakdown of costs –attendance, travel, subsistence and accommodation etc?”

**Reply:**

*“Kersten England (CX) (2 night stay); Katie Stewart (Head of ED) and Andrew Sharp (Strategy and Investment Manager for ED) (both 4 night stays) attended.*

*Accommodation: £2943.95*

*Travel: £2653.24*

*Subsistence for KS and AS: £150 approx.*

*Overall total: £5,747.19”*

(xi) To the Cabinet Leader from Cllr Steward:

“What percentage of York’s residents does the leader believe support the current closure of Lendal Bridge?”

**Reply:**

*“I think Coun. Steward may be surprised by how many residents support it. The arguments have been well rehearsed so I will not go over them again, save to say that it is an irresponsible and short-termist political Group who only looks to the next 12 months rather than the next 12 years in how the city’s manages its transport network and tackles traffic congestion.*

*Once we have fully analysed the six month data then we will better know how important a question this is.”*

(xii) To the Cabinet Leader from Cllr Ayre:

“Did any representatives from City of York Council attend the ‘Urbact’ event in Paris in January and if they did what the purpose of the visit, what were the costs, and what benefits did attendance bring?”

**Reply:**

*“URBACT is a European cities collaboration programme, funded through the European Commission. In the autumn the council successfully bid to lead a project as part of the URBACT programme. URBACT have funded 9 new projects that were launched at the start of the year. The meeting in January was the kick-off meeting for these projects. Representatives from the council attended as the lead partner in one project, as did representatives from the three other cities participating with us in our project (Tallinn in Estonia, San Sebastián in Spain and Syracuse in Italy).*

*The meeting was organised by the URBACT secretariat and its purpose was twofold: firstly, it was for URBACT to bring together all the city partners from the 9 projects that were being launched in order to meet the cities and communicate the key principles and processes for the programme to all cities at once; secondly, it was to act as the first opportunity for the city representatives to meet face-to-face, to begin detailed work on initiating and planning their individual projects and to identify where other projects within the group had beneficial links to each other. A total of 42 cities from across Europe were represented at the event as part of the 9 projects.*

*There was no event fee in order to attend. The costs for attending the event were entirely met from within the project budget allocated by URBACT (made available through ERDF funding). The travel and accommodation costs for the York project delegation was £1,856 (for 4 people) and were covered by this European funding. Through the project budget, ERDF funding also covered the costs of the officer time taken to attend the event.*

*This project will help develop our work on community collaboration and social innovation in York to increase the local impact. It also creates a stronger platform from which to bid for larger blocks of funding in the future, particularly in the new rounds of European funding becoming available over the next 18 months. Through working with other cities in the UK and Europe on projects such as this, we are able to increase the quality of our brand and thus attract others to work with us or invest in the city – thus creating local benefits for York through generating social value, creating local jobs and developing export markets. We are also gaining significant insight in how to transfer good practice effectively within cities, an area that cities across the UK struggle with and in which York will have a clear expertise by the end of this project.*

*The three other cities in our project have expertise of their own in different areas which are also of value to York. Working on such a project builds strong links which can be used to lever other investment and support from these cities on both current and future initiatives.*

*Through Siracusa, we have already generated interest in their representatives attending our Fairness Conference in the summer, helping create a more diverse event with alternative perspectives on the subject. Through San Sebastian, we are now looking to participate in their graduate placement scheme, which will see graduates being funded by San Sebastian to undertake placements of 8 months or more in businesses or organisations in York – providing the*



*opportunity for them engaging high quality graduates that could otherwise be unaffordable to many organisations.”*

xiii) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Reid

“When was the facility to report potholes, faulty street lights, blocked footpaths etc removed from the “Do it on line - Report it” section of the council website and when will a full range of reporting tools be restored?”

**Reply:**

*“The facility/functionality was removed in November. This followed a change in Google maps programming which affected the facility. We have been working on a permanent fix or its replacement, and we expect to have this fully resolved by late April.”*

xiv) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Firth

Would the Cabinet Member please update the answer he gave at the December Council meeting and specify for each of the last 6 months the number of issues raised by the different Council access channels (listing separately those originating from web based services such as [“My Council”](#))?

**Reply:**

*“The December response only focussed on Customer Services (CBSS) and Smarter York Channels and this information is as follows. I cannot yet provide the March data until after the month end.*

	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	
Total Calls	31270	24703	19776	26219	21568	
Total	12906	10766	7377	11843	9767	
Footfall						
Total Email	5835	4767	3153	4758	2481*	* no info yet from some areas eg estate managers/ RSLs

<i>Do It Online</i>	2248	1246	722	949	*	<i>*corporate produced report not yet available</i>
---------------------	------	------	-----	-----	---	---

<i>Smarter York App</i>	52	28	27	25	45"
-------------------------	----	----	----	----	-----

xv) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Reid

“What action has the Cabinet Member taken to ensure that residents use the cheapest (to process) channel to access council services?”

**Reply:**

*“In October 2013 I proposed at Cabinet that the Council agreed to build a transformation programme: re-wiring public services. Details of the programme were brought by me to Cabinet and approved on 11<sup>th</sup> February 2014 and subsequently by Full council on 27<sup>th</sup> February 2014. It is recognised that the website has been improved to make it easier for customers to find what they need on-line however, too much of the current interaction with the council remains through traditional routes and the use of online and self services has yet to be fully exploited.*

*To ensure residents are using the cheapest channels to access council services we must, through the transformation programme:-*

- ✓ Change our website from being an effective library of information, into a transactional site where residents and visitors can interact with the council through systems such as web-chat*
- ✓ Create a ‘my account’ model of service for our customers*
- ✓ Encourage all customers to sign up to an online account which will provide them with regular updates by SMS, email or facebook*

*I am personally committed to ensure that this happens and I will serve throughout the next year as the political lead for the Cabinet on the Rewiring Public Services programme.”*

xvi) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Ayre

“According to a response to a recent FOI request the Council rents nearly 2,000 mobile phones and other mobile devices for use by its

3,500 staff. How much are these devices costing taxpayers, how many of the devices have call charges of less than £10 a month, and has the Cabinet Member considered offering staff the option of a payment if they choose to use their own mobile devices when at work instead of a council supplied alternative?”

**Reply:**

*“Mobile Phones and other mobile devices cost the Council approximately £80k per year. The current call charges arrangement that we have in place is for a pool of minutes. All CYC to CYC mobile calls are free, all mobile to landline calls are free, all texts are free. The pool also covers all calls to mobiles that are on other networks.*

*In terms of offering staff the option of a payment if they choose to use their own mobile devices when at work instead of a council supplied alternative, I have no objection in principle. However, in the case of data i.e. emails, the only way that this could be allowed due to cabinet office Public Sector Network regulations regarding information security would be to insist that a mobile device management (MDM) client was installed on their personal handsets to ensure that they were kept secure, able to be tracked and wiped remotely as well as having a number of other measures imposed upon them including a requirement for complex password logins on their own phones. As well as being a potential unwelcome set of measures to have on your own phone, the authority would also then be entering into the realm of potentially providing support for personal equipment that is used for work purposes which would come at a significant cost. It would also introduce risks including who owns the data held on the device, where would we stand in terms of FOI requests etc as well as the fact that there would be a cost associated with providing the client for the MDM.*

*This would make accessing emails very difficult to achieve and would almost certainly ensure that staff would have to only use Council owned devices for this, at which point it would make no sense to offer devices only for email use.*

*I am happy to keep this matter under review if some of these practical issues can be overcome.”*

xvii) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Reid

“How much has been spent on new furniture at the Eco Depot in each year since it was opened, and what is the estimated life cycle of the new chairs provided at the Eco Depot a few weeks ago?”

**Reply:**

*“Financial records show expenditure as follows:*

<i>2007/8;</i>	<i>£2,587</i>
<i>2008/9;</i>	<i>£1,196</i>
<i>2009/10;</i>	<i>£2,852</i>
<i>2010/11;</i>	<i>£599</i>
<i>2011/12;</i>	<i>£1,896</i>
<i>2012/13;</i>	<i>£479.97</i>
<i>2013/14;</i>	<i>£26,807</i>

*Total £36,418.*

*The new chairs which were provided at Hazel Court EcoDepot recently are the same as those which were provided at West Offices. They have a rating which means that they would be expected to last 5 years with normal 9-5 type use. The contract requires that spare parts are available for 10 years.*

*The majority of the chairs on site were new when the building opened in 2006 and had reached the end of their life (typically five years). Flexible working arrangements can require staff to use a variety of work stations and standard model adjustable chairs are required.”*

xviii) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Reid

“How much has the Council received in payment for any “obsolete” furniture at the Eco Depot which has been discarded?”

**Reply:**

*“No payment was received for the end-of-life chairs as the chairs were not suitable for resale*

*Our Health & Safety team inspected all the old chairs prior to the new chairs being installed and those which were no longer serviceable were identified and removed by Clear Environments via the supplier; Flexiform. The chairs will have the gas lifts removed and correctly*

*discharged and disposed of and hard plastic and metal parts will be recycled. Chairs which were still serviceable were either retained (where they were newer and in good condition or particular to individuals due to medical issues) or were offered to staff who may be able to use them for home working.”*

xix) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Ayre

“Could the Cabinet Member specify the number of public complaints received by the council by department in each of the last two calendar years and outline how complaints about the council are recorded and monitored?”

**Reply:**

*“1<sup>st</sup> September 2012 to 31<sup>st</sup> March 2013*

<i>Adults</i>	<i>24 complaints</i>
<i>Children’s</i>	<i>15 complaints</i>
<i>Office of the Chief Executive</i>	<i>1 complaint</i>
<i>Customer &amp; Business Support</i>	<i>72 complaints</i>
<i>City &amp; Environmental Services</i>	<i>254 complaints</i>
<i>Communities &amp; Neighbourhoods</i>	<i>161 complaints</i>

*1<sup>st</sup> April 2013 to date 21<sup>st</sup> March 2014*

<i>Public health/adults</i>	<i>41 complaints</i>
<i>Children’s</i>	<i>42 complaints</i>
<i>Office of the Chief Executive</i>	<i>4 complaints</i>
<i>Customer &amp; Business Support</i>	<i>317 complaints</i>
<i>City &amp; Environmental Services</i>	<i>1018 complaints</i>
<i>Communities &amp; Neighbourhoods</i>	<i>393 complaints</i>

*We only have access to reportable figures for complaints across all of the directorates, since September 2012 when the centralised team was formed. As such a full comparison between one year and the other cannot be made.*

*To record and monitor complaints, we follow the council complaints procedures. You can view the procedures on the council’s website at:*

[http://www.york.gov.uk/info/200167/customer\\_services/42/comments compliments complaints and suggestions](http://www.york.gov.uk/info/200167/customer_services/42/comments_compliments_complaints_and_suggestions)

*Complaints and feedback are recorded on the Respond database, which is able to record information including name, address, date received, record type, team, outcome, in or out of time and a summary of the feedback. Cases are given a unique reference number to help identify the correct feedback record.”*

xx) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Jeffries

“How many complaints about the Council were received by month from the LGO (Local Government Ombudsman) and ICO (Information Commissioner's Office) in each of the last 24 months?”

**Reply:**

*“We only have access to reportable figures for both LGO and ICO complaints raised against the council going back to September 2012 when the centralised team was formed.*

*September 2012 to 31st March 2013*

*LGO total = 11 ICO total = 4*

<i>LGO</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>March</i>
<i>Adult</i>	-	-	-	-	-	-	-
<i>Child</i>	-	-	-	1	-	-	-
<i>CEX</i>	-	-	-	-	-	-	-
<i>CBSS</i>	-	-	-	-	-	-	1
<i>CES</i>	1	1	-	1	-	-	1
<i>CAN</i>	1	1	1	-	2	-	-
<i>ICO</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>March</i>
<i>Adult</i>	-	-	-	-	1	-	-
<i>Child</i>	-	-	-	-	-	-	-
<i>CEX</i>	-	-	-	-	1	-	-
<i>CBSS</i>	-	-	-	-	1	-	-

CES       -       -       -       -       -       1       -

CAN       -       -       -       -       -       -       -

*1<sup>st</sup> April 2013 to date 21<sup>st</sup> March 2014*

*LGO total = 27 ICO total = 5*

LGO	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March
Adult -	-	-	1	1	-	-	-	-	-	1	-	-
Child -	-	-	1	1	-	-	2	-	-	-	-	-
CEX -	-	-	-	-	-	-	-	-	-	1	-	-
CBSS -	-	1	-	1	1	-	-	-	-	-	-	-
CES 2	2	1	1	2	1	-	1	-	-	-	1	1
CAN -	1	-	-	-	1	-	1	-	1	-	-	-

ICO	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March
Adult	-	-	-	-	-	-	-	-	-	-	-	-
Child	-	-	-	-	-	-	-	-	-	-	-	-
CEX	-	-	-	1	-	-	-	-	-	-	-	-
CBSS	-	-	-	-	-	-	-	-	-	-	-	-
CES	1	-	-	-	1	-	-	-	-	-	2	-
CAN	-	-	-	-	-	-	-	-	-	-	-	-

xxi) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Cuthbertson

“Could the Cabinet Member please supply the monitoring statistics for the call centre including waiting times and lost calls for each of the last 24 months?”

**Reply:**

“Due to the Mitel telephone reporting system being unavailable due to technical problems in March 2013, the ability to report fully on that time period is restricted. Below tables show the available figures for both the customer centre (YCC) phone team and dedicated Benefits Service phone team:

<i>Combined YCC and Benefits Service</i>				
<i>Data</i>	<i>% of calls answered in 20 secs</i>	<i>No of calls offered</i>	<i>No of calls handled</i>	<i>% abandoned calls</i>
<i>Apr 13</i>	<i>23.7</i>	<i>33587</i>	<i>19260</i>	<i>41.2</i>
<i>May</i>	<i>28.2</i>	<i>29971</i>	<i>19847</i>	<i>33.2</i>
<i>Jun</i>	<i>31.4</i>	<i>26277</i>	<i>18782</i>	<i>28.5</i>
<i>Jul</i>	<i>24.5</i>	<i>34132</i>	<i>22039</i>	<i>35.4</i>
<i>Aug</i>	<i>45.2</i>	<i>26797</i>	<i>21660</i>	<i>19.2</i>
<i>Sep</i>	<i>35.9</i>	<i>32953</i>	<i>24244</i>	<i>26.4</i>
<i>Oct</i>	<i>38.3</i>	<i>31245</i>	<i>23660</i>	<i>22.2</i>
<i>Nov</i>	<i>58.4</i>	<i>24702</i>	<i>21048</i>	<i>11.2</i>
<i>Dec</i>	<i>62.9</i>	<i>19790</i>	<i>17599</i>	<i>9.3</i>
<i>Jan 14</i>	<i>63.2</i>	<i>26218</i>	<i>23498</i>	<i>9.2</i>
<i>Feb</i>	<i>74.5</i>	<i>21568</i>	<i>20153</i>	<i>5.7</i>
<i>Mar</i>	<i>61.2</i>	<i>17034</i>	<i>14862</i>	<i>11.0</i>

*For the previous 12 months April 2012 to March 2013, again we had reporting restrictions due to the downtime of the Mitel reporting product in March 2013 and the upgrade that followed this.*

*We have used archived reports for 2012/13, which do not have the base calculations sitting behind them to allow us to combine the data easily, therefore the data for YCC and Benefits is presented separately.*

<i>YCC April 2012 to Feb 2013 *</i>	<i>*</i>			
<i>Data</i>	<i>% of calls ans In 20 secs.</i>	<i>No. Calls Offered</i>	<i>No. Calls Handled</i>	<i>% Abandoned Calls</i>
<i>April 12</i>	<i>60.90</i>	<i>21493</i>	<i>18834</i>	<i>12.40</i>
<i>May</i>	<i>68.90</i>	<i>20683</i>	<i>18854</i>	<i>8.80</i>
<i>June</i>	<i>45.20</i>	<i>20614</i>	<i>16263</i>	<i>21.10</i>
<i>July</i>	<i>53.00</i>	<i>22154</i>	<i>18710</i>	<i>15.50</i>
<i>Aug</i>	<i>49.80</i>	<i>20236</i>	<i>17017</i>	<i>15.90</i>
<i>Sept</i>	<i>29.50</i>	<i>21827</i>	<i>15073</i>	<i>30.90</i>
<i>Oct</i>	<i>26.90</i>	<i>25116</i>	<i>17099</i>	<i>31.90</i>
<i>Nov</i>	<i>57.60</i>	<i>21174</i>	<i>18363</i>	<i>13.30</i>
<i>Dec</i>	<i>58.10</i>	<i>15595</i>	<i>13701</i>	<i>12.10</i>



Jan 13	40.10	25275	19486	22.90
Feb	33.30	21374	15496	27.50

<i>Benefits service - April 2012 to Feb 2013</i>				
<i>Data</i>	<i>% Calls Answered in 20 secs</i>	<i>No of Calls Offered</i>	<i>No of Calls Answered</i>	<i>% Calls Abandoned</i>
April 12	79.9	2487	2336	6.1
May	81.8	2569	2358	8.2
June	85.8	2040	1904	6.7
July	66.9	2500	2146	14.2
Aug	78.2	2137	1976	7.5
Sept	73.8	2111	1914	9.3
Oct	67.0	2773	2191	12.1
Nov	72.3	2527	2229	11.8
Dec	76.3	1709	1553	9.1
Jan 13	48.7	3210	2438	24
Feb	56.0	2357	1882	20.2

xxii) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Ayre:

“How many residents have signed up to 12 monthly council tax payments by month since January 2013 and how is the Council making it easier for residents to sign-up to this payment structure?”

**Reply:**

*“The table below sets out the numbers who have registered. 12 monthly payments were only introduced by the Government from April 13. The bills went out in March and people started to sign up from this date.*

*In terms of ‘how the council is making it easier to sign up’ we have promoted 12 monthly instalments on the bills and website. In addition all Council Tax Support (CTS) customers were made aware directly of the opportunity to sign up in 2013. The council continues to promote 12 monthly instalments when talking to customers specifically CTS customers and continues to promote it on all council tax bills. Customers registering for e-billing can also register easily for 12 monthly instalments.*

*Even before the Government amended the regulations where customers had approached the council with difficulty in paying their bills 12 monthly arrangements were offered to help.*

CTAX 12 monthly instalment payers - March 2013 onwards

<i>for 2013-14 Year</i>	<i>Nos</i>	<i>for 2014-15 Year</i>	<i>Nos</i>
<i>Mar-13</i>	<i>610</i>	<i>Mar-14</i>	<i>1618</i>
<i>Apr-13</i>	<i>1018</i>		
<i>May-13</i>	<i>1209</i>		
<i>Jun-13</i>	<i>1299</i>		
<i>Jul-13</i>	<i>1354</i>		
<i>Aug-13</i>	<i>1369</i>		
<i>Sep-13</i>	<i>1415</i>		
<i>Oct-13</i>	<i>1455</i>		
<i>Nov-13</i>	<i>1533</i>		
<i>Dec-13</i>	<i>1559</i>		
<i>Jan-14</i>	<i>1579</i>		
<i>Feb-14</i>	<i>1561</i>		
<i>Mar-14</i>	<i>1600</i>		

(xxiii) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Ayre:

“Which council staff are directors of organisations/businesses in their professional capacity, what expenses/payments were made to each of them in the 2013/2014 calendar year, and where is this information declared?”

**Reply:**

*“This information is not declared anywhere specifically although for 2013/14 we have agreed with our auditors that we will include an enhanced disclosure note in the final accounts relating to City of York Trading Ltd in lieu of preparing group accounts.*

*Director information for City of Trading Ltd are shown at:*

<http://cytlimited.co.uk/about-us/meet-the-directors.aspx>

- *Ian Floyd*
- *Pauline Stuchfield*

- *Andy Docherty*
- *Tracey Carter*

*Also part of the final accounts the council is currently collating 2013/14 related party interests but this work is not finished*

*Directorships known to be in existence for Directors/ Assistant Directors are:*

*Kersten England - a non executive director of Science City York and Trustee of Nesta , the UK Innovation Charity (a company limited by guarantee)*

*Ian Floyd – a Director of Veritau Ltd*

*Darren Richardson - a Director of Yorwaste Ltd*

*Sally Burns – a Director at York Cares.*

*Dr Paul- Edmondson Jones – Company Secretary of Association of Directors of Public Health (a company limited by guarantee).*

*Katie Stewart – a Director at York Business School and at York Science Park Ltd*

*No expenses/payments are known to be paid for these roles with the exception of Nesta that pays for attendance at its Board meetings in London.*

*I am also a Director of City of York Trading Company and Veritau Ltd. I do not receive any payments for either position.”*

(xxiv) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Ayre:

*“For 2011/12, 2012/13 and 2013/14 could the Cabinet Member please list the salaries for each of the chief officers increments and performance pay plus pension contributions?”*

**Reply:**

*“For 2011/12 the salaries for Chief Officers are shown below and the 2012/13 and 2013/14 pay policies were presented to Full Council ahead of each year which can be found at:*

*for 2012/13:*

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=331&MId=7062&Ver=4>

and 2013/14:

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=331&MId=6281&Ver=4>

and on the council's transparency web pages at:

[http://www.york.gov.uk/downloads/download/2135/pay\\_policy](http://www.york.gov.uk/downloads/download/2135/pay_policy)

<i>Job Title</i>	<i>Salary</i>
<i>Chief Executive</i>	<i>2011/12</i>
<i>Director of City and Environmental Services</i>	<i>133750</i>
<i>Director of Adult, Children and Education Services</i>	<i>102766</i>
<i>Director of Customer and Business Support Services</i>	<i>102766</i>
<i>Director of Communities and Neighbourhoods</i>	<i>102766</i>
<i>Assistant Director - Education and Skills</i>	<i>73401</i>
<i>Assistant Director - Facilities Management School and Children's Strategy and Planning</i>	<i>68413</i>
<i>Assistant Director - Children's Specialist Services</i>	<i>68413</i>
<i>Assistant Director - Adult Commissioning Modernisation and Provision</i>	<i>68413</i>
<i>Assistant Director - Housing and Community Safety</i>	<i>68413</i>
<i>Assistant Director - Culture Leisure and Public Realm</i>	<i>68413</i>
<i>Assistant Director - Finance Asset Management and Procurement</i>	<i>73401</i>
<i>Assistant Director - Customers and Employees</i>	<i>73401</i>
<i>Assistant Director - Legal Civic Democratic and IT</i>	<i>73401</i>
<i>Assistant Director - City Development and Sustainability</i>	<i>68413</i>
<i>Assistant Director - Highways Fleet and Waste</i>	<i>68413</i>
<i>Assistant Director - Strategic Planning and Transport</i>	<i>68413</i>

*The Chief Executive is the only officer on performance related incremental progression, which is based on a performance review conducted by the Leader of the Council each year. A similar scheme is currently being considered for other Chief Officers.*

*It is worth noting that the Chief Executive has qualified for the performance related merit of her salary on merit in every year since her appointment but has never accepted the payment for this at any*

*time. She is to be commended for the public spirited attitude and commitment to public service that this shows.*

*In terms of pension contributions for the period 2011/14, these remained static as follows:*

*Assistant Directors – Employee contribution rate 7.2%. Employer contribution rate 19.7%.*

*Directors and Chief Exec – Employee contribution rate 7.5%. Employer contribution rate 19.7%.*

*This will change under new LGPS 2014 changes which will result in employee contributions for this group increasing to between 9.9% and 11.4%.”*

xxv) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Jeffries:

“Could the Cabinet Member list all the council twitter accounts across all departments, including any partnership twitter accounts, where council staff manage or officially upload to those sites?”

**Reply:**

*“Twitter accounts as referred to are held by the Council for the following areas:*

*City of York Council Ranger Service  
Explore York Libraries and Archives  
Illuminating York  
York City Centre & Markets Team  
York Family Information Service  
York Wards  
York Youth Council  
City of York Council UK  
City of York Council  
Love where You Live York  
MISYork  
YorkCityCentre  
York Festivals  
York Travel  
York Neighbourhoods  
John Oxley  
York Family Information Service*

*York Libraries*  
*Workforce Development Unit*  
*Yortime*  
*Zero Waste York*  
*Experience the race*  
*Newgate Market*  
*York apprentices*  
*Smarter York*  
*York Gritter*  
*iTravel York*  
*York Learning*  
*York community stadium*  
*York 20mph*  
*CYC waste*  
*York means business*  
*York markets12*  
*Procurement York*  
*Mansion House*  
*York stories 2012*  
*York 800*  
*Energise*  
*Safer York*  
*Just30*

*York libraries (one for every library plus York Libraries UK central account)*  
*Haxby*  
*Strensall*  
*Bishopthorpe*  
*Copmanthorpe*  
*Tang Hall*  
*Clifton*  
*Acomb*  
*New Earswick*  
*Huntington*  
*Fulford*  
*Poppleton*  
*Dringhouses*  
*York Explore*  
*York Wards (one for every account plus York Wards central account)*

*Acomb*  
*Clifton*  
*Derwent*

*Dringhouses  
Fishergate  
Guildhall  
Haxby  
Heslington  
Heworth  
Heworth Without  
Holgate  
Hull Road  
Huntington  
Micklegate  
Osbalwick  
Rural West York  
Skelton  
Strensall  
Westfield”*

xxvi) To the Cabinet Member for Finance, Performance and Customer Services from Cllr Reid:

“Why are residents no longer routinely given a reference number when making a complaint to the council?”

**Reply:**

*“Customers are routinely given a reference number when they make a complaint. Occasionally customers will not receive a reference number at stage one before they receive a response, because of the short timescale for the response, but in most cases even at stage one they will be sent an acknowledgement letter with the reference number.*

*If the question is about Councillor enquiries, where the councillor is raising something the customer is unhappy with, the Council does not and never has contacted the customer to give them a reference number, although if it comes through the Complaints & Feedback Team, a reference number would be allocated.”*

(xxvii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Steward:

“Does the leader share Cllr Semylen’s view that there is no point giving residents a say on 20mph zones and if so does he believe they should not have a say on just that issue or all issues?”

**Reply:**

*“Anna Semlyen is a campaign manager for 20’sPlenty in her personal, as opposed to Councillor capacity. The 20s Plenty group is not involved with City of York Council’s implementation and roll-out of signed-only 20mph limits in residential areas, and as such any comments or remarks made by her in her personal capacity as campaign manager (or by the 20s Plenty group) should be taken as such, as I understand was the original context of the remarks you refer to.*

*As with any other change in speed limit, there is rightly a statutory requirement for the notices relating to the Speed Limit Order to be advertised. This gives an opportunity for resident and other objections if there are any issues which they believe should lead to an amendment or stopping of any Order coming into effect.”*

(xxviii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Watt:

“When does the Cabinet Member expect the next Local Plan consultation to take place?”

**Reply:**

*“During the Local Plan Preferred Options consultation additional information on sites was submitted by landowners and developers. Reports relating to these sites will be considered at the Local Plan Working Group and a special Cabinet in late April and this will be followed by public consultation.”*

(xxix) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Watt:

“Does the Cabinet Member share my disappointment that with the previous Local Plan consultation having ended in July there is still a lack of feedback from residents on the website?”

**Reply:**

*“This has been an important task which needed to be carried out in a legally compliant way. This has involved the time consuming job of having to take personal information out of all the responses so as to comply with the Data Protection Act. This work is now substantially complete. In addition to help anyone viewing this information, officers have been working on a summary to help identify responses. This*



*information will be uploaded to the council's website and will be available before the end of April."*

(xxx) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Watt:

"Given public concern about the lack of Local Plan Working Group meetings and that with the exception of HMOs the group has yet to discuss any aspect of housing for the last nine months, what guarantee can the member give about the number of meetings that will be held this coming year?"

**Reply:**

*"A number of Local Plan Working Groups have taken place since the Local Plan P.O Consultation including one on the 4<sup>th</sup> November 2013 where Members considered a report which provided feedback on the Local Plan Preferred Options consultation. The report summarised the consultation undertaken, outlined the number of responses received, highlighted some of the key emerging messages and set out the next steps for producing the Local Plan. On the 13<sup>th</sup> January 2014 Members considered a report which advised them of the current position with regard to progress on the Minerals and Waste Joint Plan for North Yorkshire, York and North York Moors. Members considered the report which sought approval in respect of the Issues and Options consultation documents, this included important issues such as Fracking. A Local Plan Working Group has also been set up for the end of April in relation to additional sites put forward at the Local Plan Preferred Options Consultation."*

*In addition I can guarantee it will meet when decisions on the emerging Local Plan are required."*

(xxxii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Watt:

"Can the member update council on his work with organisations looking to bring forward Neighbourhood Plans?"

**Reply:**

*"Progress has been made with three Neighbourhood Plans including Dunnington, Copmanthorpe and Murton. Dunnington have undertaken a 6 week consultation and submission is imminent,*

*Copmanthorpe are working towards consultation, Murton have just submitted an application to the City of York Council for a 6 week publication period with a decision session at the end of April.”*

(xxxii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Watt:

“Can the member give details of Parish Council meetings he has attended to discuss the Local Plan since the last consultation and what plans he has for the rest of the year?”

**Reply:**

*“Officers intend to engage Parish Councils on the additional sites which were submitted at the Local Plan Preferred Options Stage and are currently discussing with the Chairman of the York Branch Yorkshire Local Council Association (YLCA) how they would like to be involved. Discussions are taking place about an event in May. The YLCA does not cover all Parish Councils but it is hoped that this event can we widened out to all Parish Councils.”*

(xxxiii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“On the Lendal Bridge/Coppergate access restrictions, would the Cabinet Member now provide the latest information on the following and explain when he expects to publish period 6 monitoring information on the council’s website.

- a) The number of appeals lodged each week since the beginning of August against PCNs issued for contraventions of traffic restrictions on Coppergate and Lendal Bridge

**Reply:**

*Data on the numbers of appeals is not collated in this way. However, to date, there have been 3988 appeals received for Coppergate and 11658 appeals for Lendal Bridge.*

- b) The number of appeals which have been successful each week

**Reply:**

*As above although only two appeals have been successfully contested. Additionally, CYC have taken the decision not to contest some cases.*

- c) The total revenue that the Council has received so far from PCNs following the introduction of the new restrictions on Coppergate and Lendal Bridge

**Reply:**

*As of 21<sup>st</sup> March 2014, income received by the Council was £2,006,315.*

- d) The weekly changes to journey times (all modes of transport) on each arterial road and on each section of the inner ring road since the introduction of the new traffic restrictions

**Reply:**

*Monthly data for P&R journey times has already been published along with traffic volumes on a number of key arterials.*

*Data for general traffic from the TrafficMaster dataset is currently being analysed for the full period of the trial.*

*A preliminary analysis comparing October and November 2012 to the same period in 2013 has been done giving the changes in average travel times, broken down by hour of day for before and after the start of the trial*



AnnexA Traffic  
Master Travel T...

*This preliminary analysis (Draft Annex A) shows that the majority of the arterial routes into the city have been unaffected by the trial - this is confirmed by data from automatic traffic counters.*

*Bootham, Gillygate, Lord Mayors Walk, Clarence Street, St Leonards Place, Museum Street, Lendal Arch Gyratory have shown significant reductions in travel times.*

*Blossom Street, Queen Street and Nunnery Lane approaches Micklegate Bar, Holgate Road inbound and the cross city route Tower Street to Rougier Street are also showing general improvements.*

*Foss Islands Road, Layerthorpe Bridge, Walmgate Bar and Fishergate Gyratory show an increase in travel times to the east of the city. Water End / Clifton Green shows a slight worsening during much of the day but a more significant worsening during the PM peak The*

*transport team are currently undertaking a more detailed analysis of the data – looking at the variability in travel times at Clifton Green and Water End in particular.*

- e) The numbers of accidents reported on roads in the City centre comparing the last 6 months with the equivalent period in 2012/13

**Reply:**

*Accident stats for Jan / Feb 2014 are not yet available from the Police. Accident rates comparing the four months Sep, Oct, Nov, Dec 2012 to same period during the trial for the Inner Ring Road, Water End and cross city routes – Coppergate and Ouse Bridge.*

*Total reported accidents during the first four months of the trial, during the restriction period have halved from 16(0 serious) in 2012 to 8(\*1 serious) in 2013.*

*(\*The serious injury accident was a motorcyclist injured at the junction of Paragon Street / Fawcett Street)*

	Accidents occurring at all times of day							
	Vehicle		Cycle		Pedestrian		Total	
	2012	2013	2012	2013	2012	2013	2012	2013
Fatal	0	0	0	0	0	0	0	0
Serious	0	3	0	0	1	1	1	4
Slight	11	6	18	8	4	5	33	19
Total	11	9	18	8	5	6	34	23

	Accidents occurring within Lendal Bridge Restriction Times - 10:30 to 17:00							
	Vehicle		Cycle		Pedestrian		Total	
	2012	2013	2012	2013	2012	2013	2012	2013
Fatal	0	0	0	0	0	0	0	0
Serious	0	1	0	0	0	0	0	1
Slight	6	3	8	2	2	2	16	7
Total	6	4	8	2	2	2	16	8

*A wider cordon covering all the city centre, Holgate road and Water End shows accident rates drop from 33 (3 serious) to 17 (2 serious) for the 4 months Sep-Dec 2012 to Sep-Dec 2013.*

*Whilst these results are encouraging they are based on small samples and random variation and other factors might be responsible.*

- f) The latest air quality monitoring reports for key sites in and close to the City centre, including the Leeman Road area, and comparing these with last year?"

**Reply:**

*"The data from the air quality 'real time' monitoring sites and diffusion tubes has now been collected for the trial period and is being analysed by the Environmental Protection Unit in conjunction with ITS Leeds. The results will be reported to the 6 May Cabinet meeting."*

(xxxiv) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

"When will a timetable of meetings be published at which residents can make representations on the (revised) Local Plan proposals?"

**Reply:**

*"The CYC Local Plan website has been updated and highlights that during the Local Plan Preferred Options consultation additional information on sites was submitted by landowners and developers. Before making any final decision on sites to include in the Local Plan the council would like to understand public views on this additional information. Reports relating to this will be considered at the Local Plan Working Group and a special cabinet in late April and this will be followed by public consultation.*

*It is anticipated that a final draft of the Local Plan will be published for consultation mid-year and submitted for examination in Autumn."*

(xxxv) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

"Why is it taking so long to publish – as promised – the written comments and objections which the Council received following its initial consultation on the Draft Local Plan last year?"

**Reply:**

*"This has been an important task which needed to be carried out in a legally compliant way. This has involved the time consuming job of having to take personal information out of all the responses so as to comply with the Data Protection Act. This work is now substantially complete. In addition to help anyone viewing this information, officers have been working on a summary to help identify responses. This information will be uploaded to the council's website and will be available before the end of April."*

(xxxvi) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“What is the proposed timetable for the preparation of the Local Plan up to, and beyond, the Examination in Public (Public Inquiry)?”

**Reply:**

*“Reports relating to additional submitted sites will be considered at the Local Plan Working Group and a special cabinet in late April and this will be followed by public consultation. It is anticipated that a final draft of the Local Plan will be published for consultation mid-year and submitted for examination in Autumn, with adoption in 2015”.*

(xxxvii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Orrell:

“Can the Cabinet Member explain why the token system for the Park & Ride at Monks Cross is no longer working, how long has it not been in operation, and is it true that the token system will be started again when John Lewis and M&S stores open in April?”

**Reply:**

*“The system has been out of action for around 2 years following breakdowns affecting the main barriers and the handheld equipment.*

*The Council and First are working together to get the barrier system operational again. Officers met with the system supplier last week, to determine how the barriers can be brought back into working order as soon as possible. Depending on the extent of the work it is anticipated that the barrier system will be repaired before the opening of the new retail park.”*

(xxxviii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“When and why did the Council remove from its website the real time car park space availability information and, as this is a facility provided by many other councils, when will this service be reinstated in York?”

**Reply:**

*“The real time car park space availability is not operational at the moment as a scheme to migrate the counting equipment in the car parks to the Council’s Fibre Network is underway. The need for this change, which will ultimately reduce the system’s operating costs has been brought about by the move from St Leonard’s Place to West*

*Offices. Due to the age of the car park counting equipment, this project has required a considerable degree of re-engineering of the equipment. We are now in the final stages of this and expect to have live information from the car parks available on the website by May 2014.”*

(xxxix) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“How much of the £238,000 already spent on implementing new speed limits in west York will the Council be able to recover if the policy is reversed in 2015?”

**Reply:**

*“As I do not anticipate the Liberal Democrats will win the election given their near absorption by the Conservative Party nationally, the 20 mph policy, which is entirely in line with the Tory / Lib Dem Government’s and former Lib Dem Transport Minister, Norman Baker’s guidance, and only objected to by a small % of York residents, when the West York scheme was rolled out, is unlikely to be reversed.*

*The capital funding has mostly been spent on various unrecoverable items such as labour costs, project management, plant equipment and hire, engineering fees, printing and distribution of materials etc. The poles and 20mph signs used would have some modest resale value.”*

(xl) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“Will the Cabinet Member agree not to roll out the new wide area 20mph limits in east York at least until a cost/benefit analysis has been completed of the west York scheme and electors have had the opportunity - at the May 2015 local elections - to give their verdict on this policy?”

**Reply:**

*“The North and East York schemes will be rolled out in line with Labour’s manifesto pledge. Comprehensive residential area schemes are far far cheaper per mile of road to deliver than Cllr Reid’s preferred 20mph zone preference, and fully in line with Tory / Lib Dem Government’s and former Lib Dem Transport Minister, Norman Baker’s guidance.”*

(xli) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“Does the Cabinet Member share Cllr Semlyen’s well publicised view that changes to speed limits should be made without any consultation with local residents?”

*“See response to question xxvii”*

(xlii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“The car parks all give electronic signs showing how full they are. For each of the last 12 months please state any times when they were not working?”

**Reply:**

*“The majority of electronic Variable Message Signs (VMS) around the City are not operational at the moment and we are currently undertaking a project to refurbish them. The VMS range in age from 9 to 14 years old, which in their electronic components are effectively life-expired. To address this, a specialist contractor has recently commenced a refurbishment programme to bring them up to date, replace failed and obsolete components and recondition their mechanical parts. This work is almost complete for the first three VMS to be treated and it is intended that the remaining ones, (both outer ring-road and city centre car-parking) will be completed by the end of October 2014.”*

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

“If the Council presses ahead with its £1.6 million market modernisation project the existing stallholders will be temporarily relocated to Parliament Street. Where will current Parliament Street users - including the Continental Markets and the Food Festival - be relocated to and is the Cabinet Member considering the use of spaces such as Duncombe Place or Deans Park?”

**Reply:**

*“I am pleased to be able to report that this exciting scheme is on track and will commence on site in July. Stallholders will be located in Parliament Street during July to October. We have planned the calendar so that there are no events requiring relocation.”*



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

“On York’s bid to become a UNESCO City of Media Arts – how much money has been allocated for the bid, from which budget has this been allocated from, what is the money being spent on, who authorised the bid to go ahead and when was this decision taken?”

**Reply:**

*“This is a city partnership bid supported by York@Large. No money allocation is required. The bid will be considered by the Cabinet at its April meeting and I will be recommending to Cabinet that this council should endorse the application especially as under this Labour administration, the council has cemented its reputation as a city for innovation, quality and drive within the new technologies and media arts sectors.”*

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

“The Smarter York app provides a very limited set of tools - how much did it cost to develop, how much does it cost to maintain, and how many reports have been made in each of the last 3 years?”

**Reply:**

*“Development and maintenance of the app cost £11k per annum for 3 years, with the final payment this year. There is no real maintenance overhead in the ICT teams as this is automated with Lagan.*

*In the 12/13 financial year there were 477 reports; in the 13/14 financial year there were 419. The app went live in the first week of April 2012 so there is obviously no data available for three years.*

*Officers are exploring additional functions around waste and highways that might be included in the app in future.”*

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

“Street lighting is now dealt with in house, could the Cabinet Member publish the performance standards for repairing faulty lights and outline whether these standards are currently being met?”

**Reply:**

*“As can be found on the website, normal faults will be attended and either repaired or made safe within 4 working days.*

*Since the service was brought in-house, the response times have been as follows:*

*Oct 13 – 1.2 working days*

*Nov 13 – 2.6 working days*

*Dec 13 – 2.3 working days*

*Jan 14 – 3.3 working days*

*Feb 14 – 3.3 working days*

*Mar 14 – currently 1.6 working days”*

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

“Could the Cabinet Member outline the projects and incentives in place to increase recycling rates and specify how these projects are being assessed?”

**Reply:**

*“I would refer Cllr Aspden to my answer to an almost identical question from Cllr Reid at December Council, as well as my report to Council tonight, both of which answer this question. I would humbly suggest that if he cannot be bothered to read answers to his Group’s questions he does not waste everyone’s time asking them again.”*

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

“How many residents have signed-up for the additional green bin charge?”

**Reply:**

*“As at 24<sup>th</sup> March 2014, there are approximately 710 households that have subscribed to the additional green bin service. It is anticipated that this number will increase further in the coming weeks as households are sent information regarding the resumption of the collection service.”*

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

“Does the Cabinet Member share the growing concern of residents about the volume of dog fouling in York and what steps has he taken

to address the problem and what measures are in place to monitor the effectiveness of his policies?”

**Reply:**

*“Maintaining a pleasant and clean environment is always a top concern, though Cllr Reid might be interested to know that the number of such cases reported for the last three years show no increase: 216 in 2011, 219 in 2012, and 212 in 2013.*

*We do however continue to prioritise this work, as we recognise the impact that this can have on local communities, and we have initiated early morning patrols from 6.30am in several hotspot areas in response to complaints that have given us details of times and locations, to attempt to catch people. We also continue to work with Residents Association, schools and Parish Councils to raise awareness and change behaviour, as set out in our new litter and detritus policy, For example, we are due to undertake educational work at some of our Junior Schools, where pupils will design a poster to be put up in hot spot locations, following a similar successful project last year at Westfield Community School.*

*Finally, work is ongoing to establish a joint ASB Hub with North Yorkshire Police, where deploying Neighbourhood Enforcement Officers accredited with specific policing powers alongside police officers will be able to more effectively enforce environmental breaches such as dog fouling across the city.”*

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

“In each of the last 5 years how many prosecutions – including FPNs – has the Council initiated for dog fouling?”

**Reply:**

*“The figures for the numbers of FPNs have historically always been low because we would need to have either witnessed the incident ourselves, or we would need a statement from a member of the public, who could identify the dog, and where it lived, and they would potentially need to go to court if the person disputed this. The numbers are:*

	<i>FPNs</i>	<i>Prosecutions</i>
2009	1	8
2010	1	6
2011	0	0
2012	1	3
2013	1	0

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

“Council note and some Members will be concerned, myself included, that all appears to have gone very quiet with developments relating to the Elderly Persons Homes programme. Can Councillor Simpson-Laing please give assurances that the project is still planned to be delivered as detailed in previous Cabinet reports by 2016?”

**Reply:**

*“The procurement exercise for the Elderly Persons Homes reprovion programme continues in line with the schedule reported in the June 2013 Cabinet report. Officers advise that, as we are in the competitive dialogue stage with bidders, they cannot share details of these confidential discussions without compromising the procurement exercise.*

*An update on the outcome of the exercise will be provided at the appropriate time later in the year.”*

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

“The current breakdown of housing waiting list demand is:

1 Bed	1347
2 Bed	740
3 Bed	212
4 Bed	32
5 Bed	1
6 Bed	1

Given this, why is the Cabinet Member not using some of the £13 million surplus on the housing account to purchase flats on the open market to address the need for more one bedroom properties?”

**Reply:**

*“There are a number of issues with purchasing homes on the open market. The first relates to value for money. Traditionally purchase and repair schemes in high value markets are seen as an expensive way of procuring new homes. For this reason this option has been used very sparingly in York. To put this in context, the total scheme costs per unit for the new council house development at Beckfield Lane is approximately £120k per home. The average house price in York is £191k and the average lower quartile house price is £140k (2011 SHMA). In addition to the purchase price most houses and flats would require investment to ensure they meet decent homes standards, typically involving a re-wire, new boiler, and plastering. This can add £10k to £20k to the cost. Homes purchased on the open market are also likely to be of lower space standards than the new homes built by the council, which are to the high space standards required by the Homes and Communities Agency.*

*A further consideration is that in demonstrating value for money, open market purchases would likely be aimed at lower quartile priced houses. A significant purchase programme would have the potential to overheat the lower end of the housing market. This is usually entry point housing for first time buyers and could actually affect affordability of the lowest priced housing in the city.*

*The procurement route for new Council Housing is under constant review, and open market purchases can play a role as part of our investment strategy. This may be particularly the case in rural areas, where the council’s revised affordable housing planning policies result in commuted sums rather than on-site provision in villages. The lack of land in rural areas and the relatively small sums may prohibit the construction of a new development and necessitate purchase and repair of individual homes for local people.*

*The £13m surplus referred to is the current working balance on the HRA. A minimum of £5m will be maintained as a contingency for the HRA. The remainder will be used towards the repayment of debt when loan repayments become due in line with the profile of loans we took out.”*

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

“In view of the declining appearance of many of the council estates in York, will the Cabinet Member agree, when the next housing strategy

report is debated, to consider a substantial increase in the funding available to address issues like parking provision, replacement fencing, and communal area maintenance etc?"

**Reply:**

*"City of York Council estates are in some of the best condition of any stock holding Local Authority.*

*During the next financial year we will complete the windows program, the Decent Homes Standards improvements and unlike the previous administration to May 2011, the Council has extended its 'backfill programme' to an enhanced standard to that date.*

*Communities have their own estate improvement budgets and where they prioritise parking and communal areas there are numerous examples of schemes undertaken. There is also the general maintenance budget used to improve/maintain communal areas and this is allocated following estate walkabouts and where Estate Managers feed suggestions in to local estate action plans that are being developed. It also needs to be recognised that over 40% of the council stock has been sold and some of the worst examples of poorly maintained homes are not owned by the Council. Given Councillor Reid's earlier question re buying property on the open market to alleviate the pressures on the waiting list surely the priority has to be to use the HRA to build new homes."*

(liv) To the Cabinet Member for (redirected to Coun. Merrett) from Cllr Aspden:

"Could the Cabinet Member specify how many residents are affected by the ending of the Taxicard scheme and what support/advice is being offered to these residents?"

**Reply:**

*"Our records show that 1,536 people are in possession of a Taxicard. All of these people should have received a letter giving them information about the change and letting them know about alternatives including bus passes and information on the Dial & Ride service.*

*The contact centre staff and taxi providers have been fully briefed and information about the changes is available on the Council's website:*

<http://www.york.gov.uk/info/200224/taxicard/298/taxicard>"

(lv) To the Cabinet Member for Health, Housing & Adult Social Services from Cllr Jeffries:

“Can that Cabinet Member guarantee that the housing advice sessions which currently take place at Foxwood and Chapelfields community centres will continue in the long-term?”

**Reply:**

*“Council Officers are working through access issues including provision of keys. We are currently running 4 local advice services in the Acomb area with the Lindsey Avenue scheme starting in April. As you are aware the Foxwood and Chapelfields sessions are not well attended but we want to work with the community to promote these services. The long term success of the advice sessions has to be a partnership between the council and the community centre management committee and local residents.”*

(lvi) To the Cabinet Member for Health, Housing & Adult Social Services from Cllr Jeffries:

“A council garage next to Beverley Court was reported for repair in October 2012 having been boarded up for many months. Given the shortage of parking in the area will the Cabinet Member explain when this garage will be repaired for rent, how much rent has been lost, why it has taken so long to be repaired and how many other garages in the city (with their locations) have been reported for repair for over 6 months and how much rent they would have achieved had they been occupied.”

**Reply:**

*“The garage door has been replaced and the garage will very soon be available for re-let. The demand for garages outside of the centre is not high and there is no waiting list.”*

(lvii) To the Cabinet Member for Education, Children and Young People from Cllr Runciman:

“In light of her recent report to scrutiny, does the Cabinet Member think that York Schools and Governing Bodies are not challenging enough and are not aspirational for their students, unlike those in London?”

**Reply:**

*“I think there is always a risk – especially when the headline figures for York Schools are so good, that we may not recognise how fast the*

*external climate is changing. The national achievement figures – especially in primary schools – have been rising more sharply than York’s figures; and York always has, quite rightly, the ambition to be the best. The London Challenge has been hugely successful in raising the bar for London Schools and we are keen to see York Schools also rise to that Challenge. York Schools and governing bodies have all been given a copy of the LA RAISE report which enables them to better appreciate the city’s achievement as a whole, rather than just that of individual schools. We are using – through the clusters – a York Challenge, and two of our schools are also involved with the Regional Challenge (Burton Green and New Earswick). It is good to report that now 87% of children in York now go to a good or outstanding school, but my ambition is for this to be 100%.”*

(lviii) To the Cabinet Member for Education, Children and Young People from Cllr Runciman:

“When will the ‘York Challenge’ be ready, will plans be consulted on with schools and governing bodies and when are results expected to be available so that its effectiveness can be assessed?”

**Reply:**

*“The York Challenge has been launched through the cluster groups this year. We are also using the Moving to Good Programme, and that is also having an impact at cluster level. We will monitor the effectiveness through cluster evaluations. Increasingly the cluster groups are seen as a significant driver for school improvement, working on the Peer challenge model.”*

(lix) To the Cabinet Member for Education, Children and Young People from Cllr Runciman:

“How will the Cabinet Member ensure that the £5m of Pupil Premium funding is being spent wisely and to good effect – including to narrow the gap between those eligible for FSM and those who are not?”

**Reply:**

*“Pupil Premium is a very important factor for a number of our schools, as the amount of money coming into schools increases through this route; so I agree with Cllr. Runciman that we need to be clear how it is being used, and to what effect. Narrowing the gap between those on and those not on FSM is a hugely important target for myself, and my cabinet colleagues. So we have a number of ways of improving our focus on this a) the York Challenge Partner visits will focus on how schools are using the pupil premium and this information will be*



*collated and published at the start of the summer terms and copies sent to all schools and chairs of governors. b) the Interim AD (Education and Skills) plans to establish an in-year data sharing protocol with schools to allow monitoring of the in-year progress of the PP cohort to target effective support and challenge c) A pupil premium conference is being planned for Autumn 2014 to share best practice.”*

(Ix)To the Cabinet Member for Education, Children and Young People from Cllr Runciman:

“The nine Children’s Centres established under the Liberal Democrat administration have done some excellent work, but does the Cabinet Member understand that their work will be made much more difficult due to the cuts being imposed by Labour that are coming into effect during the next financial year?”

**Reply:**

*“I am sure none of us would choose to make significant cuts in our Children’s Centre budgets; but huge external pressures mean that even Children’s Centres can not be immune to the ways in which Councils are having to look at their budgets. Because the significant saving is in the 2015 budget we are taking time now to develop our Early Years Strategy so that we can review the way in which Children’s Centres are working, look at their target population and explore how best we can reach some of that target population that does not find a Children’s Centre on a school site always the best way of engaging with the services we have to offer. York’s Children’s Centres have developed over a number of years and it is a good opportunity to revisit the model to see if it is actually engaging with the population we want to reach. I am happy to involve the Scrutiny Committee in some of our thinking as it develops so that we can have a genuine dialogue as to the best way of proceeding.”*

(Ixi)To the Cabinet Member for Education, Children and Young People from Cllr Aspden:

“In light of the excellent work being done by Children’s Centres in York will the Cabinet Member confirm that all centres will remain open and under council control if Labour retain power in 2015?”

**Reply:**

*“As I have replied to Cllr. Runciman I value the work that our Children’s Centres do, but I do think it is a good opportunity to take this year to review the way they operate; and how successful they are in reaching some of our most disadvantaged families. We certainly*

*want to see high-quality services continue for the benefit of children and families in York.”*

(Ixii) To the Cabinet Member for Education, Children and Young People from Cllr Runciman:

“Could the Cabinet Member confirm the current status of the URBIE bus and the plans for this service over the next 12 months?”

**Reply:**

*“We still maintain the URBIE buses although it is acknowledged that since Ward funding has been reduced, they are probably being underused. But they are still with us, and there are no plans to take them out of service. As part of our co-production plans for taking Youth Service provision forward they will form part of the “pot” of CYC resources that we can make available to community groups that would not be able to afford such a resource for themselves. We are currently working on practical issues to manage such things as insurance and then we hope local groups will feel able to use them.*

*We are currently exploring a number of items of CYC equipment – such as premises, and experienced youth worker staff – which will help support the wider youth provision that will be undertaken by a side number of community and other local groups across the city.”*

(Ixiii) To the Cabinet Member for Crime and Stronger Communities from Cllr Jeffries:

“Does the Cabinet Member agree with the view of the Equality Advisory Group, as specified in the minutes of the March 5<sup>th</sup> meeting, that: “EAG meetings need representation from all the political parties to listen to the views raised and to find out what each of the parties are saying about equalities?”

**Reply:**

*“EAG is a consultative body that provides invaluable insight for the council in the policy development process. There is no political representation on this group. I attend to receive feedback from the group.*

*Since its re-launch under this new structure, we have had a number of highly successful meetings consulting on several key policy areas including volunteering and Smarter York, reinvigorate York and highways issues and the York Equalities Scheme.*

*EAG members have also met with CYC directors and this has proven very helpful for all involved. Some EAG members have expressed an interest to meet with representatives from the various political parties to hear their perspectives on equalities issues and I am sure would welcome any invitation that comes forward from the other political parties.”*

Cllr Julie Gunnell

LORD MAYOR OF YORK

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

This page is intentionally left blank

**City of York Council**

Resolutions and proceedings of the Annual Meeting of the City of York Council held in Guildhall, York on Tuesday, 20th May, 2014, starting at 11.00 am

**Present:** The Lord Mayor Councillor Julie Gunnell, in the Chair, during the first part of the meeting; the Lord Mayor Councillor Ian Gillies in the Chair for the second part of the meeting, and the following Councillors:

Acomb Ward	Bishopthorpe Ward
Horton Simpson-Laing	Galvin
Clifton Ward	Derwent Ward
Douglas King Scott	Brooks
Dringhouses & Woodthorpe Ward	Fishergate Ward
Hodgson Reid Semlyen	Taylor
Fulford Ward	Guildhall Ward
Aspden	Looker Watson
Haxby & Wigginton Ward	Heslington Ward
Cuthbertson Firth Richardson	
Heworth Ward	Heworth Without Ward
Boyce Funnell Potter	Ayre

Holgate Ward

Alexander  
Crisp  
Riches

Hull Road Ward

Barnes  
Fitzpatrick

Huntington & New Earswick Ward

Hyman  
Orrell  
Runciman

Micklegate Ward

Fraser  
Gunnell  
Merrett

Osballdwick Ward

Warters

Rural West York Ward

Gillies  
Healey  
Steward

Skelton, Rawcliffe & Clifton  
Without Ward

Cunningham-Cross  
McIlveen  
Watt

Strensall Ward

Doughty

Westfield Ward

Jeffries  
Burton  
Williams

Wheldrake Ward

Barton

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

Apologies for absence were received from Councillors D'Agorne, Levene and Wiseman

**1. Declarations of Interest**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests they might have in the business on the agenda. No further interests were declared.

**2. Appointment of Lord Mayor**

Councillor George Barton moved, Councillor James Alexander seconded and the Council unanimously

Resolved: That Councillor Ian Gillies of 6 Chantry Grove, Upper Poppleton, York YO26 6DQ, be elected Lord Mayor of the City of York for the ensuing municipal year.

**3. Qualification of Lord Mayor**

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

**4. Appointment of Sheriff**

Councillor Chris Steward moved, Councillor Janet Looker seconded and Council unanimously

Resolved: That Mr John Kenny, of 2 Herbert's Way, Stockton Lane, York, YO31 1BD, be appointed Sheriff of the City of York for the ensuing municipal year.

**5. Qualification of Sheriff**

Mr John Kenny made and subscribed the Declaration of Acceptance of Office of Sheriff for the City of York Council and took the Oath of Allegiance prescribed by law in that behalf.

**6. Appointment of Deputy Lord Mayor**

Councillor Ian Gillies, Lord Mayor moved, Councillor Paul Healey seconded and the Council unanimously

Resolved: That Councillor Julie Gunnell, of 33 Nunthorpe Crescent, South Bank, York YO23 1DU be appointed Deputy Lord Mayor for the ensuing municipal year.

**7. Qualification of Deputy Lord Mayor**

Councillor Julie Gunnell made and subscribed the Declaration of Acceptance of Office of Deputy Lord Mayor for the City of York Council and took the Oath of Allegiance prescribed by law.

**8. Lord Mayor's Chaplain**

The Lord Mayor advised Council that he had appointed Reverend Glyn Webster to serve as his Chaplain during his year of office.

**9. Sheriff's Chaplain and Under Sheriff**

The Sheriff advised Council that he had appointed Reverend Derek Bailey to serve as his Chaplain and Mr Roger Dixon to serve as his Under Sheriff during his year of office.

**10. Vote of Thanks to the Outgoing Lord Mayor and Lord Mayor's Consort**

Councillor Sonja Crisp moved, Councillor Ann Reid seconded and Council unanimously

Resolved: That the Council express its sincere thanks to the outgoing Lord Mayor and Lord Mayor's Consort for their services to the City during the past municipal year.

**11. Vote of Thanks to the Outgoing Sheriff and Sheriff's Lady**

Councillor Dave Taylor moved, Councillor Fiona Fitzpatrick 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.

**12. Formal Business of Council - Allocations to Seats and Appointments to the Council Structure and Outside Bodies 2014/15**

With reference to the recommendations contained in paragraph 12 of the report at page 6 of the Council papers, the Lord Mayor moved the recommendations, which were seconded by Councillor Simpson-Laing. The recommendations included a variation to the proportionality rules which allocated one additional place to the Conservative Group on the Health Overview & Scrutiny Committee, in view of their place on the Health and Wellbeing Board being allocated to an Independent member. On being put to the vote 34 voted in favour, with 9 abstentions and one member voting against.

The Lord Mayor confirmed that, in light of at least one Member voting against the proposal to vary proportionality in respect of Health Scrutiny Committee, he moved, and Councillor Alexander seconded, and it was

Resolved: That the membership of the Health Overview & Scrutiny Committee be referred to the Staffing Matters and Urgency Committee to resolve, as soon as possible, and that all other recommended proportional appointments be agreed. <sup>1</sup>.

Action Required

1. Refer Health Overview & Scrutiny Committee membership to Staffing Matters & Urgency Committee, update memberships and inform Outside Bodies of nominations to all remaining bodies.

JP

Cllr Ian Gillies

LORD MAYOR OF YORK

*[The meeting started at 11.00 am and concluded at 12.25 pm]*

This page is intentionally left blank



---

**Council**

**17 July 2014**

Report of the Cabinet Member for Environment, Planning & Sustainability.

**Petition: Frack-Free York**

**Purpose of the Report**

1. The purpose of this report is to inform members of the receipt of a petition with over 1,000 signatures submitted to the Council, entitled as above. The report describes the petition and the background to its submission.

**Background**

2. The petition, submitted by John Cossham of 'Frack-Free York' states:-

*"We the undersigned are completely against the exploitation of any 'unconventional gas' in the York area. We ask the City of York Council to not permit any hydraulic fracturing (fracking) or coal seam gas extraction from within or underneath the York area.*

*We oppose these technologies on several grounds. Locally, we fear for aquifer contamination and other pollution, thousands of extra lorry movements and the industrialisation of the countryside and agricultural land. The process has been known to cause earth tremors and we believe these could endanger York's unique architectural heritage.*

*Nationally, we do not believe that this industry will bring meaningful long term employment or bring down energy prices. We don't believe the financial benefits promised by the government are worth the disruption and pollution. Looking at the bigger picture, we believe that if this country exploits fossil gas to generate power, that this will increase greenhouse gas emissions. This will mean that the UK will miss its Climate Change Act 2008 obligations of reducing greenhouse gases by 80% by 2050 based on a 1990 base-line, and that future generations will be condemned to unpredictable climate chaos.*

*We believe that York and the UK should reduce energy use and switch to clean energy, not further fossil energy. We ask City of York Council to incorporate this into the Local Plan and all planning and development decisions, to state publically its opposition to this industry, and to work with neighbouring authorities towards a clean energy future based on renewables.”*

### What is Fracking?

3. Fracking is a process used to collect shale gas. This process requires horizontal drilling deep into the earth in order to allow the injection of highly pressurized fluids, normally water, into narrow fractures of rock to force them open and allow shale gas to rise to the surface of a wellbore to be extracted.
4. In the United Kingdom, as in other countries—and in particular the United States, where the industry is most advanced and widespread hydraulic fracturing, or fracking, has generated a large amount of controversy.
5. The European Union has issued an approval for fracking under certain conditions from January 2014. It recognises that it can be an economic boost but there is a need to not repeat the pollution incidents that have occurred in the USA.

### Fracking in the UK

6. The process was suspended in the UK between June 2011 and April 2012 after triggering minor earthquakes, but a report into the incidents concluded that earthquake risk was minimal, and recommended the process be given nationwide clearance.
7. The government claims that this industry could bring around 74,000 jobs to Britain as well as reducing energy bills. The Chancellor also announced tax breaks in the 2013 budget to encourage the extraction of shale gas in the UK.
8. The 2013 Energy and Climate Change Committee enquiry found that it was “too early to say whether domestic production of shale gas could result in cheaper gas prices in the UK”, and that it would be wrong to assume that prices would come down as a result of domestic or foreign shale gas.

9. Fracking is currently only at the exploratory phase in the UK. Most of the areas with large deposits of shale gas correlate with the location of traditional coal fields in the UK, including Yorkshire. The only current UK sites are in Lancashire, Cheshire, Kent, Scotland, South Wales, Lincolnshire and East Sussex.
10. Drilling companies are keen to manage the public perceptions of fracking. In 2013 it was announced that companies will give £100,000 to each community situated near exploratory sites, and a further 1% of the revenue will go back into these communities if gas is subsequently extracted. Companies will bid for licenses to conduct the extraction of gas.

#### Implications for York

11. The Department for Energy and Climate Change (DECC) have issued drilling licenses to gas companies to perform exploratory work for shale gas in several sites in North and East Yorkshire:
  - Between Easingwold and the western edge of York
  - South-west of Pocklington

#### National Planning Context

12. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change this statutory status of the development plan. At the heart of the NPPF is a 'presumption in favour of sustainable development' as the golden thread that runs through both plan-making and decision-taking. This guiding principle applies as much to mineral development, including shale gas developments, as it does to other forms of development.
13. The National Planning Policy Framework (NPPF) recognises the importance of minerals development to the economy and sets the requirements for Local Authorities to plan for an adequate supply of minerals in the future whilst taking into consideration the wider impacts of any development.
14. The NPPF requires planning authorities to assess applications for all minerals developments, including oil and gas developments, so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural or historical environment or on human health, including from noise, dust, visual intrusion, or migration of contamination

from the site. In doing so, they should take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.

15. The National Planning Policy Framework makes it clear that the phases of development - exploration, appraisal and production - of on-shore oil and gas extraction (including unconventional sources such as shale gas) should be clearly distinguished. Planning applications for each stage are subject to consultation with the local community and with relevant statutory consultation bodies such as the Environmental Regulator before the mineral planning authority/local planning authority takes a decision. Furthermore the applicant is required to provide sufficient information that is relevant, necessary and material to the proposed development.
16. In July 2013 the Government issued Planning Practice Guidance for Onshore Oil and Gas. This guidance provides additional advice on the planning issues associated with the three phases of extraction of hydrocarbons and must be read alongside other planning guidance and the National Planning Policy Framework. The guidance encourages mineral planning authorities to make appropriate provision for hydrocarbons in local minerals plans. This approach is intended to allow minerals planning authorities to highlight areas where proposals for hydrocarbon extraction may come forward, as well as managing potentially conflicting objectives for use of land.
17. Neither the NPPF nor the Practice Guidance indicates that mineral planning authorities should have a general presumption against shale gas exploration, appraisal or production. Indeed the emphasis is very much on the need for further exploration in order to help assess the contribution that shale gas production can make to the UK's overall energy resources. The expectation is that mineral planning authorities will include a criteria based policy in their mineral local plans to cover any specific local issues that need to be addressed in the plan area.

#### City of York Planning Context

18. City of York Council has a statutory responsibility to address waste and minerals matters arising in the area. Given the many cross-boundary issues and the requirement to embrace Localism and the Duty to Cooperate, the Council has decided to produce a Joint Minerals and Waste Plan with North Yorkshire County Council and the North York Moors National Park Authority.

19. An Issues and Options document was released for an 8 week public consultation in February-April 2014. This document consulted on all reasonable alternatives in relation to Minerals and Waste within the plan area and consequently it sets out options for extraction, processing, transportation and development control policies, including: landscape, biodiversity, the historic environment, water environment and sustainable design and construction. At the Issues and Options stage, all reasonable policy options must remain open in order to ensure a wide debate.
20. The Issues and Options document sets out all options in relation to oil and gas development (from page 92), including all gas extraction methods, such as Shale Gas or 'fracking'. These options represent all reasonable alternatives for consideration within the joint plan area but do not set policy at this stage. Once a single option is adopted, which is supported by additional policies in the plan; this will form the policy which future applications to be assessed against.
21. Shale Gas or 'Fracking' is addressed in the draft Plan and was discussed at the Local Plan Working Group meeting (13<sup>th</sup> January 2014). Given the national policy position, Members recognised the requirement at this stage for a full range of options regarding shale gas within the Planning Framework. This will allow for the public to make representations after viewing all the potential options available.
22. The options presented in the Issues and Options document for consultation cover:
  - a support in principle for the development of coal bed methane, underground coal gasification and shale gas resources;
  - a support in principle but only allowing consideration of this type of development away from sensitive areas including built up areas, areas of historic importance and areas of importance for nature conservation; and
  - a non-supportive option due to the uncertain nature of the impacts and risks involved within the Plan area.
23. The Joint Plan has also been subject to a full sustainability appraisal against a sustainability framework covering environmental, social and economic objectives. As part of this the lifecycle of Minerals and Waste Development was considered and set out in Volume 1 of the SA report. An extract of the lifecycle for gas developments is attached for information.

24. The Joint Plan Issues and Options document is available to download at [www.northyorks.gov.uk/mwconsult](http://www.northyorks.gov.uk/mwconsult)
25. The Preferred Options stage of the Joint Plan will be consulted on in the winter, followed by publication, submission and adoption by the end of 2015.

### Legal Issues

26. The law contains a “presumption in favour” of sustainable development. Development which accords with the development plan is expected to be approved without delay, and that where the development plan is “absent, silent or relevant policies are out-of-date”, there is a presumption in favour of granting planning permission unless the adverse impacts of doing so would “significantly and demonstrably outweigh the benefits” when assessed against the NPPF’s policies. An appropriate development plan therefore provides greater opportunities for managing unacceptable development.
27. The NPPF requires Councils to plan for mineral extraction including unconventional hydrocarbons. In doing so, they must understand the extent of the potential resource, and take account of the opportunities for its use.
28. Fracking (as with other mineral extraction) should be subject to detailed environmental criteria, which will be set out in the Joint Minerals and Waste Plan. Technical Guidance produced by CLG provides further advice on this. If the Joint Plan does not contain this detail then individual applications will be assessed only against national framework.
29. Development plans which do not deal with fracking or simply seek to restrain it will at best be accorded little weight by the Secretary of State on appeal leaving applications to be judged purely against the general policies of the NPPF.
30. A new development plan being presented to the Secretary of State for independent examination is unlikely to be passed if it does not adequately deal with these matters



## Options

22. This is primarily an information report at this stage, requiring no decision from Council.

## Council Plan

23. The petition is relevant to the following priorities from the Council Plan:
- Create jobs and grow the economy
  - Get York moving
  - Build strong communities
  - Protect the environment

## Implications

24. The following implications have been assessed.
- **Financial** – Not applicable at this stage as this is a report for information.
  - **Human Resources (HR)** – No implications identified from this information report
  - **Equalities** – No implications
  - **Legal** – No implications
  - **Crime and Disorder** - None
  - **Information Technology (IT)** - None
  - **Property** - None
  - **Other** – None

## Risk Management

25. In compliance with the Council's risk management strategy, no risks are identified arising from the report for information.

## Recommendations

26. This is primarily a briefing report at this stage, requiring no decision from Council.

**Contact Details**

**Authors:**

Rebecca Harrison  
Development Officer  
Tel:551667

Martin Grainger  
Head of Planning and  
Environmental Management  
Tel: 551317

**Chief Officer Responsible for the report:**

Mike Slater  
Assistant Director  
Development Services, Planning and  
Regeneration

Tel: 551300

**Cabinet Member Responsible for the Report:**

Cllr Dave Merrett  
Cabinet Member Environment, Planning  
& Sustainability

**Report  
Approved**



**Date** 08/07/14

**Specialist Implications Officer(s) :** N/A

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

*All*

**For further information please contact the author of the report**

**Background Papers:** None



Labour Leader of City of York Council  
Report to Full Council – July 2014

**Tour de France**

I want to thank everyone involved in making the Tour de France Grand Depart such a success for York and for the whole region. The people of Yorkshire turned out in huge numbers to support this fantastic event and it has taken York to an audience way beyond those who already know what a great and beautiful place this is.

It has required an investment but that investment is one that will benefit our economy for many years to come. York is a popular tourist destination but we can never be complacent about this and must take opportunities such as the Tour de France to continue highlighting what the city has to offer.

I would especially like to thank all those staff involved, local volunteers and the Cabinet Member responsible, who've all gone the extra mile in recent weeks and months to ensure the event passed off successfully. Thank you to those businesses who've embraced the Tour and helped create the atmosphere, along with the thousands of visitors to the city, that showed York off at its best to the world.

Council staff across Yorkshire were the backbone of the Tour and they deserve our thanks.

The estimated number watching the event in York was 100,000 people.

**Unemployment**

Unemployment continues to fall in York, something I'm sure all Members will welcome. The latest rate was 1.3%, which is below pre-recession levels. Clearly we want this downward trend to continue, but we also need to be focussed on increasing wage levels to support self reliance and the principle of a fair day's pay for a fair day's work.

The council introducing the Living Wage was the first step in seeking to achieve this but more can be done. Our economic strategy will help the city to attract better paid jobs and provide more employment opportunities for local people. I don't subscribe to the leader of the main opposition group's view that

anything positive that happens in the local economy has nothing to do with the council or council policy, which presumably means economic development would play no part in a Conservative-led council, however unlikely that outcome might seem. The work we are involved in has borne fruit and recently one business said it was locating to the city specifically because of the investment Labour is making in the city. Since May 2013 the number of people claiming job seekers allowance has decreased by 35.2%. 1.3% is the lowest proportion on record since 2006.

### **Volunteers Celebration Event**

I was honoured to attend and speak at a celebration of volunteers event held here in the Guildhall. We had volunteers from members of residents associations to charities and community groups.

Volunteers are one of the things that make this city special and if we are to achieve our aims then people need to be involved and take ownership of the future.

I was pleasantly surprised to hear from one long standing volunteer that this was the first such event they recalled being held by the council.

Under Labour the council will continue to show its appreciation to the city's army of volunteers.

### **Shelter Report on Affordable Housing**

The recent Shelter report on housing affordability in York shows exactly why boosting housing supply in a meaningful way is necessary for thousands of families living here. A lack of affordable homes comes as no surprise to many of us but only 1% of property being affordable to families in York shows the problem is even more severe than I had thought.

Opposition parties continue to pretend that their housing targets are sufficient, when it is obvious that they would not make a dent in the affordability problem that York families are experiencing. Under Labour the council is being realistic, which we know will attract criticism, in advocating higher housing numbers because it is the right thing to do and what the city and significant numbers of residents need. Increasing supply in a significant way will be the only way to begin to reduce the ratio between earnings and house prices.

The affordability issue is not as simple as being unable to afford to buy a home. For those fortunate enough to have a deposit on a home, the mortgage they can get as a first time buyer is very likely to give them a lower monthly cost than if they were renting, which is increasingly becoming out of reach for many people

on low incomes, putting further pressure on social housing. Something must be done and Labour is the only party in York prepared to do it.

### **Fairness Conference**

On the 9th June, York held its first International Fairness Conference. This followed a recommendation from the independent York Fairness Commission. The conference was attended by residents, people from different cities in the UK and internationally, charities and think tanks, businesses, MPs and a cross-party group of council leaders. For those that could not make it, all the sessions and further details of the conference can be found on the conference website - [www.yorkfairness.com](http://www.yorkfairness.com)

We are now looking at next steps to address poverty in the city, building on our existing poverty strategy. This will focus on the specific issues we face in York such as promoting good growth and better jobs. In this we should be building on our success on the Living Wage, where York has been singled out as an exemplar city for partnership working in this area.

### **Nestle Becoming Living Wage Employer**

Nestle confirming it is to become a Living Wage employer is great news as a major employer in the city. I'm keen to encourage many more employers to follow this example, particularly those above a certain number of employees. I realise it is not easy for many employers to offer the Living Wage but there are many benefits for those that can, including increased retention of staff. I hope Nestle will be one of many in the months and years ahead.

### **City Apprentice Campaign**

The council led campaign to find 100 apprenticeship placements in York in 100 days has finished with the target being surpassed by more than 50 per cent.

The York Apprentice Challenge resulted in 160 pledges being made by 104 businesses in and around the city.

Pledges from the campaign came from a variety of sectors and will offer young people opportunities in areas including; engineering, marketing, business administration, hairdressing and more.

The 2014 challenge was led in partnership with training providers, not only surpassed its target but saw an increase in business involvement compared to the last time it was staged in 2011, when 80 businesses participated.

### **York and the Rail Industry**

It was disappointing the Government decided not to back York as the location for the High Speed Rail College. However, we are in discussions with Network Rail about other rail education opportunities using land on York Central. I have given backing to the bid from Doncaster and I have encouraged leaders across the region, along the East Coast Mainline and in the North East to also back Doncaster to at least bring the college to Yorkshire.

I will be leading the launch of the business case for investment in the East Coast Mainline at both the Palace of Westminster and Holyrood. The aim is to get across the importance of current investment in the rail line from both the UK and Scottish Governments. This has been the culmination of many months work through the East Coast Mainline Authority group that I set up and chair.

I look forward to working in partnership with both Governments as well as the new franchisee to achieve the required investment.

York is to join a similar group being set up by Manchester to secure investment in the Transpennine route.

### **Tablet Computers in Schools**

I was delighted to get the opportunity to visit Burton Green Primary School to meet with pupils benefiting from Learnpad tablets, donated by the council and the Little Society charity. The charity works to improve opportunities to those from more vulnerable social and economic backgrounds.

It was great to learn that the tablets are already improving reading abilities and I hope the council will be able to get involved in similar initiatives in the future.

This is a pilot scheme to see what the education benefits are of using such technology. I am personally keen to see this scheme extended to all school children, but we must ensure it is the right course of action and that it is financially achievable.

I found it encouraging that some parents have begun to learn to use these tablet computers for the first time. It means learning becomes inter-generational whilst providing transferable skills to adults and children alike.

I proposed the pilot scheme to the Little Society charity and I thank them for taking this up.

### **Employment fair**

The jobs fair held in May proved very popular with over 1200 people through the doors of the Railway Institute. These events have become increasingly popular as word spreads not only about the range of employers and support agencies attending, but also the level of jobs many are advertising. I have already referred to the goal of increasing average wages and many of the vacancies available will contribute towards that boost. It's essential that these events continue and that those looking for work or looking for a career move get the help they need.

I have already ensured these events are held more frequently.

### **Hungate Redevelopment**

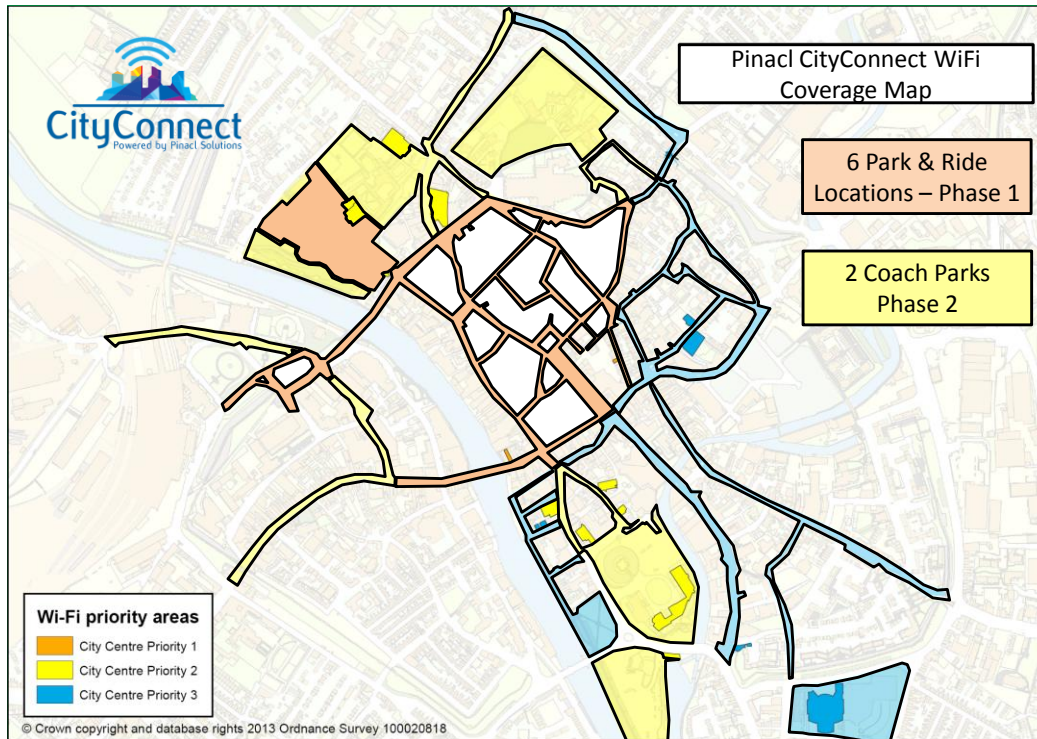
Under the Liberal Democrats the council wasted £1m of public money on the aborted Hungate council office development. When Labour won control of the council we inherited a derelict site with little progress being made.

I am pleased since then we have managed to attract the national insurance company, Hiscox, to relocate its head office to this site, bringing with it 350 jobs. Hiscox has received planning permission for an ambitious and iconic building and the council is to invest £175,000 in the public environment in the area. Both will help transform the area as an important entrance to the city centre.

### **City centre Wi-fi**

The City Centre wi-fi project went live in time to benefit the visitors who came to York to celebrate Le Tour de France. The project has been supported with funding from the DCMS Super- Connected City programme and substantial investment from Pinacl, the supplier who successfully bid to own the wi-fi concession. The map below shows the proposed coverage with phase 1 in place and phases 2 and 3 for completion by November 2015.

Free quality wi-fi is excellent news for residents, business people in the city centre and visitors. It also provides opportunities for city centre businesses. The analytical system supporting the wi-fi will allow businesses, including smaller independents, to target city centre customers. We are working up a programme so we can demonstrate this opportunity to city centre businesses.



Notes: Phase 1 completed June 2014, Phase 2 planned for completed July 2015 and Phase 3 planned for November 2015

### **Gigabit City**

We have seen three significant steps as we move York towards being one of the best digitally connected cities in Europe.

I have vigorously promoted York as a location for new private sector investment. In April a new joint venture, comprised of City Fibre, Talk Talk and Sky, announced a £30m plus digital investment that would transform York into the UK's first gigabit city. All premises within urban York will have the opportunity to have a fibre connection to the premises. This will provide 1000 mbps connections – the average speed in York is currently 16mbps. Implementation is expected to take place over a two year period commencing later this year. This is a transformational initiative and will allow businesses to have a significant competitive advantage and will open up new opportunities for communities. Planning work is underway involving our street works team to ensure that disruption to pedestrians, roads, households and businesses are minimised.

The Gigabit City is focussed on urban York and I am anxious to minimise any possible digital divide between "urban" and "rural" York. The Council has successfully bid for resources from the Department of Culture, Media and Sport (DCMS) as part of the government's rural programme, and I am seeking to



double this funding to bring it above £0.5m with European Commission funding. Working alongside West Yorkshire local authorities we are working up an implementation plan which will involve research to ensure we are targeting public resources only on areas where the private sector will not invest unaided, looking at the technology options and procurement processes. Implementation is planned to commence in July 2015.

### **Biovale**

As the world shifts away from its dependence on fossil fuels, new multi-billion pound markets are emerging for bio-based products. The US, China and Europe have all declared the bioeconomy a priority and put in place ambitious policies, while across Europe the bioeconomy sectors have a reported worth of some € 2 trillion in annual turnover and employ over 22 million people. With oil prices rising and corporate, government and customer demands changing, huge markets are developing for bio-based products in the food and drink, chemicals, energy and manufacturing industries.

Yorkshire is at the forefront of this global paradigm shift, driving change through the growing BioVale innovation cluster bringing together the region's internationally-leading research, innovative agriculture and extensive bioenergy, chemicals and food and drink industry supply chains. This expertise is already making an impact globally, whether through increasing yields of anti-malaria medicine in Africa, or creating commercial products from biodiesel waste.

BioVale is developing and promoting Yorkshire and the Humber as an innovation cluster for the bioeconomy. It aims to establish the region as an international centre for bio-based research and development, stimulating sustainable economic growth and encouraging inward investment. BioVale also acts as a gateway to bioeconomy projects and businesses throughout the UK.

### **Local Growth Fund**

The final allocations for the Local Growth Deal were announced on the 7th July. The competitive element of the Local Growth Fund was £2 billion. Both of the Local Enterprise Partnership's (LEP's) that cover York received a greater than average share of the total fund but less than the overall amount identified in their Strategic Economic Plan.

York, North Yorkshire and East Riding LEP received around £110 million (compared with the fair share on a per capita basis of £13.9million). Leeds City Region LEP received £573 million from the Local Growth Deal.

For York, this will provide funding for key projects including York Central and BioVale. In addition, Leeds City Region received £1bn over 20 years to

deliver the West Yorkshire Plus Transport Fund. All these projects are crucial for the city's future economic growth

### **York Pride**

York Pride once again passed off as a fantastic celebration for York and goes from strength to strength each year. For my party this event reflects our values in celebrating diversity and respecting people for who they are. I was delighted to attend and was pleased to see politicians of all parties there too.

Many people appreciated the Rainbow flag flying above the Mansion House. At the start of June I spoke of how this event has become an important part of our civic calendar and how all parties now back the symbolic flying of the Rainbow flag after initial opposition from some members. It shows how attitudes have changed in just a few years towards the lesbian, gay, bisexual, and transgender community and rightly so.

Councillor James Alexander

Labour Leader of City of York Council

8<sup>th</sup> July, 2014

City of York Council

Committee Minutes

---

Meeting	Cabinet
Date	1 July 2014
Present	Councillors Crisp, Cunningham-Cross, Levene, Looker, Merrett, Simpson-Laing (Vice-Chair, in the Chair) and Williams
In attendance	Councillors Doughty, Funnell, Healey, Steward, Warters and Watson
Apologies	Councillor Alexander

---

## **PART B - MATTERS REFERRED TO COUNCIL**

### **16. Capital Programme Outturn 2013/14 and Revisions to the 2014/15 - 2018/19 Programme**

*[See also Part A minute]*

Members considered a report which set out the capital programme outturn position, including any under or over spends the overall funding of the programme and an update on future years.

An outturn of £44.616m was noted compared to an approved budget of £60.908m, an overall variation of £16.292m with the programme continuing to operate within budget.

A summary of the 2013/14 Capital Programme outturn was detailed, in the report and at Annexes A and B, highlighting the total variances for individual departments along with requests for reprofiling and an update on the Economic Infrastructure Fund.

Amendments made to future year's capital programmes as a result of reprofiling and requests for the use of new funding were also reported.

Members made reference to the ongoing challenges for the programme whilst highlighting progress with key schemes,

including park and ride, the Disabled Support Grant and repairs and refurbishments at a number of schools.

Recommended: That Council approve the restated 2014/15 to 2018/19 programme of £203.851m as summarised in Table 3 and detailed in Annex A of the report. <sup>1</sup>.

Reason: To allow the continued effective financial management of the capital programme from 2014/15 to 2018/19.

Action Required

1. Refer to Council.

JP

Cllr J Alexander, Chair

[The meeting started at 5.30 pm and finished at 6.40 pm].

City of York Council

Committee Minutes

---

Meeting	Corporate and Scrutiny Management Committee
Date	12 May 2014
Present	Councillors Galvin (Chair), Fraser, Jeffries, King, McIlveen, Potter, Runciman (Vice-Chair), Steward and Burton (Sub for Councillor Horton)
In attendance	Councillors Cuthbertson and Richardson
Apologies	Councillor Horton

---

## Part B - Matters Referred To Council

### 62. Draft Annual Scrutiny Report 2013-14

Consideration was given to the draft Annual Scrutiny Report which summarised the work of the five Overview and Scrutiny Committees, in the period June 2013 to date. It was noted that the report would be presented to Council in July 2014.

Arising from discussion of work undertaken during the year, the Chair confirmed that the final report arising from the corporate Night-Time Economy review (NTE) had recently received a very favourable response from Cabinet. Members had also expressed their thanks to all concerned and, in particular, the Scrutiny Officers.

Members highlighted the importance of following up the recommendations of the NTE review and the need to ensure the correct remit and focus for any future reviews.

Following further discussion it was

Recommended: That the Annual Scrutiny Report for the period June 2013 to May 2014 be approved for submission to Council in July 2014, subject to inclusion of information in relation to the Loans and Grants Scrutiny Review. <sup>1</sup>

Reason: To enable the report to be presented to Full Council, in line with Constitutional requirements.

Action Required

1. Refer to Council

JP

Councillor J Galvin, Chair

[The meeting started at 5.40 pm and finished at 6.55 pm].



---

**Council**

**17 July 2014**

Report of the Assistant Director of Governance & ICT

## **Annual Scrutiny Report 2013-14**

### **Summary**

1. This annual scrutiny report summarises the work of the five Overview & Scrutiny Committees for the municipal year May 2013 – May 2014, and asks Members to agree the report prior to its presentation to Council in July 2014.

### **Background**

2. The Corporate and Scrutiny Management Committee (CSMC) is charged with monitoring overall performance in relation to scrutiny review work and providing an annual report to Full Council. The last annual report for the period June 2012 – May 2013 was presented to CSMC in September 2013 and to Council in October 2013.

### **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 2013 – May 2014 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 2013.

## **Scrutiny Reviews in 2013-14**

### **6. Corporate Scrutiny Review**

In June 2013, Corporate & Scrutiny Management Committee expressed an interest in carrying out a corporate scrutiny review during the 2013-14 municipal year to which each of the Overview & Scrutiny Committees could contribute.

7. The Corporate & Scrutiny Management Committee considered two topics which cut across the remits of all the scrutiny committees (Improving York's Night-Time Economy and Impacts of Mental Health) and chose to proceed with a corporate review on York's Night Time Economy (NTE) based on its connection to a number of the Council's current key priorities in the Council Plan 2011-2015.

8. Each Overview & Scrutiny Committee was tasked with identifying a suitable review remit, based on their individual terms of reference, which led to the following reviews being undertaken:

- Economic & City Development – to encourage longer retail opening hours and enhance evening access in and out of the city centre;
- Health – to identify the impact of the night-time economy on the Emergency Department at York Hospital at peak times;
- Community Safety – to examine ways to improve the attractiveness and cleanliness of the city centre in the evening;
- Learning and Culture – to identify an improved cultural offer up to 8pm in order to extend the tourist day and encourage more tourists to stay for longer or overnight, with particular emphasis on families.

9. To support the night-time economy corporate review an online survey 'Yorkafter5' was undertaken in late Autumn 2013 which included questions in support of all the reviews except the health related review for which separate surveys were agreed.

10. The ECSOSC review gathered information on cities similar to York to establish a benchmark for the night-time economy and to establish best practice elsewhere. Key partners, including representatives of York Retail Forum, the Federation of Small Businesses, City Team York, bus companies and private hire federations were also involved in the review.

11. Members of the Health OSC met with officials at York Hospital to gather information related to peaks in Emergency Department admissions, particularly late Friday night / early Saturday mornings and late Saturday



night / early Sunday mornings. They also met with representatives from Yorkshire Ambulance Service; NHS Trust; the Vale of York Clinical Commissioning Group and Street Angels, and received information from the GP Out of Hours Service. Committee Members also spent two nights in the hospital Emergency Department to witness the work of the department and any difficulties staff faced.

12. The Community Safety OSC chose not to carry out a review on anti-social behaviour associated with the city centre night-time economy, having agreed any such review would duplicate work of AVANTE (Alcohol and Violence in the Night-Time Economy), a multi-agency task group of the Safer York Partnership. Instead they agreed to focus their review on city centre street cleaning and associated issues related to commercial waste presentation and miss-use of flyers, which both lead to additional work for the city centre street cleaning teams. However in light of the limited time available for a full and proper review, the Committee recommended that work to address these ongoing issues be undertaken as a matter of priority by Public Realm officers working with CYC Waste Services and Safer York Partnership.
13. At the beginning of the municipal year the Learning and Culture OSC, learnt of work already underway by the Council and its partners on a new high-level tourism strategy for the city, and of an application for funding to Visit England/Arts Council England. The Committee agreed to postpone their NTE review until the outcome of the funding application was known, recognising it would directly affect their choice of topic. In February 2014, having learnt that the application for funding had been unsuccessful, the Task Group agreed to look at how the tourist day might be extended and residents encouraged to visit the city between 5-8pm. They also met the Consortium behind the bid to investigate what elements within the application individual organisations would be taking forward.
14. The NTE final reports from Economic & City Development, Health and Community Safety Committees were presented to CSMC in March 2014 while the Learning and Culture Committee presented their report in early April 2014. CSMC set up a Task Group to collate the findings from the individual reviews and package the draft recommendations, enabling the NTE Corporate Review final report to be presented to Cabinet in early May 2014. Overall CSMC were pleased with the outcome of the corporate review recognising the work of all those involved, and agreed to repeat the corporate approach in future years to ensure continuing corporate and city-wide engagement with scrutiny.

15. Other Committee Reviews:

The following scrutiny reviews were also carried out by the Overview & Scrutiny Committees in the last municipal year:

- Loans & Grants Review

In January 2013 CSMC formed a Task Group to commence a review of CYC Loans & Grants, with the aim of providing guidance on best practice for monitoring future grants/loans provided by the Council. As a result of the review, a common approach has been put in place for coding all loans and grants on the Council's finance system, a template has been introduced, together with officer guidance notes, to support the process of producing a Service Level Agreement, all future grants over £100k (or those deemed to be of higher risk) will have a legally binding grant funding agreement and will be agreed by Cabinet, and monitoring of loan agreements and defaulted loans has also been tightened up. All the recommendations were incorporated into the revisions recently made to CYC's Financial Regulations.

- Equalities Review

In November 2013 CSMC agreed to proceed with a review to raising awareness of the democratic process amongst York's Communities of Identity, and identify any required equalities training for Members. A Task Group was set up and it recently held a consultation event at the Mansion House to meet with representatives from York's minority communities to raise awareness of the democratic process, ways of getting involved, and to identify any barriers preventing their community engagement/involvement. Work on the review is expected to be concluded by early September 2014.

- External Funding Scrutiny Review

In January 2013 an ECDOSC Task Group commenced a review into ways of unlocking potential external funding for economic development and regeneration projects. Its key objectives were to assess Leeds City Region's investment priorities, what resources were available to City of York Council and to present a strong case to attract funding for York's top investment priorities. Over a series of meetings the Task Group gathered evidence which led to a number of strategic recommendations being agreed by ECDOSC in September 2013 and presented to Cabinet in November 2013.

- Construction Skills Scrutiny Review

In July 2013 an ECDOSC Task Group was set up to investigate a national and, particularly, northern England shortage of skilled builders and to see what the Council and its partners could do to address this

skills gap and prepare for future growth. After examining the existing training provision and funding landscape the Task Group received details of the current situation in York, information on best practice in other local authorities and feedback from employers. Task Group Members also took part in meetings with the Property Forum of York's Chamber of Commerce, YorCity Construction and York College at which they spoke to current apprentices to identify possible obstacles to the recruitment process. The Task Group's final report was endorsed by ECDOSC in March 2014 and went to Cabinet on 6 May 2014.

- Online Business / E-Commerce Scrutiny Review

An ECDOSC Task Group was formed in January 2015 to identify how CYC may better support city businesses to develop their online opportunities and improve their sales, marketing and profitability. To identify any gaps in this support an online survey was launched asking businesses for feedback and the Task Group also received information on how other towns and cities are supporting the development of online business opportunities. The Task Group expected their work to be completed in the summer of 2015.

- Domestic Waste Recycling Scrutiny Review

In July 2012, the Community Safety OSC set up a Task Group to look at ways of increasing domestic waste recycling. The Task Group carried out an analysis of the recycling rates for the 20 top performing Local Authorities in order to identify best practice. The Task Group agreed to focus their work in support of the council's 2013-14 'Recycle More' initiative, which led to delays in the review whilst the work on that initiative was undertaken. The second phase of a major piece of work to gather evidence on the effectiveness of initiatives employed to improve kerbside recycling and reduce the amount of waste sent to landfill was scheduled between January and March 2014. Work is now underway to evaluate the impact of that work and the review final report is expected by July 2014.

- A-Boards Scrutiny Review

In April 2013 the Community Safety OSC, having considered information on the implications associated with implementing a total ban on the use of A-boards, agreed to proceed with a scrutiny review to identify some sensible guidelines for the use of A-boards across the whole city. A public consultation event was held on 5 February 2014 and the Task Group is working with key stakeholders and businesses to draft guidance for the future use of A-Boards. The review is ongoing

and completion is expected summer 2014.

- Community Mental Health Services & Care of Young People Scrutiny Review  
A Health Scrutiny Task Group was set up in November 2012 to raise awareness of emotional and mental health issues for young people, and the services and interventions available, with a view to ensuring that the wider children's workforce are well informed and equipped to identify and respond to children and young people with emotional problems and/or emerging mental health issues. The review looked at ways of improving multi-agency working, and encouraged York secondary schools to introduce a Mental Health School Charter, setting out what strategies, resources and support systems were in place to help pupils, carers and support staff to identify and cope with emerging emotional or mental health issues. The review final report was presented to Cabinet in December 2013.
- Personalisation Security Review  
In July 2012 a Health Scrutiny Task Group commenced a review around take up and administration of personal budgets so people could exercise as much choice and control over their lives as possible. In an effort to identify key priorities around personalisation and make improvements, the review brought together residents, and service and support providers, to identify the areas of strength and weakness in City of York Council's approach to personalisation. The review included two workshops facilitated by an independent consultant and CYC commissioned a POET (Personal Outcomes and Evaluation Tool) survey, carried out by In Control - a national charity which helps people to live the life they choose - to collect and compare data from personal budget holders in the area. A representative from In Control attended a February 2014 Task Group meeting to help establish priority areas and clarify any implications associated with them. The review final report was signed off by Health OSC in April 2014 and presented to Cabinet in May 2014.
- Men's Health Scrutiny Review  
In July 2013 the Health OSC received a verbal report which highlighted that there was a bottom 20% of men in York who had been "cast adrift" and had a significantly different and poorer life expectancy. The Committee formed a Task Group to establish the main causes of premature male deaths and analyse ways in which those who were most vulnerable could be targeted. Having received detailed information from CYC's Consultant in Public Health the Task Group recommended the topic should not be progressed as the review was

too wide ranging and that meaningful work on the topic could not be done over the period of a municipal year. It was therefore agreed, the topic could be re-considered at a later date.

- Careers Education Information and Guidance (CEIAG) Task Group Scrutiny Review

In early 2013 a Learning & Culture Task Group was set up to assess the standard of CEIAG for young people in York, and where appropriate identify improvements. The Task Group held a number of consultation meetings with training providers, partner agencies, business and local authority representatives, and young people as they gathered evidence in support of the review. The Task Group's conclusions and the recommendations were endorsed by the Learning & Culture OSC in September 2013 and presented to Cabinet in November 2013.

- School Meals Scrutiny Review

In June 2013, the Learning & Culture OSC agreed a scrutiny topic on the take up of school meals, and free school meals (FSM) and set up a Task Group to investigate how to improve take-up. Shortly after the review started, the Government announced its plans to provide free school meals for all infants. The Task Group recognised this would lead to a substantial increase in the numbers receiving a school meal, and requested additional information to understand the knock on effects on schools and on the council's current contract. They met with representatives from the Local Authority's school meal provider and received detailed information on the contract and the challenges the provider had faced since taking up the contract three years earlier. In September 2013, the Task Group met with representatives of the Youth Council to gather their views on school meals. They also carried out a number of school visits and gathered the views of parents. The Task Group's draft final report was signed off by Learning and Culture OSC in March 2014, and presented to Cabinet in May 2014.

### **Supporting the Council Plan 2011-15**

16. All of the reviews carried out during 2013-14 (identified above) took account of the Council's need to be inclusive and ensure equality in accessing the services being reviewed. Each review also supported a number of the council's other improvement priorities and direction statements:
17. The following reviews were directly linked to the 'Protect Vulnerable People' element of the Council Plan 2011-15:

- Night-Time Economy Review;
- School Meals Review;
- Community Mental Health Services and Care of Young People Review;
- Personalisation Review;
- Men's Health Review;
- A-Boards Review.

18. The following reviews were directly linked to the 'Build Strong Communities' element of the Council Plan 2011-15:

- Night-Time Economy Review

19. The following reviews were directly linked to the 'Create Jobs & Grow the Economy' element of the Council Plan 2011-15:

- Night-Time Economy Review;
- External Funding Review;
- Construction Skills Review;
- Online Business / E-Commerce Review.

20. The Domestic Waste Recycling Review supported the 'Protect the Environment' element of the Council Plan 2011-15.

21. Finally, whilst the CEIAG review did not directly support the priorities within the Council Plan 2011-15, it did support a recommendation within the Children & Young People's Plan made by young researchers that asked for careers information and advice to be age appropriate, and for increased links between businesses and education.

### **Finance & Performance Monitoring**

22. Throughout 2013-14 the Overview & Scrutiny Committees received regular quarterly monitoring reports relating to the council's performance and finance management, in service areas specific to their individual remits.

23. In addition, they also received other monitoring reports specific to their individual terms of reference, as detailed below:

24. Corporate & Scrutiny Management Committee received presentations / updates on:

- The Workforce Strategy 2012-15;
- The Annual Scrutiny Support Budget;

- The Procurement Strategy;
  - Evaluation of the Service to City Programme;
  - The Council's Journey to Excellence in Equalities;
  - The Workplace Wellbeing Survey 2013.
  - The Annual Overview & Scrutiny Report for 2012-13;
25. The Community Safety Overview & Scrutiny Committee received updates on:
- Domestic Violence;
  - The work of AVANTE (Alcohol & Violence in the Night-Time Economy);
  - Tethered Horses Policy;
  - Winter Maintenance Procedures.
  - Bi-annual performance reports from Safer York Partnership (SYP),
26. Community Safety Overview & Scrutiny Committee also met with the Police & Crime Commissioner and representatives from Safer York Partnership, the Probation Service, the Police and Crime Panel and the York and North Yorkshire Fire & Rescue Service in relation to their role of scrutineers of crime & disorder issues.
27. The Economic & City Development Overview & Scrutiny Committee received briefings/updates on:
- Major developments within the city;
  - Major transport initiatives and issues arising from them;
  - Local Enterprise Partnerships (LEPs);
  - Tour de France Grand Depart;
  - Green Travel Plans;
  - Newgate Market;
  - Lendal Bridge trial.
  - Councils for Voluntary Services
  - Volunteering Opportunities for Under 16s
  - York Charter for Volunteering
28. The Health Overview & Scrutiny Committee has a statutory role to review and scrutinise the impact of services and policies of key partners on the health of the city's population. As such it received updates on:
- The implementation of the NHS 111 service;
  - Children's Cardiac Services;
  - Safeguarding Arrangements;
  - The Public Health Service Plan;

- Section 136 of the Mental Health Act – Provision of a Place of Safety;
- Friends and Family Test – Maternity Services;
- Winter Pressures Money;
- Carers' Strategy;
- Residential, Nursing and Home Care Services;
- The merger of Priory Medical Group Surgery and Abbey Medical Group;
- Partnership Working in mental health services;
- The way older people's mental health services are provided.

29. The Committee were also consulted on a number of issues:

- Changes to psychological therapies services in York, including St Andrew's Counselling and Psychotherapy Service;
- Practice merger between York Medical Group and Minister Health;
- Clinical Commissioning Group plans for re-commissioning of Community Services and Out of Hours GP Services

30. They also met with representatives of York Hospitals NHS Foundation Trust; Vale of York Clinical Commissioning Group; Leeds and York Partnership NHS Foundation Trust; Yorkshire Ambulance Service; Adult Social Care and NHS England for joint discussions on how they work together, and received reports from the Chief Executive of York Teaching Hospital NHS Foundation Trust on the Francis Report and Liverpool Care Pathway.

31. Finally, they received a number of reports and presentations i.e.:

- A presentation from the Care Quality Commission on changes to the way they inspect and regulate care services;
- A presentation on loneliness by the Joseph Rowntree Foundation / Joseph Rowntree Housing Trust Neighbourhood Approaches to Loneliness Team;
- Leeds and York Partnership NHS Foundation Trust Annual Report;
- York Teaching Hospital NHS Foundation Trust Annual Report;
- Yorkshire Ambulance Service Annual Report;
- Health & Wellbeing Board Annual Report

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

- York Museums Trust Bi-annual Partnership Delivery Plan Reports;
- York Theatre Royal Bi-annual Service Level Agreement Performance reports;



- Bi-annual Progress Reports on Safeguarding and Looked After Children;
- A school improvement and Ofsted update report;
- A report on safely reducing York's looked after children population;

33. In addition the Committee received presentations from the Chair of York @ Large on the ongoing work of York @ Large and how it works with the Council and other partners to deliver joint services, and the Chair of Learning City York Partnership about "Unlocking York Talent", the city's first All Age Skills Strategy.

### **Acting as Critical Friend**

34. During the municipal year 2013-14 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**

35. Finally, each of the committees received bi-annual updates on the implementation of the approved recommendations arising from their previously completed scrutiny reviews. Those deemed to be fully completed were signed off.

### **Calling - In**

36. Throughout the municipal year 2013-14 there were six Cabinet/ Cabinet Member decisions called-in for consideration by CSMC. All the decisions were upheld. The items called-in were:

- West Yorkshire Plus York Transport Fund;
- Alternative services to those currently provided by Toy Bus;
- The Co-operative Council – a community benefit for libraries and archives;
- 20mph in the west of York – speed limit order and consultation response;
- Working closer with Leeds Bradford International Airport;
- Winter maintenance review for the 2013/14 season;
- Local Plan Consultation – Further Sites;
- City Centre Competitiveness

### Implications

37. There are no known legal, HR and financial implications associated with the recommendation within this report.

### Risk Management

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

### Recommendations

39. Having considered the information within this report, Members are asked to approve this Annual Scrutiny Report which covers the period between June 2013 and May 2014, so that it may be presented to full Council in July 2014.

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

### Contact Details

**Author:**

Steve Entwistle  
Scrutiny Officer  
Tel: 01904 554279

**Chief Officer Responsible for the report:**

Andrew Docherty  
Assistant Director Governance & ICT

Melanie Carr  
Scrutiny Officer  
Tel: 01904 552054

**Report Approved**



**Date:** 23 April 2014

**Specialist Implications Officer(s)** - None

**Wards Affected:**

For further information please contact the authors of the report

**All**



**Background Papers:** None

**Annexes:** None

---

Meeting	Corporate and Scrutiny Management Committee
Date	23 June 2014
Present	Councillors Galvin (Chair), Burton, Fraser, Horton, Jeffries, Potter, Runciman (Vice-Chair) and Steward
In attendance	Councillor Simpson-Laing (agenda items 1 to 4) Councillor Semlyen (agenda item 6)
Apologies	Councillor King

---

## Part B - Matters Referred To Council

### 8. Request For Change Of Scrutiny Committee Terms Of Reference

*[See also Part A minute]*

Further to Minute No. 6 above, under which Members considered a report seeking advice on amending the terms of reference of two Scrutiny Committees, Members discussed the benefits of these slight revisions whilst awaiting the outcome of the wider ongoing scrutiny review. It was then

Recommended: That Council approve the slight change to the remits of Economic and City Development and Community Safety Committees, as detailed in paragraph 7 of the report, to redress the balance of responsibilities between the two.

Reason: To enable the work of Scrutiny Committees to progress efficiently and deliver effective outcomes.

Councillor J.Galvin, Chair

[The meeting started at 5.00 pm and finished at 6.10 pm].

This page is intentionally left blank

City of York Council

Committee Minutes

---

Meeting	Health Overview & Scrutiny Committee
Date	23 April 2014
Present	Councillors Funnell (Chair), Burton, Doughty (Vice-Chair), Douglas, Hodgson, Jeffries and Wiseman

---

## Part B- Matters Referred to Full Council

### 99. **Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber)**

*[See under Part A minute.]*

Members considered a report which provided them with the new Joint Arrangements for the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) (JHOSC) in relation to the new review of Congenital Heart Disease Services. The report also included a request for Members to reconfirm support for JHOSC.

Councillor Wiseman who attended the last meeting of the JHOSC on 10 April 2014, in place of the Chair spoke to the Committee about the meeting and its outcomes.

She told Members how she had felt that NHS England had taken on board the JHOSC's views and that the new review of Congenital Heart Disease was underway as a result of the work of the JHOSC.

The Committee nominated Councillor Wiseman to be appointed to serve on the JHOSC.

Recommend:

- i. That Council reconfirms its support for the establishment of a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber), in relation to NHS England's new review of Congenital Heart Disease services.

- ii. That Council delegates relevant functions, as set out in Annex A to the report, that shall be exercisable by the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) (JHOSC), subject to such terms and conditions therein.
- iii. That Councillor Wiseman be appointed to serve on the JHOSC in relation to the new review of Congenital Heart Disease services.
- iv. That Council confirm its support for the financial contribution of £1000 to Leeds City Council for the financial year 2014/15 to help cover administrative costs, printing, postage, room hire and other materials and an element of officer time in relation to the work of the JHOSC.

Reason: In order that the Council's voice is heard in relation to NHS England's new review of Congenital Heart Disease Services.

Councillor C Funnell, Chair

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

City of York Council

Committee Minutes

---

Meeting	Staffing Matters & Urgency Committee
Date	23 June 2014
Present	Councillors Alexander (Chair), Boyce, Fraser, Reid (Substitute for Councillor Aspden) and Steward
Apologies	Councillor Aspden

---

## Part B- Matters Referred to Full Council

### 14. Appointments to Committees and Outside Bodies

*[See under Part A minute]*

Members received a report which advised them of a number of changes to appointments to Committees and Outside Bodies.

Members agreed to the following appointment as outlined in the report.

Recommend: That Council agree to the appointment of Councillor Funnell as York's representative on the Joint Health Overview and Scrutiny Committee for Yorkshire and the Humber.

*[Note: Councillor Funnell, being recommended to Council as a result of Councillor Wiseman subsequently being appointed at the Annual Meeting to the Health and Wellbeing Board and therefore having a conflict of interest.]*

Reason: In order to make appropriate appointments to the Council's Committees and Outside Bodies for the current municipal year.

Councillor J Alexander, Chair

[The meeting started at 1.00 pm and finished at 1.10 pm].

This page is intentionally left blank



City of York Council

Committee Minutes

---

Meeting	Audit & Governance Committee
Date	25 June 2014
Present	Councillors Potter (Chair), Brooks (Vice-Chair), Fraser, Gunnell, Wiseman, Hodgson (Substitute for Councillor Barnes), Reid (Substitute for Councillor Ayre) and Mr Whiteley (co-opted non-statutory member)
Apologies	Councillors Ayre and Barnes

---

## Part B - Matters referred to Council

### 13. Draft Revised Financial Regulations

Members considered a report which presented the draft revised Financial Regulations. Members were asked to comment on the regulations prior to them being presented to Full Council for consideration. Officers gave details of the proposed changes and the reasons for these.

Members agreed that the word “solely” should be deleted from paragraph 38.

Recommend: That the amendments to the Financial Regulations, as set out at paragraphs 5, 6, 7, 8 and Annex A of the report be approved subject to the deletion of the word “solely” from paragraph 38.

Reason: The revised draft Financial Regulations are appropriate in maintaining the integrity of the Council’s financial arrangements.

### 14. Audit and Governance Committee Effectiveness - Action Plan Update

*[See also Part A minute]*

Members were asked to consider some limited changes to the committee’s Terms of Reference prior to their approval by Full Council.

Recommend: That the proposed changes to the terms of reference of the Audit and Governance Committee (as set out in Annex 2 of the report) be approved.

Reason: To ensure that the Audit and Governance Committee continues to operate effectively and in accordance with recommended best practice.

Councillor Potter, Chair

[The meeting started at 5.30 pm and finished at 7.30 pm].



CITY OF YORK COUNCIL

Financial Regulations

Version 11 April 2014

## City of York council Financial Regulations

### Contents

	Page
<b>Status of Financial Procedure Rules</b>	
Introduction	4
Observing these regulations	4
Maintaining these regulations	4
Sanctions and remedies for non-compliance	5
<b>Part A – Financial Management Standards</b>	
Introduction	6
Member roles & responsibilities	6
The Chief Financial Officer (CFO)	6
The Chief Internal Auditor (CIA)	8
Directors	8
<b>Part B Financial Planning &amp; Budgeting</b>	
Introduction	10
Budget planning	10
Budget monitoring & control	12
Medium term financial planning	15
Schemes of virement	15
The capital programme	16
Reserves & balances	19
The Venture Fund	19
Prudential Borrowing	19
Delivery & Innovation Fund	20
<b>Part C Audit &amp; Risk Management</b>	
Audit & inspection	21
Preventing fraud & corruption	23
Managing Risk	24
Insurance	25
<b>Part D Systems &amp; Procedures</b>	
Introduction	26
Accounting systems	26
Income	27
Expenditure	30

Banking arrangements	34
Treasury management	34
Taxation	35
Stocks & stores	36
Inventories & asset management	36
<b>Part E External Arrangements</b>	
Introduction	39
Partnerships & joint working	39
External Funding	41
Work for third parties	41
<b>Annex A Summary of Delegation &amp; Reporting</b>	<b>43</b>
<b>Glossary of Terms</b>	<b>46</b>

## Status of Financial Procedure Rules

### Introduction

- 1 These Financial Regulations (Regulations) provide the governance framework for managing the Council's financial affairs. They apply to every Member and Officer of the Council and to anyone acting on its behalf.

### Observing these regulations

- 2 These Regulations apply across all parts of the whole organisation, including all Member fora and Directorate services, as well as all arms length organisations, agencies and partnerships with whom the Council does business and for whom the Council is the relevant accounting body. Where the Council is not the relevant accounting body, but is a responsible partner, officers must ensure that the accounting body has in place adequate Regulations and proper schemes of delegation. Schools are bound by these Regulations unless the School Standards and Framework Act 1988 (SSFA98) specifically exempts them from any particular provisions set out herein (e.g. financial thresholds, if the Framework provides differently).
- 3 All Council members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control and for ensuring that the use of these resources is legal, properly authorised, provides value for money (VFM) and achieves best value (notwithstanding the delegated authorities of any given committee or officer). In doing so, proper consideration must be given at all times to matters of probity and propriety in managing the assets, income and expenditure of the Council.

### Maintaining these regulations

- 4 The Council operates a system of managerial and financial control whereby the Chief Finance Officer (CFO) has overall responsibility for the proper management of the finances of the Council as a whole but the responsibility for the day-to-day financial control and administration in each Directorate is devolved to the Director.
- 5 The overall responsibilities of the CFO in respect of these regulations are therefore to:

- a) maintain these Regulations and submit any additions or changes necessary to Full Council for approval in consultation with the Monitoring Officer (MO);
  - b) issue explanatory advice and guidance to underpin these Regulations as necessary. Where such advice and guidance is issued, members, officers and others acting on behalf of the Council are required to comply with it in accordance with the general provisions of these Regulations;
  - c) require any officer to take any action deemed necessary (as is proportionate and appropriate) to ensure proper compliance with these Regulations;
  - d) report, where appropriate, any breaches of these Regulations to Members;
- 6 These regulations have been drafted with a view to avoiding any uncertainty or ambiguity as to the principles, standards and procedures to be observed. Should any uncertainty or dispute arise pursuant to these Regulations, the matter must be referred to the CFO for interpretation and/or arbitration.

## Sanctions & remedies for non-compliance

- 7 Failure to comply with any part of these Regulations may constitute misconduct and lead to formal disciplinary action.

## Part A

# Financial Management Standards

## Introduction

- 1 This Part of the Regulations set out the overall framework of financial management responsibilities at the Council, including the accounting policies, standards, record keeping and financial statements the organisation is required to maintain in managing its finances and financial affairs.
2. All members and staff have a common duty to abide by the highest standards of probity and propriety when making decisions about the use of public monies. It is important for the way in which this is done to be transparent, properly accounted for in respect of the correct accounting year and reported in accordance with recognised accounting standards, conventions and policies

## Member roles & responsibilities

3. Member responsibilities for the overall management of the Council's financial affairs are exercised through:
  - **Full Council**, which is responsible for the Council's overall Policy Framework and for setting the Budget within which the Cabinet will operate (See Constitution Part 3).
  - **The Cabinet**, which is responsible for proposing policy and the Budget to the Full Council.
  - **The Audit & Governance Committee**, which is responsible for approving the statement of accounts.

## The Chief Finance Officer (CFO)

4. The functions and responsibilities of the CFO are directed in the first instance by legislation that imposes statutory duties on the CFO for the proper management, financial administration and stewardship of Council assets and the fiduciary interests of local tax payers. These statutory responsibilities cannot be overridden and arise from:
  - Section 151 of the Local Government Act 1972;
  - The Local Government Acts 2000 & 2003;
  - The Local Government Finance Act 1988;
  - The Local Government and Housing Act 1989;



- The Accounts and Audit Regulations 2003, as amended by the Accounts & Audit (Amendment) (England) Regulation 2006
5. These responsibilities include:
- a) the preparation of the Council's annual Statement of Accounts and the compilation and retention of all supporting accounting records and working papers, in accordance with the proper professional practices and set out in the format required by the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice - the SORP (CIPFA/LASAAC). The financial year observed by the Council runs from 1 April to the following 31 March;
  - b) the proper administration of the Council's financial affairs, systems and procedures;
  - c) setting and monitoring compliance with financial management standards and controls;
  - d) ensuring proper professional practices are adhered to in acting as the Head of Profession in relation to the standards, performance and development of all finance staff across the organisation;
  - e) providing advice on the key strategic controls necessary to secure sound financial management (including the operation of an effective internal audit function);
  - f) ensuring that financial information is available to enable accurate and timely monitoring and reporting;
  - g) determining the contents of all financial procedure manuals and ensuring compliance with the requirements of the Financial Regulations;
  - h) ensuring a Local Council Tax Support scheme is maintained;
  - i) in the event of a disaster or other civil emergency affecting the City then subject to overall council funding limits the CFO has the power to authorise all necessary expenditure required to support the Chief Executive in exercising their lawful power. The CFO can also delegate this authority to any Chief Officer acting as their nominated deputy with a limit of £50K. The nominated deputy should at all times endeavour to seek authorisation from the CFO where practical before committing expenditure.

6. The CFO can choose to delegate his day-to-day responsibilities in respect of his/her functions and responsibilities as defined by these Regulations in accordance with the Council's Scheme of Delegation and any corresponding Directorate schemes of delegation. The CFO may delegate his/her responsibilities to an appropriate representative(s). Where this is the case the delegation and officer responsibilities must be clearly documented in the relevant Directorate scheme of delegation and be kept under regular review by the CFO further to these Regulations.

### The Chief Internal Auditor (CIA)

- 7 The CIA is designated by the CFO as part of his/her Directorate Scheme of Delegation further to Article 13 of this Constitution and plays a key role in providing assurance to the Members, the CFO, the Head of Paid Service and Corporate Management Team about the practical deployment and effectiveness of financial management arrangements across the organisation.
- 8 The CIA has rights of access to information and data held by officers or members of the Council at all reasonable times and is responsible for the overall management and deployment of internal audit resources at the Council. He/she also has the right to report on any relevant matter of concern to senior management and members of the Council outside normal line management arrangements should he/she deem this necessary in protecting the interests of the Council and/or local tax payers.

### Directors

- 9 Whilst the CFO has overall responsibility for the finances of the Council, Directors are responsible for the day-to-day management of their Directorate's finances. Their responsibilities in relation to financial management include:
  - a) maintaining a satisfactory financial management function within their Directorates with sufficient staff, accommodation and other resources (including legal advice where this is necessary) to carry out the duties specified by legislation or otherwise directed by these Regulations;
  - b) promoting and ensuring compliance with the financial management standards and practices set by the CFO in their Directorates;

- c) consulting with the CFO on any matter which is liable to materially affect the resources of the Council. This must be done before any commitment is incurred, or a report made to an Cabinet Member or to a Committee for decision;
- d) ensuring that Cabinet Members are advised of the financial implications of all proposals and that these have been agreed by the CFO or his/her nominated representative;
- e) signing contracts on behalf of the Council in accordance with the contract procedure rules set out in Part D of these Regulations;
- f) reporting suspected fraud and irregularities to the CIA for investigation and referral to the Police as necessary;
- g) ensuring that the common officer delegations relating to financial management and administration as set out in the Council's Scheme of Delegation within their Directorates are exercised with due regard to the detailed requirements of these Regulations;
- h) implementing the management recommendations of the Internal Audit provider and external auditors agreed with the Director and/or the relevant Chief Officers and Heads of Service.

## Part B

### Financial planning & budgeting

#### Introduction

- 1 The purpose of financial planning is to set out and communicate the organisations objectives, resource allocations and related performance targets and to provide an agreed basis for subsequent management control, accountability and reporting.
- 2 The Council's Budget sets agreed parameters around the annual activities and functions of Directorates and their services. The Council's Medium Term Financial Plan represents a three year financial plan to address those issues which have medium to long term financial implications for the organisation.

#### Budget Planning

- 3 The revenue budget must be constructed so as to ensure that it properly reflects the priorities of the Council and Service Plan considerations. Budgets are needed so that the Council can plan, authorise, monitor and control the way money is allocated and spent. It is illegal for the Council to budget for a deficit.
- 4 The budget process must ensure that resources are:
  - required in accordance with the law and properly authorised;
  - used only for the purpose intended to achieve approved policies, objectives and service priorities;
  - held securely for use when required;
  - used with the minimum level of waste, inefficiency or loss.
- 5 The CFO in consultation with each Director is responsible for:
  - a) ensuring that an annual revenue budget is prepared in the context of a medium term three year financial plan for consideration by the Cabinet and its recommendation to Full Council.
  - b) maintaining a resource allocation process that properly reflects all due consideration of the Council's Policy Framework, ambitions and priorities;
  - c) advising the Cabinet on the format of the budget for approval by Full Council;

- d) allocating central budgets for example inflation and superannuation;
  - e) providing advice and guidance to the Cabinet further to its responsibility for issuing guidance on budget preparation to take all due account of:
    - legal requirements;
    - medium term planning prospects and known issues;
    - **the Council Plan;**
    - available resources
    - spending pressures;
    - government initiatives and public policy requirements;
    - internal policy directives;
    - cross cutting issues and Council priorities.
  - f) determining the detailed form of revenue estimates consistent with the budget approved by Full Council after consultation with the Cabinet and Directors;
  - g) reporting to the Cabinet on the aggregate spending plans of Directorates and on the resources available to fund them, identifying any implications for Council Tax levies;
  - h) advising on the medium term implications of spending decisions and funding options;
  - i) encouraging the best use of resources and value for money by working with Directors to identify opportunities to improve economy, efficiency and effectiveness and by encouraging good practice in conducting financial appraisals of growth or savings and developing the financial aspects of effective Service Planning;
  - j) where relevant and appropriate seeking to recover the cost of the service overheads when 'trading' with other organisations;**
  - k) advising the Full Council on the Cabinet's budget proposals in accordance with his/her responsibilities under S151 of the Local Government Act.
- 6 Directors are responsible for ensuring:
- a) budget estimates of income and expenditure are a realistic reflection of agreed corporate and service priorities, and that they are submitted to the Cabinet as part of the overall budget setting process. These estimates must be consistent with any relevant cash limits, the annual budget cycle and prepared in line with guidance issued by the Cabinet on the advice of the CFO. In drawing up draft budget plans Directors must have regard to;

- spending patterns and pressures revealed through the budget monitoring process;
  - legal requirements;
  - policy requirements as defined by Full Council and set out in the Policy Framework;
  - initiatives already under way.
- b) effective budgetary control within their Directorates, establishing detailed budgets for each service area in advance of the financial year and requiring such budgets to be properly managed by responsible named budget holders;
- c) financial and budget plans are integrated into service planning.
- d) If Directors are unable to keep within their agreed budget limits they must consult with the CFO, who has a statutory duty to report any significant issues to Members.

## Budget monitoring and control

- 7 The Council Budget sets an annual cash limit. To ensure the Council does not exceed its budget, each service area is required to manage its own income and expenditure within the cash limited budgets allocated to them to be spent on agreed service activities and functions.
- 8 The CFO is responsible for establishing a robust framework of budgetary management and control that ensures that:
- a) budget management is exercised within annual cash limits;
  - b) appropriate and timely financial information is available to Directors and budget holders that enables budgets to be monitored and controlled effectively;
  - c) expenditure is committed only against approved budget heads and associated structure of detailed cost centres;
  - d) all officers responsible for committing expenditure comply with these Regulations;
  - e) each cost centre is delegated to a named budget holder to be determined by the relevant Chief Officer (budget responsibilities should be aligned as closely as possible with those making day to day decisions to commit expenditure);
  - f) significant variances from budget are investigated and reported by budget holders on a regular basis.

- 9 The CFO must monitor and control the level of income and expenditure against budget allocations overall. He/she must ensure that monitoring reports are provided through the Finance and Performance Monitoring Framework for Members to consider on a regular basis throughout the financial year (to be determined and advised by the CFO) and a report after the year end setting out the revenue outturn. Budget monitoring reports must include:
- a) explanations of all variations to service budgets where deemed appropriate by the CFO;
  - b) explanations of financial implications and material considerations such as:
    - part and/or full year consequences of variances;
    - one off and/or recurring costs and income;
    - total scheme costs and sources of funding;
    - asset rental costs or leasing effects;
    - costs associated with staffing matters including the costs of redundancy and effects on the pension fund;
    - service plan implications and impact on service delivery (both within the service plan area and across other services or portfolios as appropriate).
- 10 Reports containing budget monitoring information must be reviewed by the CFO, or by his/her nominated representative(s) (where not otherwise prepared by his/her nominated representative in Directorates) at least 5 working days in advance of the relevant committee distribution date.
- 11 Any overspending on service estimates in total on budgets under the control of a Director must be reported by the CFO to the Cabinet. Where overspending is such that it appears the overall budget will be exceeded, and there is a need for an additional call on the council reserves the CFO must report the issue to full council. As a minimum Directorates will receive 25% of any underspending in year, to be carried forward into a general Directorate Reserve.
- 12 All internal surpluses arising from in-house trading activities/business units shall be retained for the benefit of the Council subject to any provision to do otherwise set out in the Medium Term Financial Strategy.
- 13 Schools' balances will be available for carry forward to support the necessary expenditure of the school concerned. Where an unplanned deficit occurs, the governing body shall prepare a detailed financial recovery plan for consideration by the Chief Education Officer and the Cabinet Member concerned in consultation with the CFO.

- 14 Schools must prepare a plan to recover the deficit within a defined period. In exceptional circumstances schools may seek to incur expenditure to be financed by anticipating future year budgets. Any such arrangement must be approved by the relevant Cabinet Member and proposals to do so accompanied by a detailed plan setting out how the arrangement is to be accommodated as a first call on their future budget share.
- 15 The CFO is also responsible for:
- a) reporting to the Cabinet and Full Council in consultation with the relevant Director if he/she is unable to balance expenditure and resources within their existing budgets and a supplementary estimate is required;
  - b) jointly preparing with the relevant Director(s) reports to the Cabinet regarding virements (Para13) which are in excess of £500,000 (either as individual items in-year or when taken in aggregate across the same category of budgeted income or expenditure in any one financial year);
  - c) reporting regularly to the Cabinet (as determined and advised by the CFO) on the overall revenue budget position and the Council's available contingencies, balances and reserves.
- 16 It is the responsibility of Directors to:
- a) ensure effective budgetary control arrangements exist and are observed within their own Directorates in accordance with these Regulations;
  - b) ensure spending remains within the relevant cash limits by controlling income and expenditure within their Directorate, monitoring performance and taking corrective action where significant variations from budget are forecast, taking account of any financial information and/or advice provided by the CFO or his/her nominated representative(s).
  - c) regularly report performance and variances within their own areas and take action to avoid exceeding their budget allocation, alerting the CFO to any known or expected budget problems;
  - d) report to the Cabinet and Full Council as necessary the financial implications of any new in-year proposal or amendment that will:
    - create financial commitments in future years;
    - change existing policies, initiate new policies or result in existing policies ceasing to operate;
    - materially extend or reduce the Council's services.



## Medium term financial planning

- 17 Medium term financial planning allows the Council to think beyond the constraints of any given financial year and annual budget and prepare for future events. The Director of Resources is delegated as part of the final accounts process to make proper provision for known future commitments, **and approve carry forward of budgets**, which are consistent with agreed budgetary and/or policy framework.
- 18 The CFO is responsible for reporting a medium term financial strategy to the Cabinet for recommendation to Full Council. **This will set out the overall medium term financial issues facing the Council, and consider the actions the council may need to take..**

## Schemes of virement

- 19 The term virement refers to transfers of resources between or within approved cost centres for both revenue and capital purposes. A virement does not create additional budgetary liabilities. Instead the virement mechanism exists to enable the Cabinet, Chief Officers and their staff to manage their budgets with a degree of flexibility within the overall Policy Framework and Budget set by Full Council, thereby optimising the use of resources throughout the financial year. The virement schemes for revenue and capital do not exist as a means of remedying poor budgetary control or financial planning for known commitments and service priorities, or otherwise excuse Chief Officers and budget holders from the need to manage their budgets prudently and responsibly. Nor may virements be effected after the year end to retrospectively fund over or under spends unless approved in advance by the CFO.
- 20 It is important that the scheme is carefully controlled within guidelines established by Full Council and administered by the CFO. Any variation from those guidelines must be approved by Full Council. All virements must:
  - not commit the Council to any on-going additional expenditure in future years unless virements are permanent redirections of resources;
  - be notified in writing to the CFO or his/her nominated representative;
  - be reported in budget monitoring reports to the Cabinet in accordance with the scheme of virement operated by the Council
  - be recorded in the Council's financial systems.

- 21 The scheme of revenue virement and agreed thresholds for delegated decision making purposes is set out below.

### Scheme of revenue virement delegations

Decision maker	Delegated powers & authority	Thresholds
The Cabinet	To approve virements between Service Plans in excess of £500k (either individually or in aggregate for the financial year)	Over £500k up to the cash limits set by the Budget
	To approve allocations of resources from approved contingencies and reserves	As set by the annual Budget
	To make recommendations to Full Council for the release of budget resources in excess of the approved contingencies and reserves	As set by the annual Budget
	To approve virements from within existing Service Plans or between Service Plans into new or otherwise unplanned functions and activities if savings are available to be re-directed into the new activity	Over £500k
Directors	To approve virements within or between Service Plans within their Directorates in excess of £100k and up to £500k (either individually or in aggregate for the financial year) in consultation with the relevant Cabinet Member. Any virement that affect's the council's policy framework will be referred to full council.	Over £100k and up to £500k in consultation with the relevant Cabinet Member
	To approve virements from within existing Service Plans or between Service Plans within their Directorates into new or otherwise unplanned functions and activities if savings are available to vire into the new activity. Any virement that affect's the council's policy framework will be referred to full council.	Over £100K and Up to £500k in consultation with the relevant Cabinet Member
	To approve virements between directorates in consultation with the relevant directors	Up to and including £50K in consultation with the relevant Cabinet Member
Other Chief Officers	To approve virements within their Service Plans up to £100k (either individually or in aggregate for the financial year)	Up to £100k

### The Capital Programme

- 22 The Capital Programme is a plan that sets out the resource allocations to be made to capital schemes that have the approval of Full Council. Capital expenditure involves acquiring or enhancing fixed assets with a long term value to the organisation, such as land, buildings, major items of plant, equipment or vehicles

- 23 The Regulations and standards relating to budgetary management and control of the revenue Budget apply equally to capital expenditure and any changes to revenue budgets arising out of changes to the Capital Programme must be dealt with accordingly. All capital expenditure is incurred or committed on a scheme by scheme basis. Capital expenditure must be reported gross of any funding and controlled at that level.
- 24 No expenditure may be incurred on a project unless it has been approved as part of the Capital Programme. Equally, no scheme requiring Government sanction or funding either in full or in part may begin until the sanction and/or funding has been officially confirmed. All credit agreements must be referred to the CFO for approval prior to schemes being included in the Programme.
- 25 All capital expenditure must be incurred by 31 March of the financial year for which it is approved, although approvals can be slipped provided the position is reported to the Cabinet, unless there is an external requirement to spend within any given year. Where schemes are part of a rolling programme or span a number of years, approval is required for each year's expenditure when the scheme is approved for inclusion in the Programme.
- 26 As with the revenue Budget, it is possible to vire between schemes within the approved Capital Programme where known funding shortages and/or underspends have arisen. The same rules and principles set out in paragraphs 13 - 15 above for revenue virement apply to the Capital Programme. If shortfalls in funding or overspends cannot be met by transferring resources between schemes within the agreed Capital Programme, requests of additional funding from reserves must be prepared by the relevant Director in consultation with the CFO for approval by the Cabinet. The scheme of capital virement and thresholds for delegated decision making purposes is set out in the table below.

### Scheme of capital virement delegations

Decision maker	Delegated powers & authority	Thresholds
The Cabinet	To approve individual virements between schemes in excess of £500k	Over £500k
	To re-phase approved scheme expenditure between years in excess of £500k for each scheme	Over £500k
Directors	To approve individual virements between schemes in excess of £100K up to a maximum of £500k in consultation with the relevant Cabinet Member. Any virement that affect's the council's policy framework will be referred to full council	Over £100K and Up to and including £500k
	To approve individual virements between schemes up to a maximum of £100k	Up to and including £100k

- 27 In relation to the Capital Programme the CFO is responsible for:
- a) ensuring that an annual capital programme is prepared for consideration by the Cabinet for recommendation to Full Council;
  - b) reporting to the Cabinet on income, expenditure and resources compared with approved estimates;
  - c) issuing guidance on capital schemes and controls and defining what will be regarded as capital having proper regard to Government regulations and accounting conventions;
  - d) ensuring that all schemes relying on the use of prudential borrowing powers for funding purposes are properly appraised on the basis of a robust business case as part of the CRAM process. Detailed practitioner guidance on the nature and use of prudential borrowing and 'Prudential Scheme' are set out in *'The Guide to Prudential Borrowing'* issued by the Council's Corporate Accountancy team;
  - e) directing the activities and functions of the **Capital and Asset Board** and its responsibilities for monitoring the Capital Programme on an on-going basis and managing the CRAM process;
  - f) maintaining a record of the current capital budget and expenditure on the Council's financial systems.
- 28 In relation to the Capital Programme Directors are responsible for:
- a) complying with the guidance issued by the CFO regarding capital schemes and controls;
  - b) ensuring that all capital schemes put forward for consideration in the CRAM process have been properly appraised and that each scheme and estimate includes a proper project plan, progress targets and sets out the sources of funding for the scheme including all associated revenue expenditure;
  - c) preparing regular reports reviewing the Capital Programme provisions for their services;
  - d) ensuring adequate records and audit trails are maintained in respect of all capital contracts;
  - e) monitoring capital expenditure and receipts against approved capital budgets on a scheme by scheme basis and reporting to the relevant Cabinet Member on a regular basis in accordance with the standard revenue budget monitoring arrangements set out above;
  - f) reporting to the Cabinet if proposed sources of funding are not secured (if planned funding from linked assets sales or

external grants and contributions cannot be realised, corporate funding support must be sought).

## Reserves & balances

- 29 Financial reserves and balances are maintained as a matter of prudence against unforeseen events and future contingencies. The CFO is responsible for advising the Cabinet and Full Council on prudent levels of reserves and balances for the Council as part of the annual budget setting process based on a reasoned assessment of risk.
- 30 The Council must decide the level of its general reserves in determining the level of Council Tax. The purpose, usage and basis of transactions must be clearly set out in respect of each of the reserves and balances held by the Council. Expenditure from Council reserves and balances can only be made with the prior approval of the Council, unless delegated authority to do so has been conferred by the Cabinet to an Cabinet Member or Director.

## The Venture Fund

- 31 The Council maintains a Venture Fund as part of its reserves designed to provide some capacity to support one-off 'Invest to Save' type initiatives that might otherwise struggle to secure funding in the annual budget setting process.
- 32 Officers are able to bid for Venture Fund monies each year with a view to any advances from the Venture Fund being re-paid within a 7 year period at an internal borrowing rate fixed in relation to the councils Consolidated Rate of Interest to be determined by the CFO. All bids to the Venture Fund must be made in the form of a business case setting out the nature and purpose of the proposal, forecast income and expenditure and payback period.
- 33 CFO has delegated authority to approve bids up to £100,000 from the Venture Fund, **in consultation with the leader**. Delegated 3decisions will be advised to the Cabinet as part of the budget monitoring and reporting process. Bids in excess of £100,000 must be referred to the Cabinet for approval.

## Prudential Borrowing

- 34 In addition to the Venture Fund, in accordance with Local Government Act 2003 and the Prudential Code, departments can put forward business cases for Prudential Borrowing. This is for schemes of a capital nature only and would normally be approved as part of the annual Capital Programme Budget CRAM process. However, there will be opportunities that arise during the year where a capital scheme can be approved using prudential borrowing outside of this process.
- 35 The CFO has delegated authority to approve bids up to £100,000. Bids in excess of £100,000 must be referred to the

Cabinet for approval. The required interest rate is the Consolidated Rate of Interest of the loans portfolio. The length of the prudential borrowing will be supported by the business case, taking into consideration the life of the asset.

- 36 The CFO has delegated authority to approve the length of the repayment period for all borrowing to ensure that borrowing matches the asset life. This will ensure value for money allowing prudential borrowing repayment periods to alter as asset life changes.

#### Delivery & Innovation Fund (DIF)

- 37 The purpose of the Delivery and Innovation Fund (DIF) is to support council-led or council-sponsored initiatives and projects which support the delivery of the council plan. Specifically, the fund is to be used to facilitate the development of new and innovative ways of working, support areas requiring one-off investment and support major project delivery.
- 38 The fund is to be used as an enabling investment for specific initiatives and cannot be used to make up shortfalls in department revenue budgets. It will work alongside the Economic Infrastructure Fund (EIF), which enables projects of strategic importance to the city's ambitions for creating jobs and growing the economy.
- 39 All bids must be referred to a panel comprising as a minimum the CEO & CFO. There is no requirement to repay the funding however the level of award will be set by the panel and awards limited to total funding available. The final approval on the level of award is the decision of the CEO, CFO, and Leader of the council except when the level of funding is above £100K where Cabinet approval will be required.
- 40 In the scenario where a bid is being considered alongside bidding for the EIF, the full EIF business case will need to be completed for consideration against the EIF. The DIF panel will still consider the relevant elements in the same way but this will then feed into the EIF process.
- 41 Bids can be made from outside the council (e.g. from voluntary sector organisations or parishes) but in such cases the business case must be sponsored / endorsed by a council department or officer and the relevant parties would jointly present the business case. Please see the section on External Arrangements in these regulations when funding to outside bodies is being considered
- 42 Performance of projects and initiatives that are funded from the Delivery & Innovation Fund will be monitored through the performance framework for the council plan to ensure maximum financial and/or social value is derived from the investment.

## Part C

### Audit & Risk Management

#### Audit & inspection

- 1 Audit is a key management tool that Members and Chief Officers should rely on to provide an independent and objective assessment of the probity, legality and value for money of Council arrangements. It examines, evaluates and reports on the adequacy of internal systems of control in the proper, economic, efficient and effective use of resources. Legislation requires that the Council provides for the function of both internal and external audit services.
- 2 The statutory requirement for the Council to maintain "*an adequate and effective system of internal audit*" is set out in Regulation 5 of the Accounts and Audit Regulations Act 2003, as amended by the Accounts & Audit (Amendment) (England) Regulation 2006 and further to S151 of the Local Government Act 1972.
- 3 In summary, the service exists to:
  - a) provide assurance to Members, Chief Officers and the general public on the effective operation of governance arrangements and the internal control environment operating at the Council;
  - b) objectively examine, evaluate and report on the probity, legality and VFM of Council arrangements for managing all items of income, expenditure and safe-guarding assets;
  - c) review arrangements for ensuring proper accounting controls, systems and administration are maintained and make recommendations for action and improvement;
  - d) help to secure the effective operation of proper controls to minimise the risk of loss, the inefficient use of resources and the potential for fraud and other wrongdoing;
  - e) act as a means of deterring all fraudulent activity, corruption and other wrongdoing, conducting investigations into any matter referred to it for investigation by management or officers and members of the public and reporting its findings to Directors and Members as appropriate for action;
  - f) undertake the prioritised investigation of all instances of alleged housing benefit fraud and prosecute those cases where fraud has been identified to protect the Council and fiduciary interests of the community and the public purse;

- g) conduct investigations into suspected fraudulent activity and improper conduct as reported by Members, Governors and employees referred to it further to the Council's Whistle-blowing policy;
  - h) report all known breaches of these regulations and Council Standing Orders and any other action leading to expenditure incurred ultra vires, identifying any areas of poor financial probity and stewardship problems for action by Chief Officers and Members as appropriate;
  - i) advise the CFO and MO as to any necessary intervention in decision making if it is likely that any proposed action will lead to unbudgeted or unlawful expenditure or activity;
  - j) review the Council's arrangements for ensuring the income and expenditure of the organisation is properly and regularly monitored in line with the budget setting, monitoring and reporting requirements set out in these Regulations;
  - k) advise officers and members of value for money issues and/or the poor or inappropriate use of Council resources and make recommendations for improvement;
  - l) review the optimisation of income generation opportunities from grants and subsidies monies available from Government;
  - m) advise the CFO of any appropriate action necessary to safeguard the fiduciary interests of the Council and current and future Council Tax payers.
4. The council's Audit & Fraud provider is a wholly local authority owned company (Veriatau) in which the council has two director appointments (CFO & Portfolio Holder)
5. The internal Audit & Fraud provider and the external auditors must be allowed to act independently and objectively in their planning and operation without undue influence by either Directors or Members.
6. The CIA is designated by the CFO. He/she, or his/her nominated representative(s), has rights of direct access and reporting to the CFO, the client officer for the Audit & Fraud provider (Nominated by the CFO), all Directors and Members. CIA staff have rights of access to all Council buildings and properties, information and data at all reasonable times.
7. The Audit Commission is responsible for appointing external auditors to Councils. The duties of the external auditor are governed by section 15 of the Local Government Finance Act 1982, as amended by section 5 of the Audit Commission Act 1998 and the Local Government Act 2000. These variously include rights of access and the right to report publicly on their



findings and recommendations. The external auditors must comply with the provisions of a Code of Audit Practice in planning and conducting their work. This includes the audit of the Council's financial statements, the financial aspects of corporate governance and performance management. The work of the council's auditors is reported to the Cabinet and Full Council in his/her **annual audit** letter.

8. The Council may also be subject to audit, inspection or investigation by external bodies such as HM Revenues & Customs, and various other Inspectors of service at any time.

## Preventing fraud & corruption

9. The Council will not tolerate fraud or corruption in the administration of its responsibilities, whether perpetrated by Members, officers, customers of its services, third party organisations contracting with it to provide goods and/or services, or other agencies with which it has any business dealings. There is a basic expectation that Members and all staff will act with integrity and with due regard to matters of probity and propriety, the requirement to act lawfully and comply with all rules, procedures and practices set out in legislation, the Constitution, the Council's Policy Framework and all relevant professional and other codes of practice. To that end the Council has adopted an anti-fraud and corruption strategy, fraud prosecution policy and whistle-blowing policy along with codes of conduct governing the behaviour of Members and officers.
10. All staff and Members of the Council must inform the CIA immediately if they suspect or know of any impropriety, financial irregularity, fraud or corrupt practice. The CIA is responsible for determining the nature of any investigation work required in respect of any allegation of wrong doing, and/or any other action required and may refer matters to the Police or other appropriate external body as he/she sees fit in consultation with the contract client officer (**As nominated by the CFO**)
11. The internal Audit & Fraud providers are required to investigate all referrals of fraud at the direction of the CIA and client manager and in doing so have:
  - a) rights of access to all Council premises and property, all data, records, documents, and correspondence relating to any financial matter or any other activity of the Council;
  - b) the right to require any member of staff or Member to provide any information or explanation needed in the course of their investigations;
  - c) the right to prosecute cases of benefit related fraud in the courts;

- d) the right to refer investigations to the Police in consultation with the relevant Director(s), client manager and CFO.
12. In addition, the CIA should to:
- a) refer cases directly to the Police if he/she believes that normal consultation practices would compromise the integrity of the investigation against the interests of the Council or the general public;
  - b) notify the council's auditors of any matter that they would rightly expect to be informed of in order to support the function of an effective and robust external audit service;
  - c) require any officer or member to:
    - make available such documents relating to the accounting and other records of the Council that are necessary for the purpose of the audit;
    - supply any information or explanation considered necessary for that purpose.

## Managing risk

13. Risk Management is inherent to good management practice and essentially; it is concerned with identifying potential events (risks), establishing what could go wrong (threats) and the potential for success (opportunities) with the aim of trying to achieve the right balance between the two. The outcome from proper risk consideration ensures that managed controls are in place and the effective prioritisation and allocation of potentially scarce resources to the most appropriate area (high risk), to ensure service continuity and performance improvement.
14. It is essential that robust, integrated systems are developed and maintained for identifying, evaluating and managing all significant Strategic, Project and Operational risks to the Council. This should include the proactive participation of all those associated with planning and delivering services
15. The CFO is responsible for preparing the Council's risk management policy & strategy and for promoting it throughout the Council.
16. It is the responsibility of Chief Officers to ensure there are regular reviews of risk within their areas of responsibility having regard to advice from the Council's Risk Management Service and other specialist Officers (e.g. Health and Safety).
17. Full details of the way that the Council manages its risks are set out in the Risk Management Policy and Strategy and form part of the supplementary guidance to these regulations.

## Insurance

18. The Chief Finance Officer is responsible for:

- effecting all relevant insurances and dealing with all claims;
- operating an internal insurance account(s) for some risks or elements of risk not covered by external insurance policies and is authorised to charge the various Council Service budgets with the cost of contributions to this account;
- reviewing, at least annually, all insurances.

19. It is the responsibility of Chief Officers to:

- advise the CFO of all new risks, properties, vehicles or potential liabilities for which insurance may be required; and of any changes affecting existing risks or insurance cover required;
- notify the CFO in writing without delay of any loss, liability or damage or any event likely to lead to a claim, and shall provide such information and explanations required by the CFO or the Council's insurers;
- ensure that employees, or anyone covered by the Council's insurances, do not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

## Part D

### Systems & procedures

#### Introduction

- 1 Good systems and procedures are essential to the effective management and administration of the Council's financial affairs. This section covers:
  - Accounting systems
  - Income
  - Expenditure
  - Banking arrangements
  - Treasury management
  - Taxation
  - Stock & stores
  - Trading accounts

#### Accounting systems

- 2 The Council relies on a variety of different financial and accounting systems in controlling and administering the finances of the organisation. It is vital that these systems ensure information is recorded accurately, completely and in a timely manner and that all necessary controls are in place to ensure that all transactions are properly processed and any errors detected promptly and rectified.
- 3 The CFO is responsible for:
  - determining the Council's main accounting system for the preparation of the Council's accounts and for monitoring all income and expenditure. The main accounting and budgeting system used at the Council is known as the Financial Management System (FMS);
  - determining any other key financial systems which may sit outside the FMS;
  - ensuring that all financial systems are sound and properly integrated and interfaced;
  - issuing advice, guidance and procedure notes on the use and maintenance of FMS and related financial systems and for ensuring that all finance staff are trained and competent in the using financial systems.
- 4 Directors have devolved responsibility for the finances of their Directorates and must ensure that proper accounting and financial systems exist and incorporate adequate internal controls

to safeguard against waste, loss or fraud. They must also ensure that officers in their Directorates are aware of and have access to copies of these Regulations and any supplementary advice and guidance issued by the CFO.

- 5 Further to this, Directors are specifically responsible for:
- a) ensuring all accounting records are properly maintained and held securely, including any supporting vouchers, documents, contracts etc with financial implications;
  - b) ensuring FMS is used as the prime means of monitoring expenditure and income in their departments and for comparing spend against budgets, except and unless the CFO advises or agrees that alternative arrangements may be made;
  - c) ensuring that FMS is used to accurately record the financial transactions of their departments in accordance with the advice and guidance given by the CFO and in a way that ensures compliance with all legal requirements, proper accounting practice and enables returns to be made to central government, taxation authorities and other relevant bodies and provides a complete audit trail;
  - d) the effective operation of financial systems within their own Directorate to the extent that they are operated and controlled within their Directorate;
  - e) ensuring regular reconciliations between other departmental systems of financial administration with the Council's financial management systems (FMS);
  - f) reporting systems failure to the CFO and consulting with him/her about any changes or new developments;
  - g) ensuring there is a documented and tested disaster recovery plan as part of an agreed business continuity strategy for financial administration;
  - h) ensuring that systems are documented and all staff have been properly trained in their use.

## Income

- 6 Income can be a vulnerable asset and effective income collection systems are necessary to ensure that all income due is identified, collected, receipted and banked properly. It is preferable to obtain income in advance of supplying goods or services as this improves the Council's cash flow in line with the Councils Income Policy that forms supplementary guidance to these regulations.
- 7 **The council has moved away from accepting cash except where this is unavoidable any** cash received must be acknowledged by the issue of an official receipt and all monies then accounted for and paid directly into an approved bank account. Details of all

cash receipted on a local basis must be forwarded to the CFO for allocation to the correct accounts.

- 8 Income must never be used to directly fund expenditure (i.e. all transactions must be shown separately in the ledger, both income and expenditure). Officers are directly responsible for the safe custody of any money received until it has been paid into the bank or handed over to another officer. Receipts should be given and retained in such circumstances.
9. Procedures for writing off debts shall be as follows:

Decision maker	Delegated powers & authority	Thresholds
The Cabinet	Amounts exceeding £200,000 may only be written off on the authority of the Cabinet. The CFO shall maintain a record of all such write-offs showing attempted recovery action taken and the justification for non-recovery.	Over £200k
Cabinet Member	Amounts over <b>£100,000</b> and not exceeding £200,000 on the authority of the Cabinet Member (Corporate Services) in consultation with the CFO. The CFO shall maintain a record of all such write-offs showing attempted recovery action taken and the justification for non-recovery	<b>Over £100k</b> and up to and including £200K
CFO	Amounts <b>up to and</b> not exceeding £100,000 on the authority of the CFO The CFO shall maintain a record of all such write-offs showing attempted recovery action taken and the justification for non-recovery.	<b>up to and including £100k</b>
Chief Officers	Amounts <b>up to and</b> not exceeding £5000 may be written off by any Chief Officer in consultation with the CFO, who shall maintain a record of all such write-offs showing attempted recovery action taken and the justification for non-recovery.	<b>up to and including £5k</b>

- 10 **The CFO has the power to award Discretionary Rate Relief up to the state aid limit in consultation with Cabinet. In the case of urgency the decision can be made by the CFO in consultation with the relevant Cabinet Member. The fully Government funded discretionary awards announced in the Autumn Statement 2013 can be awarded by the CFO or his nominated officer.**
11. The CFO is responsible for making arrangements for the collection of all income due to the Council and approving the procedures, systems and documentation used in its collection **in line with the Corporate Debt Management Policy.** Regularly

reviewing all fees and charges levied by services and ensuring they are set with due regard to comparable market rates, the legal responsibilities of the organisation, the Income Policy and any relevant social or economic policy objectives set out in the Council's Policy Framework

12. Directors are responsible for:
- a) collecting income for which there is budget provision within the budgets for which they are responsible;
  - b) using the systems for the collection and recording of cash and credit income provided by the CFO unless they have the approval of the CFO to make alternative arrangements;
  - c) the proper separation of duties between staff raising accounts and those responsible for income collection;
  - d) collecting all income and initiating all appropriate recovery action for debts that are not paid promptly where local arrangements for doing so have been agreed with the CFO;
  - e) requiring at least two staff to be present when post is opened to ensure any money received in that way is properly identified, recorded and safeguarded;
  - f) issuing official receipts as necessary and maintaining all other documentation for income collection purposes and ensuring controlled stationery is securely stored;
  - g) keeping all income received in secure storage and ensuring cash holdings do not exceed insurance limits;
  - h) ensuring all income is paid fully and promptly into approved bank accounts in the form in which it is received and that all details are properly recorded on paying in slips which are retained for audit trail purposes. Money collected and deposited must be reconciled to the bank account on a regular basis;
  - i) ensuring income is not used to cash personal cheques or used to make other payments;
  - j) supplying the CFO with all details relating to works done, services supplied or other amounts due to be raised through the corporate invoicing system;
  - k) **using the councils charging policy** for the supply of goods and services levied by their Directorate's services and ensuring all fees and charges are set with due regard to income policy, the legal responsibilities of the organisation and any relevant social or economic policy objectives set out in the Council's Policy Framework;
  - l) assisting in the collection of debts originating from their Directorates by providing information and taking any

recovery action necessary on a local basis with the agreement of the CFO;

- m) recommending to the CFO all debts to be written off and maintaining records of all sums written off. Once raised on the accounting system, no bona fide debt can be cancelled except by full payment or by being formally written off in the accounts. Credit notes can only be issued to correct a factual inaccuracy or administrative error in the calculation and/or billing of the original debt and must not be used for any other purpose;
  - n) notifying the CFO of any outstanding income due in relation to the previous financial year as soon as possible in line with the annual timetable for the closedown of the accounts determined by the CFO.
13. All officers are responsible for the safe custody of any money received until it has been paid into the bank or handed over to another officer.

## Expenditure

14. Expenditure may be incurred provided there is funding available through normal ordering and invoicing processes, entering into a contract arrangement, through the payment of salaries, wages and allowances, purchase cards or in exceptional circumstances through raising a cheque requisition. Directors, or their nominated representatives, are authorised to incur expenditure on works, goods and services where there is an approved budget for which they are responsible, provided such expenditure is legally incurred and within the Policy Framework. **All foreign travel to be approved by the CFO, except for: - where it is a director of the council (Chief Executive to determine) or where it is the Chief Executive (Leader of the Council to determine). The decision should consider the total cost, including the extent of external funding where applicable, and the overall anticipated benefits from the trip.** Expenditure must be shown separately to income and expenditure proposals that attract amounts of income must be shown gross in the accounts. The determination of any financial thresholds or bandings referred to by these Regulations must therefore be done with reference to the gross amount.

### Ordering works, goods and services

15. Directors must use the FMS system except in the case of emergencies or if approval has been given by the CFO to an alternative arrangement.
16. Official **purchase** orders including e-orders must be issued for all purchases including those under contract except:
- where the **supplier is on the official list of suppliers exempt from using official purchase orders;**



- purchases made through petty cash;
  - those allowed under the councils Government Procurement Card (GPC) Policy;
  - **those made using a council prepaid card.**
17. Official orders electronic or otherwise must be in an approved form as determined by the CFO. They may only be authorised by signatories up to the limits of their delegation as set out in the relevant Directorate schemes of delegation. This record must be accurate, complete and kept up to date. If it is necessary for an oral order to be placed for any good reason, it must be followed up by an official order as soon as it **is** possible to do so. Orders must be clear and specific (i.e. they should state quantity, price, nature of the goods or service etc so that meaningful comparison between what was ordered and what has been received can be made and the invoice can be matched to the order). Official orders may not be raised for personal or private purchases. Schools have their own ordering procedures and must abide by the regulations set out in the Local Management of Schools scheme.

#### Payments for works, goods and services

18. Payments for works, goods and services must only be made:
- on receipt of an invoice or contract certificate which satisfies VAT regulations, or;
  - where the liability for payment is clearly established and evidenced;
  - in accordance with contractual commitments;
  - in accordance with the council's policy of No Purchase Order No Payment.
19. All Directors must use the FMS system unless they have the approval of the CFO to make alternative arrangements. Officers must ensure payments for works, goods and services are not made unless:
- they are supplied in accordance with an official order, or contract, and the invoice amount/contract certificate is correct;
  - payment is in respect of a periodic account or for a service regularly supplied and the amount invoiced is properly payable;
  - a valid exception to the No Purchase Order No Pay policy has been approved and quoted by the supplier.

20. Council Purchase Cards can be used for procuring goods, works and services when approved through the GPC policy. The individual transaction limit and aggregate spend limit must be approved by the CFO or his delegated representative. All transactions must be entered onto the councils FMS systems and proper separation of duties between officers ordering and/or procuring and those authorising must be maintained. The individual transaction limit must not exceed that set out under the financial scheme of delegation unless agreed by the CFO or his delegated representative.
21. Payments in advance must be avoided except where this is the accepted practice for the type of expenditure involved (e.g. leasing payments, travel or conference facility fees) or where use of a council purchase card has been authorised. Advance payments in excess of £5,000 can only be made with the approval of the CFO all sums below this amount, which are not accepted practice can be approved by the relevant Director. Where interim or part payments form part of a contract, interim certificates or part invoices must be authorised for payment only after the value of the work done or goods or services received has been confirmed.
22. A proper separation of duties must be maintained between staff responsible for requisitioning or creating contractual commitments for works, goods and services and those authorising the commitment. Staff that authorise a requisition through the councils Purchase to Pay system (FMS) must not be responsible for receiving and checking works, services and goods (GRN) where this is required. Directors must agree alternative arrangements with the CFO if it is not practically possible to maintain an adequate separation of duties for any reason.
23. All invoices and receipts must be original documents which comply with VAT regulations (invoices and receipts scanned through the Councils EDRMS system are accepted as original documents). Invoice coding slips for use in exceptional circumstances must be properly completed detailing the correct VAT code, finance ledger codes, sufficient narrative description to allow invoices to be matched and properly described in the ledger and all necessary signatures electronic or otherwise for authorisation and payment.
24. Directors must ensure that payments are made in an appropriate timescale that will not unduly disadvantage the Council's cash flow, result in the Council incurring late payment penalties or prejudice the financial position of those to whom the payment is to be made. The performance standard for the payment of invoices is 30 days. This is a Local Performance Indicator that is monitored by CMT and reported to Cabinet.

Contracting for works, goods and services

- 25 The Contract Procedure Rules are issued as a supplementary guidance document to these regulations and set out the specific procurement rules and procedures to be observed in contracting for the provision of works, goods and services.

Payments of salaries, wages & allowances

- 26 Staff costs form the largest item of expenditure made by the Council. It is important that payments are accurate, complete, timely and made in accordance with what is due consistent with the individual conditions of employment and/or the terms of any officer or Member allowance scheme and that such payments are fully recorded and accounted for in the accounting system.
- 27 The CFO is responsible for providing a corporate payroll system for recording all payroll data and generating payments to employees and Members. The system must allow for the proper calculation of all pay and allowances, National Insurance and pension contributions, Income Tax and all other deductions. Directors must use the corporate payroll system for all payments to employees. Directors are responsible for ensuring that all information relating to an employee's entitlement to pay and/or the payment of allowances are forwarded to the Payroll team within agreed timescales or otherwise properly and completely input on a local basis (if that arrangement has been agreed with the CFO). All supporting evidence of entitlement must be provided to payroll at the same time (i.e. signed timesheets, appointment forms, changes in pay scales, approval for responsibility payments etc). Schools are permitted to make their own payroll arrangements but if they choose to do so they must provide the CFO with all necessary information to provide assurance to the auditors that any alternative system is well controlled, managed and resulting in the correct payments being made to the correct staff.
- 28 Directors must have the approval of the CFO if they wish to pay an individual a wage or salary outside the payroll system. **All posts that are designated in legislation as been officers of the council e.g. Adoption Panel Members must be paid through payroll as the council is legally liable for Tax and National Insurance Contributions.** Outside of this any such circumstance must be regarded as exceptional and Directors must give careful consideration to the employment status of the individual in doing so (i.e. self employed, consultant or sub-contractor) and the taxation implications of making alternative arrangements.

Petty cash and disbursements

- 29 The CFO will provide petty cash floats **only in exceptional circumstances** to a maximum amount agreed with Directors for the purpose of meeting minor expenses **where there is no**

**alternative method of payment.** Directors are responsible for ensuring all petty cash monies are securely stored and are only used for the purposes intended. VAT receipts must be provided with requests for reimbursements. All receipts and vouchers must be retained and regular reconciliations carried out and recorded by staff responsible for managing petty cash floats.

## Banking arrangements

- 30 It is the responsibility of the Cabinet to approve the banking arrangements of the Council and for the CFO to manage the banking contract on a day to day basis. Council payments must be made by cheque, BACS or other instrument drawn on the Council's bank account by the CFO. Directors must have the prior approval of the CFO to operate local bank accounts and this will only be allowed in exceptional circumstances. Detailed advice on the use and operation of local bank accounts is given in the Council's Guide to Managing Financial Risks and the Local Management of Schools finance manual.
- 31 The CFO is responsible for ensuring regular reconciliations are carried out on at least a quarterly basis for all the main bank accounts to the financial records of the Council. Responsibility for the regular reconciliation of local bank accounts resides with the relevant Directors. All cheques on the main bank account are to be ordered and controlled by the CFO who will make arrangements for the safe custody of all blank cheques and the preparation, signing and dispatch of cheques. All withdrawals or transfers with an individual **value in** excess of £50,000 must be counter-signed by another authorised signatory to the bank account. Directors must make arrangements for the safe custody of all blank cheques and the preparation, signing and dispatch of cheques for all other local bank accounts.

## Treasury Management

- 32 The Council has adopted the recommendations set out in the CIPFA Code of Practice on Treasury Management (the Code) which have been observed in setting out the Council's Treasury Management Strategy and policy statements.
- 33 The CFO is responsible for:
- a) preparing a Treasury Management Strategy setting out the objectives, policies, working practices and controls to be observed in the Council's treasury management activities for approval by the Cabinet;
  - b) ensuring the implementation of the strategy and its periodic review, reporting progress and any necessary

- changes to meetings with the Cabinet Member for Corporate Services on a regular basis;
- c) ensuring that the Audit & Governance Committee scrutinise the Treasury Management Strategy and Monitoring reports;
  - d) all investment, borrowing and credit agreements entered into on behalf of the Council, credit cards, hire purchase arrangements and finance leases will not be approved for use except in very special circumstances;
  - e) approving the set up of any company, joint companies, joint ventures, partnerships or investments;
  - f) the custody of all financial securities which are the property of the Council, or are held in its name;
  - g) the registration of all Council owned stocks, bonds, mortgages and loans;
  - h) effecting all loans in the Council's name to meet its needs on the most economic terms available.
- 34 Directors are responsible for:
- a) ensuring that loans or guarantees are not given to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of Full Council following consultation with the CFO;
  - b) arranging for all trust funds to be held in the name of the Council wherever possible and ensuring that trust funds operate within the law and the specific requirements for each trust. All officers acting as trustees by virtue of the position with the Council shall deposit securities relating to the trust to the custody of the CFO unless the deeds specifically require otherwise;
  - c) arranging the secure administration of funds held on behalf of third parties and partnerships ensuring that the systems and controls for administering such funds are approved by the CFO and subject to regular audit.

## Taxation

- 35 The CFO is responsible for ensuring:
- a) the completion of all Inland Revenue returns regarding PAYE;
  - b) the completion of a monthly return of VAT inputs and outputs to HM Revenues & Customs;
  - c) the provision of details to the Inland Revenue regarding the construction industry tax deduction scheme;

- d) the provision and maintenance of up to date guidance for Council employees on taxation issues in relevant accounting and taxation manuals and through advice provided by the Corporate Accountancy team.
- 36 Directors are responsible for ensuring that:
- a) the correct VAT liability is attached to all income due and that all VAT recoverable on purchases complies with HM Revenues & Customs;
  - b) where construction and maintenance works are undertaken, the contractor fulfils the necessary construction industry scheme (CIS) deduction requirements;
  - c) all persons employed by the Council are added to the Council's payroll and tax deducted from any payments made to them (with approved exceptions agreed by the CFO where the individuals concerned are bona fide self-employed or are employed by a recognised agency);
  - d) all advice and guidance on taxation issued by the CFO is followed and adhered to by staff in their own Directorates.

## Stocks & stores

- 37 Directors may hold reasonable levels of stocks and stores of consumable items, materials, equipment and goods for resale. They are responsible for the receipt and custody of stock items and for writing off any items of stock. Directors must take VFM considerations into account in holding stocks and stores and ensure unnecessarily high levels of stocks are not allowed to accumulate. The value of stocks and stores held at the year end must be certified by and authorised officers and forwarded to the CFO.
- 38 Procedures for the disposal of redundant stocks and equipment are set out in the guide to the disposal of assets which forms supplementary guidance to these regulations.

## Inventories & asset management

- 39 The Council holds tangible assets in the form of property, vehicles, equipment, furniture and other items worth many millions of pounds. It also makes use of other non-tangible assets such as intellectual property. It is essential to the financial health and well being of the Council that these assets are safeguarded and used efficiently and effectively in supporting the delivery of Council services. All staff are responsible for safeguarding the assets and information used in their day to day activities and must ensure they are aware of their responsibilities in respect of the Data Protection Act, software copyright legislation, and the

security of the Council's information systems. These responsibilities are laid out fully in the IT Regulations and E-Communications Policy that form part of the Constitution.

- 40 The CFO is responsible for:
- a) ensuring that an asset register is maintained in accordance with good practice for all fixed assets valued in excess of £10,000 and that asset valuations are made in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting: A Statement of Recommended Practice (the SORP);
  - b) arranging for all insurances and requiring Directors to ensure all assets are kept securely and used efficiently and effectively;
  - c) ensuring compliance with the rules in relation to contractual commitments for the acquisition and disposal of assets **as follows:**
    - i) the disposal of surplus assets, land and buildings up to the value of £500,000 on behalf of the Council in consultation with, the relevant Director(s) and Cabinet Member for Corporate Services, except where the disposal is not to the highest bidder or there is a significant discrepancy between the estimated sales value and the actual sales figure. All disposals must comply with the Contract Procedure Rules that form supplementary guidance to these regulations and the Rules in Relation to Contractual Commitments set out in the Guide to Managing Financial Risks. All disposals valued in excess of £500,000 must be referred to the Cabinet for decision;
    - ii) the acquisition of all land and buildings on behalf of the Council having due regard to the provisions of the Asset Management Strategy, Capital Programme and Medium Term Financial Strategy subject to the appropriate budgetary provisions having already been agreed by the Council.;
  - d) ensuring advice on the VAT implications of proposed land & building acquisitions and sales is sought at the planning stage;
  - e) ensuring that all asset acquisitions and disposals are properly recorded within asset records and comply with the disposal policy which forms supplementary guidance to these regulations.
  - f) maintaining up to date records of all land and buildings, including valuations in the form of a corporate asset

register for the Council and these records must as a minimum be reviewed on an annual basis;

- g) ensuring all rents, charges, fees etc due in respect of properties and land are raised and all income is collected and accounted for in the Council's accounting systems;
- h) ensuring all lessees and other prospective occupiers of Council land and buildings are not allowed to take possession or enter the property until a lease or agreement in a form approved by the CFO has been made;
- i) to act as custodian for all title deeds for the Council;

41 In addition, Directors are responsible for:

- a) providing the **CFO or his delegated deputy** with information and all relevant documentation regarding all assets owned or used in relation to services provided by the Directorate(s) for the purposes of maintaining an up to date and complete asset management register;
- b) ensuring the proper security and safe custody of all assets under their day to day operational control and consult with the **CFO or his delegated deputy** in any case where security concerns exist or if it is considered that special security arrangements are required;
- c) to record all disposals or part exchange of non-land and building assets, in line with the disposal policy which forms supplementary guidance to these regulations ;
- d) to maintain local inventories recording adequate descriptions of all furniture, fittings, equipment, plant & machinery above £500 and record items of a lower value where the risk is considered to be significant;
- e) reporting all assets that are lost, stolen or destroyed to the Insurance Manager for recording purposes and where necessary the CIA in compliance with the asset disposal policy;
- f) making sure property is only used in the course of the Council's business, unless specific permission has been given by the Director to do otherwise.



## Part E

### External arrangements

#### Introduction

- 1 The Council exercises an important community leadership role, helping to orchestrate the contributions of various stakeholders in discharging its statutory responsibilities for promoting and improving the economic, social and environmental well-being of the area.

#### Partnerships, joint working & grant funding

2. A grant can be defined as a contribution or subsidy (in cash or in kind) given by the Council to another organisation for a specified purpose. Grants must be conditional upon the delivery of specified standards or outputs and be subject to the production of regular monitoring reports and the delivery of agreed outcomes.
- 3 The CFO must satisfy him/herself that the accounting arrangements for all partnerships and joint ventures are proper and appropriate, including all audit and inspection requirements. He/she must also consider overall corporate governance arrangements and any legal and taxation issues when partnerships are arranged with external bodies. He/she must ensure all known risks are appraised before entering into agreements with external bodies and seek to ensure VFM is obtained.
- 4 The CFO is also be responsible for advising on the funding and financing of a project including:
  - a) financial viability in current and future years;
  - b) risk appraisal and risk management arrangements;
  - c) resourcing and taxation;
  - d) audit, security and control requirements;
  - e) carry forward arrangements.
- 5 Directors are responsible for:
  - a) maintaining local registers of partnerships and entered into with external bodies in accordance with procedures specified by the CFO and providing information about those to the Head of Paid Service as required;
  - b) ensuring that a risk management assessment has been carried out before entering into agreements with external bodies;

- c) ensuring that such agreements and arrangements do not impact adversely upon the services provided by the Council;
- d) ensuring that all agreements and arrangements are properly documented;
- e) providing appropriate information to the CFO to enable relevant entries to be made in the Council's Statement of Accounts concerning material items;
- f) ensuring that the appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.
- g) ensuring that for all instances of grant/loan funding there is:
  - i) proper consideration of the relevant interest rate payable agreed and approved by the CFO;
  - ii) an appropriate 'state aid' de minimis declaration made by the recipient organisation;
  - iii) in respect of loans a process of monitoring on at least a six monthly basis providing an update to the relevant lead officer ( $\leq$ £100K), all loans above £100K will be reviewed as part of the finance monitoring reports to Cabinet, to ensure delivery of outcomes and value for money
  - iv) a Service Level Agreement in place to protect the Council. (Separate guidance is available on the mandatory format, content and review of this Service Level Agreement).
- h) all grants/loans:
  - i) must have prior budgetary approval, typically through the budget process;
  - ii) over £100k must be approved by the Cabinet & CFO and must have a legally binding grant funding agreement (GFA) rather than an SLA;
  - iii) must be raised using the prescribed Financial Ledger Codes;
  - iv) must use the relevant Charge Code and Recovery Route (in respect of loans);
  - v) below £100,000 must be notified to the CFO who will determine whether there is existing delegation that provides authority to award the grant, or if it requires cabinet approval. Where the grant is an annual grant, approval as part of the budget process will be sufficient;

## External funding

- 6 External funding can prove a very important source of additional income to an authority, but funding conditions need to be carefully examined before entering into any agreement to ensure they are compatible with the aims and objectives of the Council. Councils are being encouraged to provide seamless service delivery by working closely with other agencies and service providers (both public and private). Funds from external agencies such as the National Lottery and the single regeneration budget can provide additional resources for services. However, whilst the scope for funding has increased, it is usually linked to increasingly tight specifications and may not be flexible enough to meet the aims and objectives of the Council ambitions and plans.
- 7 The CFO is responsible for:
  - a) ensuring that all external funding is received and properly recorded in the Council's accounts;
  - b) match funding requirements are considered prior to entering into any agreement and that future revenue budgets reflect these requirements;
  - c) ensuring all audit requirements are met.
  - d) Provision of standard application documentation for discretionary grants.
- 8 Directors are responsible for ensuring that:
  - a) all claims for funds are made by the due date;
  - b) the project progresses in accordance with the agreed project plan and all expenditure is properly incurred and recorded.

## Work for third parties

- 9 Current legislation enables the Council to provide a range of services to other bodies. Such work may enable a unit to maintain economies of scale and existing expertise. Arrangements must be put in place to ensure that any risks associated with undertaking such work is minimised and that the work is done intra vires. All work should be properly costed in accordance with the advice and guidance of the CFO and done on the basis of a proper contract according to the Contract Procedure Rules set out as supplementary guidance to these Regulations.
- 10 The relevant Cabinet Member(s) are responsible for approving the contractual arrangements for work undertaken on behalf of a third party or external bodies. The CFO is responsible for issuing

guidance with regard to the financial aspects of any third party contracts and the maintenance of the contracts register. Directors are responsible for:

- a) ensuring that the approval of the Cabinet Member is obtained before any negotiations are concluded to work for third parties;
- b) maintaining a register of all such contracts entered into with third parties in accordance with procedures specified by the CFO;
- c) ensuring that appropriate insurance arrangements have been made;
- d) ensuring that the Council is not put at risk from any bad debts;
- e) ensuring that no contract will be subsidised by the Council;
- f) ensuring that the service has the appropriate expertise to undertake the contract;
- g) ensuring that such contracts do not impact adversely upon the services provided to the Council;
- h) providing appropriate information to the CFO to allow entries to be made in the Council's final Statement of Accounts.
- i) ensuring that there is no conflict of interest with any third party provider

## Annex A

## Summary of Delegation &amp; Reporting

## Revenue Virements

Decision maker	Delegated powers & authority	Thresholds
The Cabinet	To approve virements between Service Plans in excess of £500k (either individually or in aggregate for the financial year)	Over £500k up to the cash limits set by the Budget
	To approve allocations of resources from approved contingencies and reserves	As set by the annual Budget
	To make recommendations to Full Council for the release of budget resources in excess of the approved contingencies and reserves	As set by the annual Budget
	To approve virements from within existing Service Plans or between Service Plans into new or otherwise unplanned functions and activities if savings are available to be re-directed into the new activity	Over £500k
Directors	To approve virements within or between Service Plans within their Directorates in excess of £100k and up to £500k (either individually or in aggregate for the financial year) in consultation with the relevant Cabinet Member	Over £100k and up to £500k
	To approve virements from within existing Service Plans or between Service Plans within their Directorates into new or otherwise unplanned functions and activities if savings are available to vire into the new activity	Over £100K and Up to £500k in consultation with the relevant Cabinet Member
	To approve virements between directorates in consultation with the relevant directors	Up to and including £50K in consultation with the relevant Cabinet Member
Other Chief Officers	To approve virements within their Service Plans up to £100k (either individually or in aggregate for the financial year)	Up to £100k

**Capital Virements**

<b>Decision maker</b>	<b>Delegated powers &amp; authority</b>	<b>Thresholds</b>
The Cabinet	To approve individual virements between schemes in excess of £500k	Over £500k
	To re-phase approved scheme expenditure between years in excess of £500k for each scheme	Over £500k
Directors	To approve individual virements between schemes in excess of £100K up to a maximum of £500k in consultation with the relevant Cabinet Member	Over £100K and Up to and including £500k
	To approve individual virements between schemes up to a maximum of £100k	Up to and including £100k

**Venture Fund Bids**

Up to and including £50K  
Over £50K

CFO & Leader of Council  
Cabinet

**Payment in Advance**

Up to and including £5K  
Over £5K

Relevant Director  
CFO

**Disposal of Surplus Assets (Land & Buildings)**

Up to and including £500K  
Over £500K

CFO (Para 39 Page 45)  
Cabinet

**Acquisition of Assets (Land & Buildings)**

Up to and including £500K  
Over £500K

CFO (Para 39 Page 45)  
Cabinet

**Debt Write-Off**

<b>Decision maker</b>	<b>Delegated powers &amp; authority</b>	<b>Thresholds</b>
The Cabinet	Amounts exceeding £200,000 may only be written off on the authority of the Cabinet. The CFO shall maintain a record of all such write-offs showing attempted recovery action taken and the justification for non-recovery.	Over £200k
Cabinet Member	Amounts <b>over £100,000</b> and not exceeding £200,000 on the authority of the Cabinet Member (Corporate Services) in consultation with the CFO. The CFO shall maintain a record of all such write-offs showing attempted recovery action taken and the justification for non-recovery	<b>Over £100k</b> and up to and including £200K
CFO	<b>Amounts up to and not exceeding £100,000</b> on the authority of the CFO). The CFO shall maintain a record of all such write-offs showing attempted recovery action taken and the justification for non-recovery.	<b>up to and including £100k</b>
Chief Officers	Amounts <b>up to and not exceeding £5000</b> may be written off by any Chief Officer in consultation with the CFO, who shall maintain a record of all such write-offs showing attempted recovery action taken and the justification for non-recovery.	<b>up to and including £5k</b>

## Glossary of terms

---

 Common terms
 

---

<b>Budget</b>	<i>A plan expressed in financial terms</i>
<b>Cost centre</b>	<i>A budgeting level which usually reflects a whole service area, or main sub-category of a service. It encompasses a number of standard 'subjective' coding areas such as those used for staffing related costs, supplies &amp; services, income etc</i>
<b>Capital</b>	<i>The organisation's total assets less its liabilities</i>
<b>Capital expenditure</b>	<i>Expenditure to acquire fixed assets that will be of use for more than the year in which they are acquired and which adds to the Council's tangible assets rather than simply maintaining existing ones</i>
<b>Revenue</b>	<i>Income or expenditure, arising from or spent on, day to day activities and short lived commodities or consumables</i>
<b>Service plan</b>	<i>A plan setting out the priorities and service ambitions</i>
<b>Virement</b>	<i>A transfer of resources between or within approved cost centres for both revenue and capital purposes</i>

---

## Acronyms

<b>CFO</b>	<i>The Chief Finance Officer</i>
<b>CIA</b>	<i>The Chief Internal Auditor</i>
<b>CL</b>	<i>Corporate Landlord</i>
<b>FMS</b>	<i>The principal budgeting and financial information management system used at the Council</i>
<b>ITT</b>	<i>Invitation to tender</i>
<b>MEAT</b>	<i>Most Economically Advantageous Tender</i>
<b>MO</b>	<i>The Monitoring Officer</i>
<b>NI(C)</b>	<i>National Insurance (contributions)</i>
<b>PAYE</b>	<i>Pay as you earn</i>
<b>VFM</b>	<i>Value for Money</i>
<b>VAT</b>	<i>Value Added Tax</i>

---



---

## Organisations

---

<b>CIPFA</b>	<i>The Chartered Institute of Public Finance Accountancy</i>
<b>SOLACE</b>	<i>Society of Local Authority Chief Executives</i>
<b>The Audit Commission</b>	<i>Quasi autonomous non-governmental body charged with the independent audit of public sector organisations in the Local Government and Health arena</i>
<b>The External Auditor</b>	<i>Independently appointed person responsible for the external audit of the Council. The council's auditors have various statutory powers and responsibilities for public reporting of the audit</i>

---

This page is intentionally left blank

## Annex 2

**Audit and Governance Committee – Terms of Reference (suggested changes)**

No	Delegated authority	Conditions
	<b>Audit</b>	
1	To consider the annual report and opinion of the Head of Internal Audit. The report should include a summary of internal audit activity in the relevant period and the level of assurance that can be given over the <a href="#">framework of governance, risk management and control</a> at the Council.	
2	To consider periodic reports from the Head of Internal Audit detailing the summary findings and the main issues arising from internal audit work.	
3	To consider reports dealing with the management and performance of the Internal and External Audit functions.	
4	To <a href="#">consider whether internal audit work conforms to professional standards and to review the effectiveness of the Committee</a> itself on an annual basis.	
5	To consider reports of the Head of Internal Audit detailing the progress made by management to address control weaknesses identified by Internal or External Audit.	
6	To consider the action plan arising from the Annual Letter of the External Auditor.	With respect to the Annual Letter being first considered and accepted by the Cabinet.
7	To consider all other relevant reports	

**Deleted:** environment and corporate governance arrangements

**Deleted:** Internal Audit and

No	Delegated authority	Conditions
	received from the External Auditor as scheduled in the forward plan for the Committee or otherwise requested by Members.	
8	To comment on the scope and depth of external audit work and ensure it provides value for money.	
9	To liaise with the Audit Commission ( <a href="#">or its successor body</a> ) over the appointment of the Council's External Auditor.	
10	To approve the Internal Audit <a href="#">Charter</a> .	
11	To approve the Annual Plans of the Internal Audit Service and the External Auditor.	
12	To commission work from the Internal Audit Service and External Audit with regard to the resources available and the existing scope and breadth of their respective work programmes and the forward plan for the Committee.	Subject to budgetary provision.
	<b>Governance &amp; Regulatory</b>	
13	To keep under review the Council's contract procedure rules, financial regulations, working protocols and codes of conduct and behaviour (not otherwise reserved to the Standards Committee).	
14	To review any relevant issue referred to it by the Chief Executive, S151 Officer, the Assistant Director (Financial Services), the Monitoring Officer, the Head of internal Audit or any other Council body.	

Deleted: Strategy

No	Delegated authority	Conditions
15	To consider the effectiveness of the Council's arrangements for corporate governance (including information governance).	
16	To monitor the effective development and operation of risk management arrangements across the Council.	
17	To assess the effectiveness of the Council's counter fraud arrangements including the Whistleblowing policy and other relevant counter fraud policies and plans.	
18	To consider the Council's compliance with its own and other relevant published regulations, controls, operational standards and codes of practice.	
19	To bring to Full Council all proposals for amendment to this Constitution submitted by Members in accordance with this Constitution.	Subject to the advice of the Assistant Director of Governance and ICT.
	<b>Annual Governance Statement and Accounts etc</b>	
20	To approve the Statement of Accounts and the Annual Governance Statement.	
21	To consider the External Auditor's report to those charged with governance on issues arising from the audit of the accounts.	
22	To scrutinise the Treasury Management Strategy and Monitoring Reports.	
	General	
23	To meet informally with the External Auditor and the Head of Internal Audit on a periodic basis to discuss audit related matters.	

No	Delegated authority	Conditions
24	To report on the discharge of the Committee's responsibilities under the Constitution to Full Council on an annual basis.	
<a href="#">25</a>	<a href="#">To maintain and participate in a programme of training relevant to the activities and responsibilities of the Committee.</a>	



---

**Council**

**17 July 2014**

Report of the Chair of the Audit and Governance Committee

## **Annual Report of the Audit and Governance Committee**

### **Summary and Background**

1. This report from the Audit and Governance Committee asks Council to note their Annual Report for the year ending 16<sup>th</sup> April 2014.
2. The Chartered Institute of Public Finance and Accountancy (CIPFA) has issued guidance to local authorities to help ensure that audit committees operate effectively. The Guidance recommends that audit committees should report annually on how they have discharged their responsibilities.

### **Annual report of the Audit and Governance Committee**

3. A copy of the draft annual report of the Committee is attached at Appendix 1. A copy of the Committee's terms of reference as set out in Section 7, Part 3C of the Constitution is also attached to the report at Appendix 2, for information

### **Consultation**

4. Consultation was not required for the production of this annual report.

### **Options**

5. Not relevant for the purpose of the report.

### **Analysis**

6. Not relevant for the purpose of the report.

### **Council Plan**

7. This report contributes to the overall effectiveness of the council's governance and assurance arrangements contributing to an 'Effective Organisation'.

## Implications

8. There are no known Legal, HR and financial implications associated with the recommendation within his report.

## Risk Management

9. Assurance in respect of the council's arrangements for managing risk, the maintenance of effective controls including those designed to prevent and detect fraud, and compliance with relevant legislation, may not be provided if the Audit and Governance Committee does not produce an annual report.

## Recommendations

10. Having considered the information within this covering report, Council is asked to note the Annual Report of the Audit & Governance Committee for the year ending 16<sup>th</sup> April 2014.

Reason: In order to comply with the Chartered Institute of Public Finance and Accountancy (CIPFA) guidance that audit committees should report annually on how they have discharged their responsibilities.

## Contact Details

### Authors:

*Emma Audrain*  
*Technical Accountant*  
*(01904) 551170*

### Chief Officer Responsible for the report:

*Ian Floyd*  
*Director of Customer and Business Support Services*

**Report  
Approved**

**Date** 1 July 2014

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

**All**

**For further information please contact the authors of the report**

**Background Papers:** None



**Annexes:**

Appendix 1 – Annual Report of the Audit & Governance Committee

Appendix 2 - Committee's terms of reference

This page is intentionally left blank

## **Purpose of the Report**

To provide Members of the council with details of the work of the Audit and Governance Committee covering the year to 16<sup>th</sup> April 2014. The report also details how the Audit and Governance Committee has fulfilled its terms of reference.

## **Background**

The Audit and Governance Committee is responsible for overseeing the council's corporate governance, audit and risk management arrangements. The Committee is also responsible for approving the Statement of Accounts and the Annual Governance Statement. The functions of the Audit and Governance Committee are set out in Section 7, Part 3C of the Constitution. A copy of the list of the Committee's responsibilities is attached at **Appendix 2** for information.

The Chartered Institute of Public Finance and Accountancy (CIPFA) has issued guidance to local authorities to help ensure that audit committees are operating effectively. The guidance recommends that audit committees should report annually on how they have discharged their responsibilities.

## **Work Undertaken**

The Audit and Governance Committee has met on seven occasions in the year to 16<sup>th</sup> April 2014. During this period, the Committee has assessed the adequacy and effectiveness of the council's risk management arrangements, control environment and associated counter fraud arrangements through regular reports from officers, internal audit and the external auditors, Mazars. The Committee has sought assurance that action has been taken, or is otherwise planned, by management to address any risk related issues that have been identified by auditors or inspectors during this period. The Committee has also sought to ensure effective relationships exist between internal and external auditors, inspection agencies and other relevant bodies.

The specific work undertaken by the Committee is set out below by subcategory.

## **Risk**

1. The Committee has considered risk reports containing details of the Key Corporate Risks (KCR's) on a quarterly basis. Each quarter the report has focused on a specific directorate and the relevant director for each area has been present at the meeting to provide assurance by providing further information to members at the meeting.
2. The Committee received an additional report providing further detail on the risk management process for risks concerning the Community Stadium Project in response to their request for further detail on this project.

## **Internal Audit and Counter Fraud**

3. Received and considered the results of the annual review of the effectiveness of internal audit. The outcome of this review informed the preparation of the 2012/13 Annual Governance Statement.
4. Received and considered the results of internal audit work completed during the period and monitored the progress made by management to address identified control weaknesses.
5. Received, considered and approved the Internal Audit and Counter Fraud plan along with updates on the progress made throughout the year.
6. Received an additional update in the year to provide assurance that adequate progress had been made to date to implement actions agreed following an audit of personalisation and direct payments.
7. Considered a report which informed them about potential fraud risks facing the council and potential counter fraud activity to address those risks.
8. Considered the Annual Report of the Head of Internal Audit which provided an overall opinion on the council's control environment. The Head of Internal Audit confirmed that the council's internal controls provided substantial assurance although the Committee's attention was drawn to a number of significant control weaknesses. Again this informed the conclusions reported within the Annual Governance Statement for 2012/13.

9. Considered a report on the introduction of an Internal Audit Charter which set out the purpose, authority and responsibility of internal audit. Members reviewed the report particularly in relation to the relationship between internal audit and the Audit and Governance Committee and approved its adoption

### **External Audit**

10. Received and considered Mazars Audit Strategy Memorandum which set out the audit plan in respect of the audit of the Council's Financial statements for 13/14. The Committee were satisfied the plan sufficiently reflected the audit needs and interests of the Council.
11. Received and considered Mazars work plan for the certification of claims and grants in 13/14.
12. Received and considered the Annual Audit Letter of the Council's District Auditor. Members noted both the overall conclusion and opinion and specific recommendations.
13. Considered a report that presented the results of Mazars certification of Claims and grants in 12/13.
14. Received regular progress reports on the progress made by Mazars in meeting their responsibilities as the Council's external Auditor. The Committee were also kept updated on key emerging national issues and developments

### **Treasury**

15. Continued the role of scrutinising the council's treasury management strategy and policies. The Committee received and considered the Treasury Management Annual Report and review of Prudential Indicators which compared actual performance against the budget and the treasury management strategy for the year and also received a mid year review report summarising the performance for the first six months of the year.
16. The Committee attended a Treasury management training session provided by Officers to assist them in fulfilling their role in scrutinising the various treasury management reports brought throughout the year.

## **Governance and Statement of Accounts**

17. Considered and approved the Annual Governance Statement, noting that action plans would be put in place to address each of the significant governance issues identified in section 5. The Committee received various update reports from officers during the year on the progress that had been made on each of the items identified as significant governance issues to allow the committee to challenge whether adequate progress was being made. These included:
  - a. Partnership Governance Progress Report
  - b. Business Continuity Progress Report
  - c. Project and Programme Management Progress Report
  - d. Information Governance progress reports incorporating developments around the freedom of information process
  - e. A number of reports on the role of the Committee in democratic governance, as set out in the democratic Governance section to this report.
18. The Committee received and considered a report on proposed changes to the terms of reference of the Audit and Governance Committee to ensure the Committee continued to operate effectively in accordance with best recommended practice. The Committee recommended to Council that the proposed changes they had considered be approved.
19. Initially considered a draft and then approved the final Statement of Accounts for 2012/13.

## **Democratic Governance**

20. The Committee have received a number of reports related to Democratic Governance throughout the year, following prominence given to the importance of the issue in the Annual Governance Statement in 2012/13 and the importance of the Committee receiving regular reports. These have included:
21. A report on the protocol for filming, photography and recording of Council Meetings was considered by the Committee. Members suggested a number of amendments to be made and

consequently received a further report incorporating these changes at a later meeting.

22. A report that sought their support for changes to the Petitions Scheme that had been in operation for the last three years. Members scrutinised the report and requested changes to be made to specific wording.
23. A report providing information on the Council's Scrutiny arrangements to ensure they remain fully informed when considering the Annual Governance Statement.
24. A report seeking the Committee's views on proposed changes to the Public Participation Scheme within the Constitution. The Committee challenged the report and agreed that due to concerns held over some of the proposed changes, the implementation should be deferred.
25. A report putting forward changes to the 'summary and explanation' section of the Constitution. Members put forward a number of amendments to the draft which were incorporated and re-circulated before submission to full council.

### **Other**

26. At each meeting the Committee has maintained a rolling Forward Plan for meetings a year in advance, to ensure that its responsibilities are discharged in full and appropriate reports are scheduled to be brought by officers on a timely basis.
27. The Committee received an update report on the progress made to address items included in the Committee effectiveness plan, including training received and future training requirements.
28. The Committee received a verbal update on the outcome of the appointment of an independent member to the Audit & Governance Committee who was appointed on a two year term of office from July 2013.
29. Considered an initial report that outlined the Council's approach to Programme and Project management and the application of programme and project management methodologies. Members requested an additional report be brought back providing further information on the membership of the boards and training and

qualifications undertaken by officers in respect of project management.

30. Considered a report that outlined the Council's approach to the set up of project boards during the start up phase of a project lifecycle.
31. Considered a report that updated members on changes to Transparency requirements in terms of information the Department for Communities and Local Government recommend Councils publish and the action officers are taking to comply with this.

## **Summary**

32. This past year has again been a busy one for the Audit and Governance Committee. Training and development for the Committee has continued and a training plan for next year has been agreed. Our independent Member has made a good contribution to our work. A recruitment process is in place to find an additional independent member for the Committee. The Committee held a public meeting to talk to people who had attended a council meeting to hear how they thought this interface could be improved. The Committee has taken its role very seriously in terms of providing assurance that the Council's financial and governance procedures are effective and has questioned officers and auditors rigorously and will continue to do so going forward.

Cllr Ruth Potter  
Chair of the Audit & Governance Committee



## Part 3 C of the Constitution (Council Committees and Other Bodies)

7.1 The functions of the Audit &amp; Governance Committee are:

No.	Delegated authority	Conditions
	<b>Audit</b>	
1	To consider the annual report and opinion of the Head of Internal Audit. The report should include a summary of internal audit activity in the relevant period and the level of assurance that can be given over the control environment and corporate governance arrangements at the Council	
2	To consider periodic reports from the Head of Internal Audit detailing the summary findings and the main issues arising from internal audit work.	
3	To consider reports dealing with the management and performance of the Internal and External Audit functions.	
4	To review the effectiveness of Internal Audit and the Committee itself on an annual basis.	
5	To consider reports of the Head of Internal Audit detailing the progress made by management to address control weaknesses identified by Internal or External Audit.	
6	To consider the action plan arising from the Annual Letter of the External Auditor.	With respect to the Annual Letter being first considered and accepted by the Cabinet.
7	To consider all other relevant reports received from the External Auditor as scheduled in the forward plan for the	

No.	Delegated authority	Conditions
	Committee or otherwise requested by Members.	
8	To comment on the scope and depth of external audit work and ensure it provides value for money.	
9	To liaise with the Audit Commission over the appointment of the Councils External Auditor.	
10	To approve the Internal Audit Strategy	
11	To approve the Annual Plans of the Internal Audit Service and the External Auditor.	
12.	To commission work from the Internal Audit Service and External Audit with regard to the resources available and the existing scope and breadth of their respective work programmes and the forward plan for the Committee.	Subject to budgetary provision.
<b>Governance &amp; Regulatory</b>		
13.	To keep under review the Councils contract procedure rules, financial regulations, working protocols and codes of conduct and behaviour (not otherwise reserved to the Joint Standards Committee).	
14	To review any relevant issue referred to it by the Chief Executive, S151 Officer, the Assistant Director (Financial Services)), the Monitoring Officer, the Head of internal Audit or any other Council body.	
15	To consider the effectiveness of the Councils arrangements for corporate governance (including information governance).	
16	To monitor the effective development and operation of risk management arrangements across the Council.	

No.	Delegated authority	Conditions
17	To assess the effectiveness of the Councils counter fraud arrangements including the Whistleblowing policy and other relevant counter fraud policies and plans.	
18	To consider the Councils compliance with its own and other relevant published regulations, controls, operational standards and codes of practice.	
19	To bring to Full Council all proposals for amendment to this Constitution submitted by Members in accordance with this Constitution.	Subject to the advice of the Assistant Director of Governance and ICT.
	<b>Annual Governance Statement and Accounts etc</b>	
20	To approve the Statement of Accounts and the Annual Governance Statement.	
21	To consider the External Auditors report to those charged with governance on issues arising from the audit of the accounts.	
22	To scrutinise the Treasury Management Strategy and Monitoring Reports.	
	<b>General</b>	
23	To meet informally with the External Auditor and the Head of Internal Audit on a periodic basis to discuss audit related matters.	
24	To report on the discharge of the Committees responsibilities under the Constitution to Full Council on an annual basis.	

This page is intentionally left blank

**Scrutiny Report to Council  
17 July 2014**

**Report of the Chair of  
Corporate & Scrutiny Management Committee**

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

**Finance & Performance Monitoring**

2. Throughout July, CSMC and each of the standing Overview & Scrutiny Committees are scheduled to receive their end of year finance and performance monitoring reports.

**Attendance of Cabinet Members**

3. In recent months a majority of the Cabinet Members have attended a meeting of the relevant scrutiny committees to provide an update on their priorities and challenges for 2013-14 and to talk about their priorities for this municipal year.

**Corporate & Scrutiny Management Committee (CSMC)**

Call-ins

4. Since the last report of this kind in March 2014, there have been two call-ins: City of York Local Plan Further Sites Consultation and Improving City Centre Competitiveness. The decisions of the Cabinet were upheld in both cases and neither was referred back for further consideration. The Local Plan decision was however subject to inclusion of housing site numbers in the consultation documents, as delegated to the Director of City and Environmental Services in conjunction with the Cabinet Member.

Overview & Review Work

5. Since full Council in March 2014, CSMC has met four times. In early April CSMC received an update on CYC's Wellbeing Staff survey, and Learning & Culture's final report from the Night-Time Economy Scrutiny Review, together with a report from the Office of the Chief Executive on

their supporting work. During April a CSMC Task Group met to collate all the findings from the individual Night–Time Economy’ scrutiny reviews, and in late April they presented their draft final report to CSMC for sign off. The final report has since been presented to Cabinet and the recommendations were all approved.

6. In May CSMC met again to receive an update on the implementation of the recommendations arising from two of their previous scrutiny reviews - ‘Managing Staff Sickness Absence’ and ‘Community Engagement’. They also signed off the draft Annual Scrutiny Report for 2013-14 to enable its presentation at this meeting of Full Council. Finally, they received a procurement update on work being undertaken to engage local businesses in procurement activity for the Council.
7. In June CSMC received a report on proposals for a new Corporate Review Topic for 2014-15. They also received a report requesting a change to the terms of reference for two of the Scrutiny Committees.
8. Work continues on CSMC’s Equalities Review. The Task Group has met a number of times to progress their work on the review culminating in a Consultation event at the Mansion House in late June 2014.

#### Annual Scrutiny Work Planning Event

9. CSMC agreed to host an annual work planning event in early May 2014. The event was well attended by scrutiny Members and their views were sought on the many topics under proposal by the individual scrutiny committees. In addition, following some debate ‘Supporting Elderly People’ was identified as suitable for corporate scrutiny review in this municipal year. CSMC formally agreed the theme at its meeting on 23 May 2014.

#### **Community Safety Overview & Scrutiny Committee**

10. The Committee has met twice since the last meeting of Full Council. In April they considered a number of possible topics for this municipal year and received updates on their ongoing reviews. Both the committee’s Domestic Waste Task Group Review, and the A-Boards Task Group Review are in their final stages, and their final reports should be ready for sign off by September 2014.
11. In early June the Committee received an update on the embedding of the council’s Taxi Licensing Policy as a follow up to their previously completed scrutiny review. They also received an introductory report on their proposed scrutiny review topics and agreed to proceed with a

review on Commercial Waste Discretionary Charges. In addition they agreed their contribution to the new corporate scrutiny review would centre around loneliness and social isolation / fear of crime.

### **Learning & Culture Overview & Scrutiny Committee**

12. This Committee has also met twice since the last meeting of Full Council. In April they considered a number of possible topics for this municipal year ahead of the planned scrutiny work planning event held in early May.
13. The met again in June to receive a partnership delivery plan bi-annual update from York Museums Trust, an overview report on CYC's Stonewall Challenge, and a scoping report on their potential review topics. The Committee agreed to proceed with reviews on Disabled Access to the Culture Sector and Entrepreneurial Skills in School, and are still investigating their contribution to this year's corporate review.

### **Economic & City Development Overview & Scrutiny Committee**

14. The Committee has met twice since the last report to Council. In April 2014 considered a verbal update on the Online Business / E-Commerce scrutiny review, including the responses from a city-wide online survey, and a scoping report on a possible scrutiny review into higher value jobs. Members agreed that the starting times of committee meetings be put back from 5pm to 5.30pm.
15. In June, Members received an update on youth unemployment statistics following a previously completed scrutiny review into youth unemployment, an interim report on the Online Business / E-Commerce Scrutiny Review and a verbal report on the Higher Value Jobs Scrutiny review. They also discussed three potential topics proposed at the scrutiny work planning event. In addition they agreed the Committee's contribution to the corporate scrutiny review would focus on exploring how economic growth benefits older people.
16. **Health Overview & Scrutiny Committee** – has met three times since the last report to Council. In April the Committee received the annual report of the Health and Wellbeing Board and an update report on the framework for working relationships between the Health Overview & Scrutiny Committee, the Health and Wellbeing Board and Healthwatch York. Members received reports on the Practice Merger between York Medical Group and Minster Health and the Terms of Reference for new Joint Health Overview & Scrutiny Committee congenital heart disease review and updates on the Place of Safety at Bootham Hospital, the review of St Andrew's counselling and psychotherapy services and

Residential, Nursing and Home Care Standards. They also received a presentation on the formation of Vale of York GP Federation and agreed the recommendations in the Personalisation Draft Final Report.

17. In May 2014 Members considered a report on the development of Be Independent, a new Community Interest Company, and how it provides community equipment loan and telecare service and heard a presentation by City of York Council Head of Transformation about her work around Adult Social Care. Members also discussed possible topics for scrutiny review during the Municipal Year.
18. In July 2014 the Committee received the annual Carers' Strategy report and the annual Safeguarding Vulnerable Adults report and update reports on the five-year strategy for Integrated Health Care in York and plans for alternative premises at Bootham Park Hospital. They also set up a Task Group to consider the Committee's contribution to this year's corporate review.

**Councillor John Galvin**  
**Chair of Corporate & Scrutiny Management Committee**



**Cabinet Member for Environment, Planning & Sustainability's  
Report to Council, July 2014**

**Working towards a Sustainable York**

**Tackling Carbon Emissions & addressing Climate Change**

The three recent reports from the Intergovernmental Panel on Climate Change are a stark reminder of the serious medium to long term threats human kind faces if we continue along a carbon based path.

The first report on the Physical Science Basis reaffirms that Human influence is clear and is extremely likely to be the dominant cause of the observed warming since the mid-20th century. Using new climate models and climate change simulations, it makes clear that continued emissions of greenhouse gases (GHGs) will cause further warming and changes in every aspect of the climate system, and that most aspects of climate change will persist for many centuries even if emissions of CO<sub>2</sub> are stopped. Limiting climate change will require substantial and sustained reductions of greenhouse gas emissions.

The second report on the Impacts, Adaptation, and Vulnerability that climate-related risks are evolving over time. The continuing uncertainty about the severity and timing of climate-change impacts and limits to the effectiveness of adaptation, adds to the challenges of decision making and risk management. It sets out the key risks across sectors and regions over time:

- i. Death, injury, ill-health or disrupted livelihoods in low-lying coastal zones and small islands due to storm surges, coastal flooding, and sea-level rise;
- ii. Severe ill-health and disrupted livelihoods for large urban populations due to inland flooding in some regions;
- iii. Extreme weather events breaking down infrastructure networks and critical services (electricity, water supply, and health and emergency services);
- iv. Mortality and morbidity during periods of extreme heat, particularly for vulnerable urban populations and those outdoor workers in urban or rural areas;

v. Food insecurity and the breakdown of food systems linked to warming, drought, flooding, and precipitation variability and extremes, particularly for poorer populations in urban and rural settings;

vi. Loss of rural livelihoods and income due to insufficient access to drinking and irrigation water and reduced agricultural productivity, particularly in semi-arid regions;

vii. Loss of marine and coastal ecosystems, biodiversity, and the ecosystem goods, functions, and services they provide for coastal livelihoods, especially fishing communities in the tropics and the Arctic;

viii. Loss of terrestrial and inland water ecosystems, biodiversity, and the ecosystem goods, functions, and services they provide for livelihoods.

These challenges are massive, and whilst the older ones amongst us may not live to see the worst effects our children and grand-children almost certainly will, and it is vital that we don't shy away from making the decisions now that will help to avoid and mitigate the worst potential consequences.

So a lot of back room work has been going on to ensure we are playing our part in reducing damaging greenhouse gas emissions as part of meeting the Council's ambition to be a leading environmentally friendly city.

This covers work from developing a knowledge and evidence base for setting the right local plan policies and being able to facilitate more sustainably designed development, to tackling our own internal carbon and energy / water use reductions, working with Transport operators on vehicle emissions (closely linked with our work on improving air quality – see later section), on to energy switching and other measures to help York residents and Businesses to help both save money and reduce their carbon footprints.

Achievements and initiatives include

- Completed an updated Renewable Energy Study highlighting potential opportunities across the city.
- Secured £10k of funding to create a Heat Map for York which has now been completed and identifies possible district heat network opportunities to now explore;

- Secured funding through Leeds City Region's (LCR's) £225k strategic heat programme to carry out initial feasibility studies on 7 possible low carbon district heat networks in York. One project will now go through to full energy master planning to explore detailed financial and technical feasibility. This work is likely to be funded by the LCR or Department of Energy and Climate Change (DECC) and ~£40k.
- Joined Association for Public Service Excellence's (APSE's) Local Energy Collaboration which aims to look at the municipalisation on local energy generation.
- Drafted a Sustainable Energy Road Map for the city to help accelerate renewable energy generation and prioritising solar photovoltaic's (PV) across the council's estate
- Continued to improve the energy efficiency of councils buildings through the Salix / CYC invest to save programme. We have installed various measures that over their lifetime save over £1million in energy costs.
- Recent Cabinet approval for a new transformational carbon and energy programme which will reduce carbon emissions, energy expenditure and accelerate renewable energy generation on the council's estate. It will create a new carbon and energy management plan and a new water management plan and will fund energy audits and renewable energy feasibility studies. Similar programmes save councils substantial money and carbon/ energy.
- Exploring possible development of solar energy schemes on some of CYCs estate and hope to develop a viable project by May 2015 (subject to planning, grid connection, and procurement and legal processes)
- Delivered 2 assisted collective energy switches. The first was funded as part of the £280,000 DECC funded pilot. This helped 328 residents in York consider switching tariffs. Those that switched on average were set to save just over £150. The second switch helped over 700 people consider switching. Just under 250 people switched and are now set to save on average just under £170 on their energy bills. The next switch opens early August – October.
- Secured £10k to deliver a new Home Energy Programme that includes a coordinator to help residents take practical steps to save

energy and carbon in their homes and consider saving money by switching energy suppliers. It also has fuel poverty objectives.

- Continue to progress the procurement of a LCR green deal provider - Officers from City of York Council are offering significant support to the LCR procurement team. There are currently two bidders still involved, British Gas and the Consortium (Keep Moat, Wilmot and Dixon and Scottish and Southern). Officers are intending to bring forward a paper shortly seeking Cabinet approval on taking the York aspects forward.
- LCR Green Deal Communities bid was successful and included funding to launch the LCR green deal programme (post award of the contract). It included funding for incentives and demonstration homes. DECC awarded £4.95m worth of funding following a submission of a bid by officers from Leeds City Council on behalf of all the LCR councils.
- York were unable to take part in phase 1 of the bid as it required the council to have a fully procured provider in place which was able to complete the full green deal process, who is most of the funding.
- York will take part in phase 2 and we have already started the process of trying to identify a potential “Demonstration Home” in the private sector to ensure that we can maximise the award of the contract with a demonstrable project. The householder will be able to draw down on £15k worth of measures but as a result will need to enable access to their home for a minimum of 5 days per year for a five year period.
- Plus there are a 1000 vouchers worth £750 available to residents across LCR which will be promoted once the Green Deal procurement is completed and the call off contract signed with the successful bidder
- Continued to support the Local Plan’s development and have drafted a climate change chapter in the Local Plan to encourage renewable energy generation and sustainable design and construction for all new developments in the city
- Provided sustainability guidance to all strategic development sites as per the Local Plan
- Continue to give sustainable design and construction advice through the development management process
- Commenced refreshing the Climate Change Action Plan

- Are exploring the One Planet Living principles as part of a new sustainable city York programme.
- Working on a scheme to convert many of the old 35 watt low pressure sodium lanterns (orange light) streetlights to white LED lighting. This could deliver significant carbon, energy and cost savings.

## **Tackling Transport Emissions & Improving Air Quality**

The Sustainability agenda is also about removing risks to public health, and air pollution, primarily transport related, is one of the biggest ones. The recent Public Health England report estimated that 82 people die prematurely each year in York as a result of micro-particulates (PM2.5) alone. However York primarily fails current legislative standards in terms of Nitrogen Dioxide levels.

There was a modest reduction in average Nitrogen Dioxide (NO<sub>2</sub>) concentrations across the city centre between January 2010 and December 2013. This suggests that air quality may be starting to improve. However, it is too soon to determine if this is the start of a long term downward trend or the result of changes in weather patterns, economic activity and / or changes in traffic conditions. It is a positive position from which to commence the delivery of our new 3rd Air Quality Action Plan, but significant air quality challenges remain, especially within the Air Quality Management Areas.

The council is helping to reduce emissions from all sources as part of our Low Emission Strategy. Measures include:

### Electric Vehicle Charging (*Completed*)

York has delivered a comprehensive rapid charging network (but more points are being delivered)

### Electric buses (*First phase delivered*)

7 currently on the road (Poppleton P&R, university) (funded by grants) and 8 more on the way. UK's 1st double decker electro refit project will also deliver an electric tour bus!

Taxi incentive scheme (*Being delivered*)

14 electric / electric hybrid taxis ordered (13 on the road)

Alternative fuels and freight (*Being delivered*)

A site has been identified in the local plan process for a compressed natural gas (CNG) / biomethane refuelling facility linked to a freight transshipment centre. This would not only reduce emissions, but free up the city centre from congestion and noisy, polluting vehicles, as well as creating green jobs.

Encouraging better driving (*Being delivered*)

The Council's Environmental Protection Unit (EPU) and its fleet team are working together with the Eco Stars scheme to give free advice and reward those who reduce transport emissions. The Eco Stars membership targets exceeded: 43 members and 2823 vehicles.

Reducing travel

The council fleet is leading by example and saw our overall business travel mileage reduce by over two hundred thousand miles, reducing our travel related carbon emissions by 53 tonnes last year. We won the Energy Saving Trust's 'Fleet Hero' award for reducing annual business travel mileage by 20%, CO2 emissions by 23% and number of vehicles used by 21%.

Infrastructure for charging electric vehicles is now in place at Hazel Court and Nunnery Lane where most of our current pool cars are based. This infrastructure will allow us to support a move to even more sustainable staff travel in the near future.

A dedicated Travel Management Unit has been approved that will support business travel activity across the council for staff and clients. This will help us to embed the three core principles of our travel hierarchy across all council services. These principles being:

- i. Reduced Cost
- ii. Reduced Risk
- iii. Reduced Environmental impact

Workshop activity generating income from public and private sector organisations continues to develop, and is earning us an excellent reputation amongst private sector organisations based on great value for money and high levels of customer satisfaction.

### York's third Air Quality Action Plan (AQAP3)

A report on the proposed third AQAP will be coming forward shortly and will show how we can deliver the Low Emission Strategy (LES).

Proposals for consultation may include:

- A *Clean Air Zone (CAZ)* where bus emissions could be regulated based on the frequency of which they enter the inner ring road. This most frequent and hence the most polluting services could be required to meet a higher emission standard. This could ensure that by 2018 over 80% of bus movements in York will be made by ultra low emission buses.
- An anti engine idling policy to reduce emissions and costs of idling vehicles
- Minimising emissions from development through planning policy

A big worry on the horizon, following the Government losing a case in the European court over it's failure to address air pollution issues in the UK, is that Department for Environment, Food and Rural Affairs (Defra) have recently written to all local authorities warning them of possible fines being passed on to those with elevated NO<sub>2</sub> concentrations to pay all or part of the infraction fine, using a discretionary power in Part 2 of the Localism Act. That really would be outrageous, given the general absence of any statutory duties and limited local authority powers and funding to address air quality due to UK government neglect and inaction in this area. The potential size and on-going nature of the EU fines is a potential major concern.

## **Planning for York's future**

### **Delivering the Local Plan**

The Local Plan is a primary means by which we can physically help to deliver a sustainable future for the City, through both a robust sustainable planning policy framework, and appropriate allocations of land for future development for business, housing, and community facilities and uses, not to mention getting a fully defined and adopted green belt for the first time.

Following the visioning exercise a Local Plan Preferred Options document was prepared which was subject to an extensive 8 week city wide consultation. Consultation ended on 31 July 2013. Responses were received from 4945 respondents, including residents, interest groups, Parish Councils, prescribed bodies/statutory consultees, developers, agents and land owners. In addition to individual responses 21 petitions were submitted during the consultation period, containing a total of 9,022 signatures. The majority of concerns/objections from respondents relate to:

- the overall level of development proposed for York, particularly related to the proposal for 22,000 homes (frequently related to loss of Green Belt and traffic, infrastructure or flooding concerns);
- specific housing sites (particularly strategic housing sites);
- sites for Gypsies and Travellers and Showpeople; and
- wind turbines (concerns both about particular areas of search and the overall amount included in the plan).

Developers have also pushed for lower densities and business for additional commercial sites on the south side of the city and reassurance that we can deliver the ambitious plan targets for both employment and housing with the necessary infrastructure to support it.

All of the responses received to the Local Plan Preferred Options consultation have been published on the council's website. To comply with data protection, a costly and time consuming exercise was



undertaken to remove all personal details from responses received from individuals. As a key part of processing the responses, officers have summarised the comments received by section and policy. These summaries can be accessed on the Council's website and can be used to interpret the full responses. A summary of the petitions received has also been produced.

Officers have also been collating a range of information submitted on sites which includes new sites submitted, evidence on sites previously rejected and further evidence submitted on sites included in the Preferred Options. This information has been used to inform work on taking forward development sites and inform work with colleagues across City and Environmental Services on transport and infrastructure delivery.

Before making any final recommendations on sites to include and making other changes to the draft Local Plan following last summer's consultation, a further sites consultation has been undertaken to understand views on this additional information and associated work. A 6 week period of consultation on the City of York Local Plan Further Sites began on 4<sup>th</sup> June and will end on 16<sup>th</sup> July 2014. The purpose of the consultation is to find out views on the potential new sites and boundary changes on some of the sites originally identified in the Preferred Options Local Plan. This relates to all types of potential sites including those for housing, employment, open space and Gypsy and Travellers. At the examination stage we will need to demonstrate that we have considered reasonable alternatives. This consultation will be critical in showing this to the Inspector.

The comments received as part of this consultation will help inform future recommendations on the portfolio of sites for inclusion in the Submission Local Plan. Officers are also considering the issues raised by respondents to the Preferred Options consultation against each policy area and analysing these in light of National Policy and evidence base work. Issues will also be assessed against the Sustainability Appraisal and Strategic Environmental Assessment to prepare recommendations on the Submission Draft Plan for Members to consider. The Submission

Draft Plan will then be subject to another round of public consultation later in the year before it is submitted to the Secretary of State to be examined by an independent inspector.

The importance of us successfully completing this process cannot be understated. A recent National Housing Federation ratio put the ratio of house prices in York at 10.4 times average income, highlighting why it's so necessary to get our plan for increasing the housing supply into place, to give relief from the pressure of rising prices exacerbating the problem.

That does mean some "Greenfield" land allocations. In a recent Royal Institute of Chartered Surveyor's debate, it was pointed out that the National Land Use database work identified that brownfield land capacity (over 50% of which is in London, and 20% not in urban areas) would deliver only 1 million of the estimated 3.3 million homes required nationally over the next 15 years, and the picture in York is no different. So the myths that have been pedalled by some of the opposition that we can solve our housing needs by solely building on brownfield sites are simply that – a myth. The challenge is how we can deliver an adequate housing and employment supply whilst maintaining all that's important for the city and its villages in terms of their history, character and environment. So protecting key views and settings, protecting existing green spaces and sites of natural interest, extending the green wedges further out, not allowing anything less than the best design and avoiding overdevelopment in sensitive locations, are all key to us achieving the right results for York.

Getting the plan adopted at the earliest possible date is also crucially important for avoiding unplanned or inappropriate development that would undermine those ambitions, witness last week's appeal decision in Worcester, where the Secretary of State approved over a thousand homes on appeal because the local Council could not demonstrate a 5 year housing supply, ruling that it could not rely on "saved" policies from its 2006 district local plan. With around half of the local planning authorities in the country, including York, without a 5 year housing sites supply in place, this is a big threat, and a warning to us all. York cannot

afford the opposition's deliberate attempts to derail the Local Plan process succeeding.

## **Supporting Good Design, Conservation and Sustainable Development**

We have an excellent team of specialists supporting through their advice in support of the planning service at both pre-application and application stages, as well as to the development of policies within the Local Plan

Specific projects that they've been progressing include:

- Review and implement improvements to City Walls Management: *Lease with Friends of York Walls (FoYW) concluded; Walmgate Bar design work in progress; SMC May 2014; commence work onsite summer 2014*
- Arup Archaeological Review: *Now complete and focus now on taking forward recommendations*
- Heritage Management Strategy: *Recent meeting with English Heritage (EH -June 2014). Agreed to take this forward as a short roadmap type document & take to Cabinet. This document will then give an overarching support for project bids to EH to enable these to come forward. Structure is largely set out in Arup Review recommendations*
- Review and implement improvements to Historic Environment Record (HER): *Event records on York Map; Will flow from Heritage Strategy projects*
- Central Historic Core Conservation Area Appraisal is complete: *Develop a programme of other Conservation area appraisals to be undertaken. Staff time resource, budget uncertainty and other priorities have put this on hold for now, but will flow from Heritage Management Strategy.*
- Monitor heritage at risk: *Currently monitored with English Heritage*
- Continue stewardship management actions: *Ongoing. All capital works are complete.*
- Continue production of local site management plans: *Ongoing*

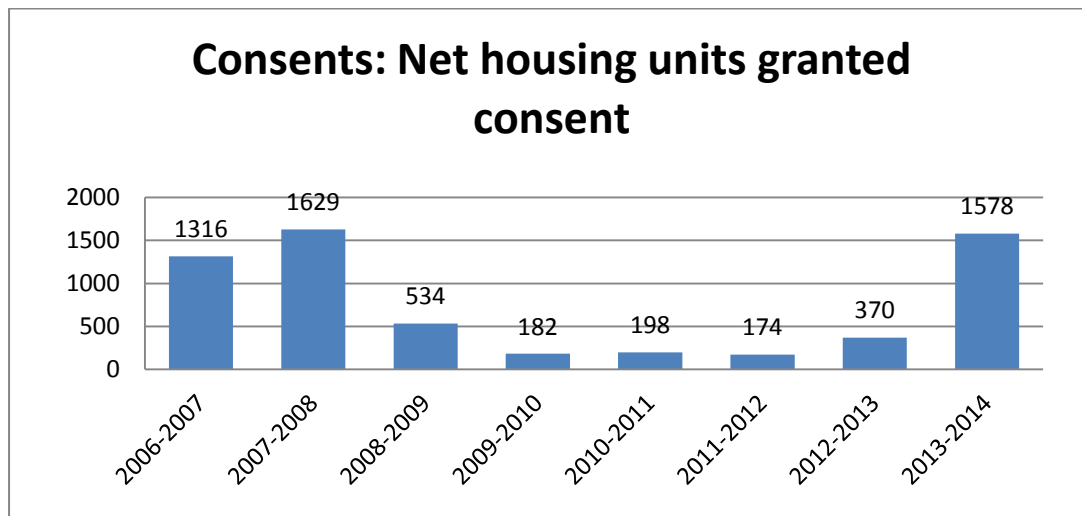
- Maximise renewable energy opportunities across the city through an adopted environmental strategy. *As touched on earlier in this report.*
- Updating the Open Space and Green Infrastructure report: *The additional work has highlighted the need for some more detailed work in regard to the major sites if we are to achieve our long standing ambition to ensure new development builds on York's existing green assets and achieves high environmental standards on these new sites, and a Delivery and Innovation Fund (DIF) bid is being consider to ensure this happens.*
- Complete Trees and Development Supplementary Planning Document (SPD) & Develop tree strategy: *On hold due to prioritising local plan work – site allocations, assessments and policy*
- Develop Bio Diversity Action Plan and implement: *Decision to take forward the Bio Diversity Action Plan and Stewardship Management. Reviewing consultation feedback. External consultant to complete for final local plan submission.*
- Continue to deliver the City's Climate Change Action Plan and EU's Covenant of Mayors - Sustainable Energy Action Plan (SEAP): *as covered earlier*
- Characterisation Project: *English Heritage funded research recently complete.*
- Reinvigorate York: *Officer support and/or lead given to work streams within this programme such as Wayfinding Project; Streetscape Guidance Manual; Kings Square; Exhibition Square.*

## **Development Management and Performance**

### Housing Approvals and Affordable Housing

The net number of new dwellings approved in 2013/14 was 1578 (including a substantial number of Student cluster flats and office to residential conversions), up from 370 in the previous year. This is the highest figure since 2007/2008 and the second highest since at least 2004/05. This included the approval of 171 affordable homes and contributions in lieu of on site provision of £466,273. This reflects the efforts we've been making to address York's housing and affordable homes shortage, including relieving the buy to let pressure on ordinary

family housing by getting more purpose student accommodation provided both on and off campus.



Note: Reserved Matters applications are excluded from these figures. During 2013-14 Reserved Matters consent was also granted for Germany Beck (655 homes).

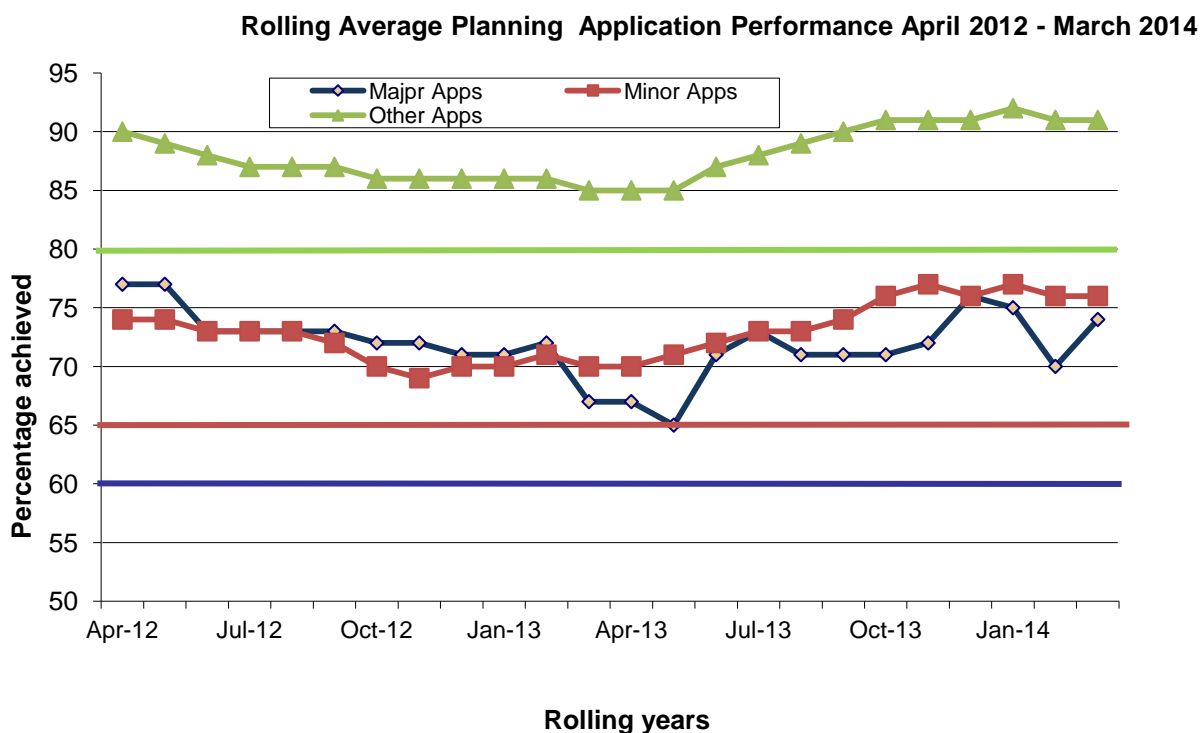
This is now working through to real homes on the ground too. The four quarters of 2013/14 showed a progressive increase in the total number of sites and units that are under construction and a generally increasing number of larger sites being built out. Additionally, the final quarter of the year saw a relatively high number of sites with 10 or more units being under construction.

Since February 2013, the Council has accepted an off-site financial contribution in lieu of on site affordable housing on sites of less than 15 homes in rural areas. It was thought the benefit of reduced bureaucracy and a simplified process of negotiation that commuted payments would bring outweighed the potential loss of on-site affordable housing. Since implementation of this interim policy, 6 applications (three for 3 new dwellings, one for 2 dwellings and two for 4 dwellings) have secured £115,669 in commuted payments. One other rural site for 28 apartments for older people has secured £350,604. Under the previous regime for the 2013/13, a greater number of large developments came forward (two for 9 dwellings, one for 11 dwellings (Fox and Hounds site superseded by the older people's accommodation), one for 2 and one for 4). This is believed to have been prompted by the policy change that reduced the target for affordable housing on rural sites from 50% to 10-

20%. None of the smaller submissions would have required on site contributions under the old policy. These applications generated a requirement for 4 homes on site and £185,129 in contributions.

Section 106 contributions towards infrastructure collected £344,000 in 2011/12, £508,000 in 2012/13 and £18,282,00 (£707,000 excluding the Monks Cross Stadium contribution) in 2013/14. 2013/14 saw a marked increase in development activity, with higher caseloads in the Planning, Building Control, and Land Charges services. The Council processed almost 2000 planning applications (up from less than 1800 in 2012/13) and (excluding applications for tree works) and around 600 enforcement cases in as well as 50 Planning and Enforcement appeals, and provided written advice for almost 500 formal development enquiries. In addition the Service received over 270 written pre-application enquiries and 361 requests to approve details required by conditions. 2178 formal submissions were also received under the Building Regulations.

In terms of Development Management performance, speed of determination remains well above the national performance targets (denoted by the horizontal coloured lines)



The graph shows that in the last 12 months, 74% of Major applications were dealt with in time (the national target is 60% in 13 weeks ), as were 76.5% of Minor applications (target 65% in 8 weeks ) and 91% of Other applications (target 80% in 8 weeks)

Appeals performance was significantly improved in the last 12 months, as the impact of the National Planning Policy Framework (NPPF) on older decisions worked through the system and decision-making was adjusted to take it into account. 27% of planning application appeals were allowed (i.e. Council decision overturned), compared to 42% in the preceding 12 month period. The figure of 27% compares favourably with the national average of around 33% of appeals allowed. It is noted that appeal Inspectors are attaching much less weight to the Council's Development Control Local Plan policies, particularly where they are deemed to be not fully in accordance with the NPPF, given the emphasis placed within it that :-

*“where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be Restricted”*

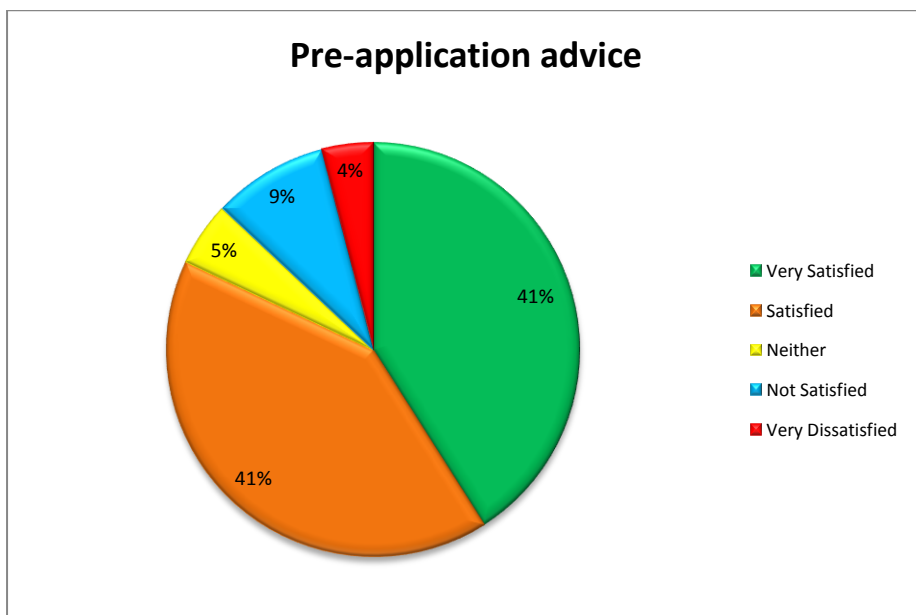
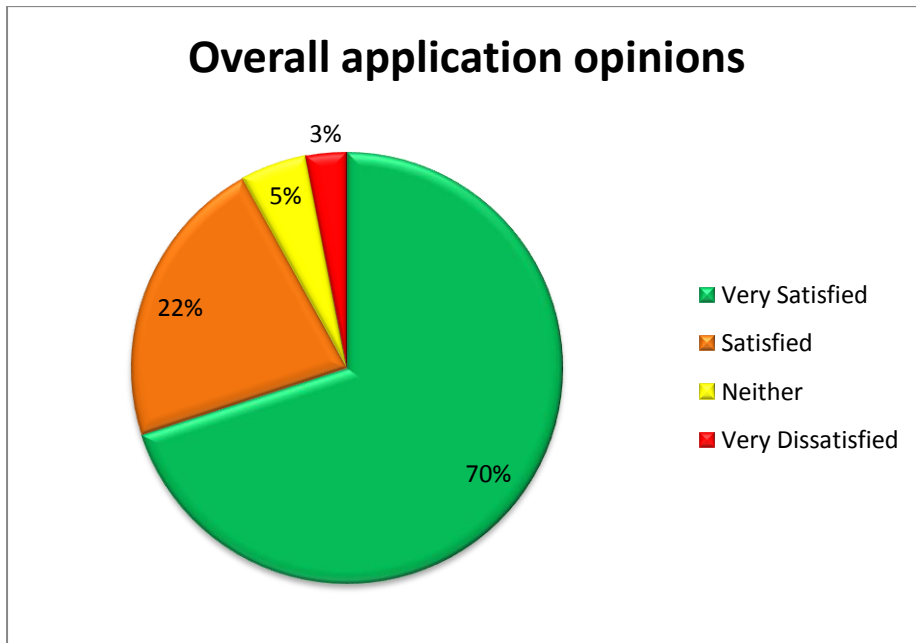
The NPPF also states *“It is highly desirable that local planning authorities should have an up-to-date plan in place”*.

This again highlights the pressing need for a Local Plan to be approved for the City to ensure we are more able to make local decisions that will stick under the new planning framework.

### Customer Satisfaction

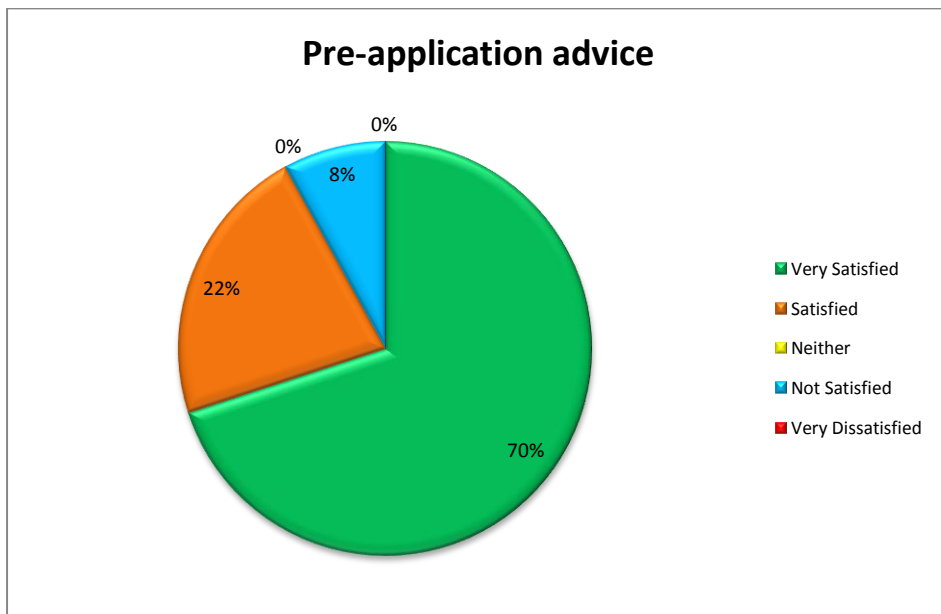
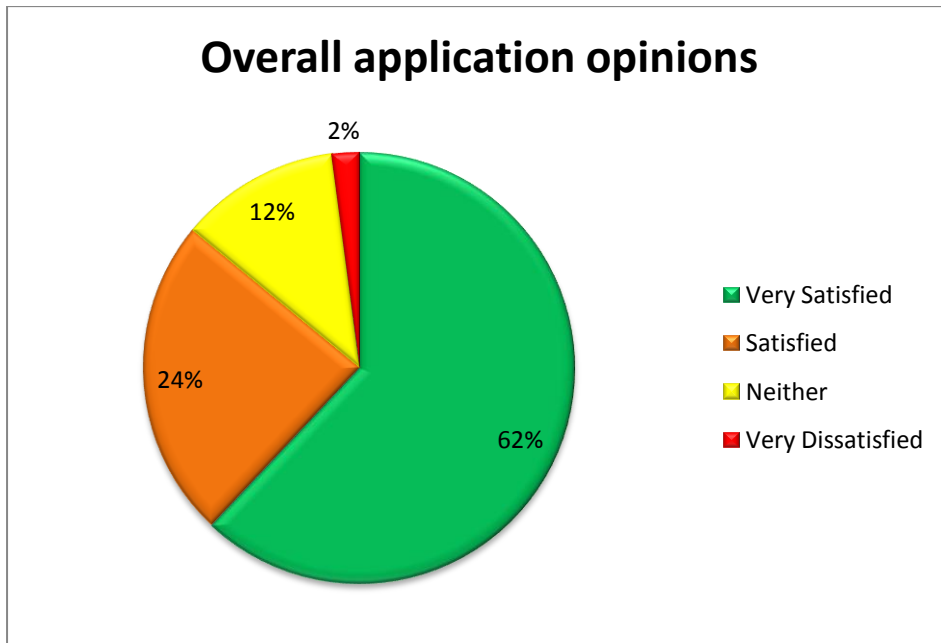
Since the new satisfaction survey of applicants and enquirers was introduced in September 2013, a significant recent improvement in the percentage of enquirers very satisfied by the advice service is noted.

2013





2014



## **Major Development Sites**

Since the national economic downturn the Authority has continued to engage with developers in York including on approved but stalled sites, and how we could facilitate bringing them forward without too significant weakening of overall planning aims in terms of mixed and balanced communities, sustainability and quality in design.

We have agreed changes of use (employment to residential), changes in types and size, layout, design, as well as reductions in affordable housing numbers and Section 106 financial contributions. These revisions to approved and comprehensively consulted approvals illustrate the determination of the Council to support the delivery of good quality new development in the city. Specifically on some of the more significant sites:-

#### Former Terry's Site

Henry Boot and David Wilson Homes were announced as new owners in April 2013. Revisions and an ambitious timetable for Phase 1 of the originally approved masterplan (residential on the northern part of the site), plus changes to the affordable housing requirements followed. The planning application for the first phase (85 new homes and a local convenience store) on the northern half of the site was approved by CYC Planning Committee in December 2013. Work has begun on site, and the first homes are expected to go on sale later this year. The detailed application for Phase 2 of the housing site is expected to be submitted shortly.

#### Nestle South

Following feedback that the commercial/ employment element of this mixed use scheme was not receiving a great deal of interest, we have considered where revisions can be made, especially in terms of increasing the commercially more appetising residential offer on site. Agents for Nestle have remarketed the site and we are now working with interested parties in order to bring a viable scheme forward.

#### Hungate

Following extensive negotiations and discussions on viability of the site revisions to the mix of uses and layout/ design in the approved Masterplan. Phase 2 of the development (195 new apartments, including 31 affordable) was approved by Planning Committee in January 2014.

The Hiscox Insurance application building was approved in December 2013, with work set to commence this Summer, together with

improvements to the local streetscape at Peasholme Green/ Aldwark /St Saviour's Place junction.

### Germany Beck

Officers worked collaboratively with Persimmon and their design team in 2012/ 2013 in order to agree a high quality housing scheme, with reserved matters approval for 655 homes being granted in May 2013. In May this year the High Court turned down a renewed application by Fulford Parish Council for a judicial review of the City Council's decision to approve the reserved matters application, and challenges to English Heritage's decision not to designate the site as a battlefield have so far been unsuccessful. Discussions are now continuing with the discharge of appropriate planning conditions, and a community liaison forum will be established to provide the vehicle for dialogue between the developer and the community during the construction phase.

### British Sugar

We are working productively with ABF/ Rapleys in order to produce spatial concept options for consultation, with the next consultation phase scheduled for July. The Heads of Terms and contract for the former Manor School sale have been completed, and supporting studies for a site remediation strategy and traffic modelling are progressing well.

A planning application for around 1000 homes and a community hub is anticipated in September this year.

### York Central

We are working with Network Rail on a masterplan led study for the site, looking particularly at early deliverable parcels for development of new housing and offices. Work is ongoing in terms of funding options and the evolving conversation with the Government Department for Business Innovation & Skills (BIS), as well as the Local Economic Partnership (LEP) and BIS local based funding.

Work to establish a preferred A59 access is complete. Negotiations on land transactions and project delivery/ funding with Network Rail are progressing, and the National Railway Museum is also commencing master planning work for their assets within the site.

In December 2013 the Council's Cabinet approved £10M of funding from the Economic Infrastructure Fund for a new road bridge and access into York Central from Holgate Road. This will begin to de-risk the site and provide real opportunities for development and further investment in the next few years.

£500K from the fund will cover immediate costs, including transport, legal and consultancy fees, with details of how the remaining £9.5M will be spent emerging early next year.

A land swap will result in a council-owned site next to Holgate being sold to Network Rail, which will in turn sell land next to the carriage works to the authority for the bridge and access routes from the A59. Work on the first new homes could start in 2015, with the final phase of the overall scheme beginning in 2019.

#### White Swan Hotel

Following positive pre-application discussions an application for 14 apartments and food retail on the ground floor was approved by CYC in December 2012. Work has begun and, when complete, will be complimented by planned improvements to re-design and re-pave the Coppergate/ Piccadilly/ Pavement junction as part of the Reinvigorate York initiative.

#### Castle Piccadilly

Applications for residential and ground floor retail development along Piccadilly were approved last year as well as proposals to extend part of Coppergate to facilitate a new occupier.

Discussions are also ongoing to refurbish Ryedale House, and a planning application for residential re-use and uplift in the design of the building is expected this Summer. Negotiations have included the potential for a new public foot/ cycle bridge across the Foss to the car park and Eye of York and this, together with planned improvements to the streets and junctions here as part of the Reinvigorate York initiative, will contribute significantly to the regeneration of the area.

### Barbican

Negotiations and discussions are at an advanced stage with Persimmon in order to amend the existing permission for apartments. A Planning application is expected to be considered by Planning Committee in the next couple of months.

### Derwenthorpe

Details for phases 3 and 4 of the development were approved in April 2013, and the development is proceeding. The scheme has and continues to achieve recognition, being a national Housing Design Awards winner in 2013, and most recently winner of The York Design Awards People's Award for Landscaping.

## **Flood Risk Management**

### **Local Flood Risk Management Strategy**

This is currently in preparation and a draft for internal and Risk Management Authority consultation will be circulated this summer. The document is programmed to go to the September Cabinet meeting followed by a full external consultation.

The strategy will include an overarching policy framework and action plan and it will be complemented by a series of technical sections detailing the full range of flood risk issues and opportunities in the city. This approach is intended to make the strategy easy to read and understand for all audiences and for those who need to 'drill down' into more detailed or complex issues the technical sections can be considered. This also allows a simpler change control process, this is a living document and it is intended that a varied and simpler sign off process will be determined for individual technical sections.

### **Upgrading of Main River Defences**

The cities existing defences were mainly built in the 1980's and very early '90's and there was very little comprehension of the implications of climate change at that time, and we need to take this and the post 1990s flood record into account. Following my lobbying, the Environment Agency (EA) are currently procuring an updated river model throughout

the city, this will be used to fully understand the standard of protection afforded by all of our defences.

Appraisal work of the existing defences following the modelling work is scheduled for 2015/16 and a rolling programme of defence improvement has been programmed in to follow. However, it would be likely that the defence costs could not be fully supported by Defra funding and contributions would be required. A wide ranging funding model will need to be developed to investigate wider benefits and opportunities for funding. A key issue in this regard is as to whether the Government will increase the funding for new and improved flood defences. Funding is still very constrained, and the Government grant works on an effective benefit to costs ratio of 8, which is high in comparison to other areas of Government expenditure (e.g. transport where a figure of 2-3 typically applies!).

### **Catchment Studies**

A study has been procured to better understand the South Beck catchment in the light of increasing pressure from development in the Monks Cross area and the limited knowledge of the catchment, this has been delivered in partnership with the IDB and the EA.

We will be procuring a study for the Holgate Beck catchment to understand the drainage system and its assets and to identify current and future flood risks. This will be a key report to evidence the York Central site and linkages are being made with regeneration colleagues. The study will influence and advise future asset management approaches by the EA and drainage board.

The study will be used to identify future mitigation requirements and links are being made with EU funding to possibly take forward any resulting outputs.

### **Flood input into Planning**

The Flood Risk Management Team has a proactive role in both strategic planning and development management to ensure that flood risk is satisfactorily addressed, significant progress has already been made in embedding flood risk management and Sustainable Drainage Systems (SuDS) as an integral part of the development management process.

Our Strategic Flood Risk Assessment contains policy recommendations and development management guidance to achieve this.

The team has an ongoing role in supporting the progress of the Local Plan by providing strategic advice on the proposed sites.

### **Sustainable Drainage Approving Body**

Schedule 3 of the Flood and Water Management Act 2010 sets out a duty on Local Authorities to approve, adopt and maintain SuDS (if serving more than one property) through SuDS Approving Bodies (SAB).

The benefits of SuDS are well known in their delivery of flood risk management, water quality and place making enhancements. SuDS aim to reduce the risk of surface water flooding by mimicking natural drainage systems as closely as possible through techniques such as swales, rain gardens, ponds, green roofs and other methods to slow, attenuate and reduce the amount of surface water flow from developments. In essence SuDS techniques aim to bring water 'to the surface' which can often free up capacity in existing underground drainage systems. Applications for SuDS approval will be independent of planning applications, and sometimes planning approval may not be needed. It is anticipated that the SAB will be a technical process in the same way as building control and not subject to committee approval, though planning approval (when required) will be conditional on a SAB approval.

Schedule 3 of the Flood and Water Management Act has long been delayed in its implementation, detailed and protracted discussions have centred on the way in which it should be delivered to ensure an equitable solution for all parties (developers, homeowners, approvers and adopters). The expected October 2014 implementation has recently been revoked, Defra will be making a statement on implementation in the summer, with the approaching general election it is possible that implementation may still be some way off.

Discussions have begun internally to explore how we can deliver the approval and adoption roles. We are working as part of a wider Yorkshire consortium to develop local guidance and procedures.

### **Water End Flood Alleviation Scheme**

The Environment Agency (EA) is currently constructing an enhanced flood alleviation scheme at Water End which will protect almost 400 properties. The council has contributed £1m to this originally £3.2m scheme.

Aside from snagging and defects correction, work is complete and the EA are currently pulling off the site. A range of maintenance and grounds keeping responsibilities will be passed back to the council.

### **Clementhorpe**

The council provided funding for a feasibility study and contribution to works for the protection of the Clementhorpe area. The EA has completed the study and concluded that a comprehensive protection scheme for the area achieves a very low score for grant aid due to the relatively low number of properties at risk in relation to the large scale of work that would be required to protect them.

Without major contributions from elsewhere to top up the funding, only limited property level protection is affordable. However, due to the nature of the terraced housing this would not be straightforward and requires further detailed study to assess whether it could be effective. A local meeting with residents is being planned.

The Council will continue to provide a temporary barrier at the Clementhorpe/River Street junction and pumping at times of flooding to maintain access to properties while it is safe to do so.

### **Naburn**

The Council's FRM team along with the EA, Yorkshire Water and Ouse and Derwent Internal Drainage Board continue to engage with Naburn Parish Council flood working group to determine potential ways for the community to be better protected. Approximately a dozen properties flooded in Sept 2012 and up to 50 in 2000, though many of these were gardens only. A study carried out after the 2000 event established that a comprehensive protection scheme for the village would not be cost effective based on hard defences and it is difficult to see that there would ever be a way of providing further protection to the village.



However the working group is seeking funding for a new feasibility study to review this and see if there are any other options.

### **Kings Staith**

Hugh Bayley MP requested the formation of a steering group following petitions by local residents and businesses from the Kings Staith/Tower Place community regarding the need to dredge the River Ouse (this occurred at a similar time to the decisions to dredge the Somerset Levels), the group last met on Friday 13 June. This area is unprotected as it floods frequently and large scale defences would be needed against the rivers edge significantly severing access to and enjoyment of the riverside.

The area will be considered as part of the renewal of flood defences in the city, see below, but there will also be a consideration if wider needs and aspirations could be delivered through the provision of increased protection in this area – regenerative activity around the waterfront, river safety etc. All members of the steering group accept that full protection is very unlikely but any move towards the reduction in frequency of flooding would be very welcome.

### **Flood Risk Innovation**

We need to look for innovations and opportunities to deliver our future flood risk service across the city given the financial challenges. The new Flood Risk Manager, Steve Wragg, is the chair and member of several national groups looking at new ways of working and R&D in Flood Risk Management. A communications plan has been developed to identify opportunities to promote and publicise our work to ensure we can maximise all potential collaborations and partnerships.

### **Flood Levy**

We are currently reviewing what opportunities we have for obtaining flood levy monies for York schemes, and are looking at possible submissions for the Clementhorpe & Naburn schemes above, another in Carr Lane and a new Small works package – where a range of discrete properties suffer small isolated surface/ground water problems but are not hydraulically linked, but would merit linking together for a packaged delivery of Property Level Protection or resilience type works.

## **Smarter York**

The Smarter York team continue to work closely with our Communities & Equalities team and other council departments towards increased involvement in the planning and delivery of services at a local level.

A Smarter York spring clean took place during March and April and built on the success of the previous year's spring clean.

- Week 1 – Clifton, Clifton Without and Rawcliffe
- Week 2 – Dringhouses and Woodthorpe
- Week 3- Fishergate and Fulford
- Week 4 – Various parishes in the outer areas of the city

239 volunteers took part

541 volunteer hours

7 community based groups

5 local businesses

4 schools

Community Payback – over 600 hours works

The team have been working with the two universities over the last couple of months on processes to reduce the impact on waste and street cleansing at the end of term when many students leave their accommodation, this included distributing leaflets detailing the extra collections on Saturdays and the four extra collection dates.

This work also saw close working with the landlords to ensure extra collection dates were communicated to all those involved.

## **Street Cleansing/Grounds Maintenance**

A review of our city centre cleansing regimes is well underway with the aim of increasing cleansing by mechanical means in line with the outer areas of the city; this will lead to increased standards of cleanliness particularly around cigarette butts and stained pavements.

## Public Toilets

A 15 year contract for the provision and maintenance of all our public toilets has been let and includes the refurbishment of all CYC owned facilities, the refurbishment element of the contact is well underway, with completion planned for mid December – see below, once completed the city will have a set of facilities to the most modern up to date and clean standards which we can be proud of.

- Union Terrace – Complete
- Nunnery Lane – Complete
- St Georges – Poss 5<sup>th</sup> July
- Coppergate – Payment paddle gates in but not switched on.
- Silver Street – ditto
- Acomb – work commenced.
- Tanner Row – linked to Roman Court development.
- Exhibition Square – Demolished, temp loos in place on 5<sup>th</sup> July, work will commence mid Sept, Completion mid/late December (sooner if possible).

## Waste

### **Domestic Waste**

After an incredibly busy year, that saw significant changes to the waste collection service across the city, waste services has continued to explore ways of optimising the service offer to customers.

A trial in the Clifton area, aimed at identifying barriers to recycling and ways to increase participation, was very successful from both a council and resident point of view. A highlight was the ‘no junk mail’ campaign carried out as part of the trial. This was very popular with residents and whilst paper recycling levels oddly fell by 1% during the trial period, this was off-set by an increase in other materials being recycled, most notably plastic bottles and cans (14%), glass (10%) and an overall increase in recycling levels of 6%. Overall participation across the trial area increased by 6%. A report is being prepared for Community Safety and Overview Group in September this year. We are looking at how we can roll out the lessons from this.

Another key trial has been taking place in Upper Poppleton where we have started to collect mixed plastics. Over 120 residents have contacted us indicating that they will be taking part in the trial and will require extra capacity to manage the additional recyclable material. Officers will be visiting the area during the trial to sample recycling boxes to gather more accurate data on the type of materials being presented

There has been some recent speculation about a nationwide return to weekly refuse collections, dependant on the outcome of next years general election. As well as a potentially damaging effect on our recycling rate, officers estimate that this could add in the region of £1.1m to the annual revenue budget for the service, which would mean major cuts to other services.

### **Commercial waste**

We are continuing to work with city centre businesses, and other stakeholders, to review our commercial waste service with a view to increasing our commercial recycling offer, thus reducing the waste sent to landfill and addressing the aesthetic impact this service has on the evening economy. We will also be exploring opportunities for making operational savings and increasing revenue.

### **Rewiring Public Services**

The place based stream of the transformation programme has commenced and will change the approach to service delivery so that residents, businesses and partners will be placed at the centre of service design and provision. Waste services is within the scope of this work and will integrate with other transformation steams to ensure the best outcomes and increased value for money, and that waste services make a full contribution to, what are, very challenging targets over the next two financial years.

Dave Merrett

Cabinet Member for Environment, Planning & Sustainability



---

**Council**

**17<sup>th</sup> July 2014**

**Report of the Monitoring Officer**

**Substitute Arrangements for Independent Members**

**Summary**

1. This report asks Members to agree substitute arrangements on Committees for the Councillors who are not members of a political group.

**Background**

2. The Council's standing orders for Committees allow Council to appoint substitutes from within each political group. No provision is made for Members who are not allied to a group. A request has been received from the independent Members to be allowed to substitute for each other.
3. It would be possible for the Council to adopt an arrangement for named substitutes for the independent Councillors. A minor change to Part 4B of the Constitution would be required adding to paragraph 6.5.1 (a) the words in italics below:

“For the Planning Committee up to four named substitutes shall be allowed for each of the political Groups. For other Member bodies up to three named substitutes shall be allowed for each political Group. *Independent Councillors may also be appointed to act as named substitutes for other independent Councillors within this rule.*”

4. If Council approves this change it will also be necessary for Council to appoint Councillors to act as substitute members for each other in respect of Committee appointments made by Council. The Council's ordinary arrangements provide that Members requiring a substitute should approach their first named substitute and, only if that person is unavailable, may they approach their second substitute.

5. A possible arrangement would be:

<b>Appointed Member</b>	<b>First Substitute</b>	<b>Second Substitute</b>
Cllr. Warters	Cllr. Watson	Cllr. Wiseman
Cllr. Watson	Cllr. Wiseman	Cllr. Warters
Cllr. Wiseman	Cllr. Warters	Cllr. Watson

### **Consultation**

6. The independent Councillors have requested this change and Group Leaders have been consulted.

### **Options**

7. Members may agree or not with the proposal for the independent Councillors to be able to substitute for each other. Members may decide that the proposed order of substitutes should be changed.

### **Analysis**

8. Allowing the use of substitutes will ensure that each Committee which has representation from an independent Councillor will retain that representation even where the nominated Councillor is unable to act.

### **Implications**

9. Legal – there is no specific legislation covering the use of substitutes at Committee meetings. Very many Councils do adopt these arrangements though and legal opinion supports their lawfulness.

### **Risk Management**

10. There are no known risks, other than those identified in the report.

### **Recommendations**

11. Members are asked to:
- 1) Approve an amendment to paragraph 6.5.1 (a) of Part 4B of the Constitution adding, at the end of that paragraph, the words: “Independent Councillors may also be appointed to act as named substitutes for other independent Councillors within this rule.”

2) Appoint the substitute Members set out in paragraph 5 above

*Reason:* To ensure that each Committee with independent representation has the benefit of such representation even where the appointed Councillor is unable to attend a meeting.

**Contact Details**

**Author and Chief Officer Responsible  
for the report:**

Andy Docherty  
Assistant Director Governance and ICT

**Report**  **Date** 8<sup>th</sup> July 2014  
**Approved**

**Wards Affected:** All

**For further information please contact  
the author of the report**

**Background Papers: None**

**Annexes: None**

This page is intentionally left blank



**Annex 1****Cabinet****6 May 2014**

Report of the Director for City &amp; Environmental Services

**Lendal Bridge Traffic Restriction Trial – Final Evaluation Report****Summary**

1. The Lendal Bridge traffic restriction was implemented using an Experimental Traffic Regulation Order (TRO) and was in place between 27<sup>th</sup> August 2013 and 12<sup>th</sup> April 2014. The Order restricted most vehicles from using Lendal Bridge between 1030hours and 1700hours seven days per week.
2. This report provides information from the evaluation of the 6 month period up to 26 February 2014 and the subsequent period up to the decision to revoke the experimental order on 8 April. The report includes sections and annexes relating to:
  - Strategic Context
  - Trial Chronology
  - Evaluation Summary
  - Penalty Charge Notices
  - Overall Conclusions
3. Analysis of the data recorded during the trial suggests that in transport terms the trial achieved many of the original objectives to improve the environment for pedestrians and cyclists and reduce public transport journey times. However there was considerable concern from residents and businesses about the implementation of the trial.
4. The Traffic Penalty Tribunal on 1 April questioned the legality of the enforcement of the restriction using cameras. Legal advice suggests that their decision is incorrect and a request for the decision to be reviewed by the Chief Adjudicator has been submitted.

5. Following a presentation of the preliminary findings of the trial on 8 April 2014 the Leader exercised his powers to make a decision of the Executive, in consultation with the Chair of the Corporate and Scrutiny Management Committee, to remove the restriction from the bridge in order to swiftly address any potential confusion as to the status of the restrictions. The presentation is available on line at <http://www.york.gov.uk/downloads/file/12355/lendalbridgeapril2014>
6. The signs and lines associated with the restriction were removed on Friday 10 April. Following on from the removal of the bridge restriction it is proposed to set up an independent commission to review how traffic congestion should be addressed in the city. It is also proposed to undertake a review of the delivery of the Lendal Bridge Trial to understand any lessons which can be learnt for the implementation of future traffic schemes in the city. In particular the following will be reviewed: marketing/communication, signage, warning letters and enforcement levels.

## **Background**

### **Strategic Context**

7. The three main objectives of the trial were to: reduce congestion in the city centre and on the route between the Station and Gillygate/Clarence Street in particular; create a bus corridor that provides improvements in bus reliability and journey times, thus encouraging greater use of public transport and improve the public realm at the north end of the city centre by reducing the impact of traffic. Longer term the objective was to support the economy by creating a more attractive environment for pedestrians and cyclists and increase footfall in the city centre. These objectives were directly linked to the transport and economic strategies for the city and its ambition for growth.
8. The City has significant growth aspirations being taken through the Local Plan process in aiming to deliver, on average, 1000 jobs and 1090 dwellings per annum. The transport implications of these growth aspirations have been tested in a 'reference case'<sup>1</sup>. The reference case included 'priority route measures on the inner

---

<sup>1</sup> *Transport Implications of the City of York Local Plan paper that supported the Local Plan Preferred Options*

ring road' (measures such as vehicle restrictions on Lendal Bridge). Modelling of the reference case predicted 41% increase in traffic across the city's transport network overall from 2010 to 2031. Other measures over-and-above the reference case are currently being investigated as there is a clear need to reduce traffic growth whilst maintaining economic growth for the city.

9. The Transport Implications of the City of York Local Plan paper suggested that significant investment in Smarter Choices (Behavioural Change, Sustainable Travel promotion, bus subsidy etc.) could bring the delay multiplier down from 2.0 by between 26% and 46% (in 2031). Improvements to sustainable travel infrastructure, incentives and planning have the potential to reduce delays in the long term but will be insufficient on their own.
10. A number of other demand management options were considered before progressing with the Lendal Bridge trial, including; congestion charging, which was considered by the Traffic Congestion Scrutiny Committee prior to the production of the current Local Transport Plan, but was ruled out in 2010 and again at the start of the current administration. A one-way system on the inner ring road was also considered, however it was considered to be more difficult to deliver, did not secure public realm improvements to enable bus or sustainable transport priority to be provided and may not encourage mode shift.
11. The project was part of the wider transformation of the economic, cultural and recreational offer in the city centre. A number of key city centre improvements will be completed over the next two or three years which, taken together, will help to improve the city's public realm and public transport system. In the longer term removal of traffic has the potential to open up opportunities for the York Central development and a bus interchange at the rail station, linked to options over Queen Street Bridge.
12. This is being taken much further with planned area improvements to King's Square, to be completed this year; to Exhibition Square and Duncombe Place/ St. Leonard's Place junction; and Fossgate, over the next year.

## **Trial Chronology**

13. Approval to proceed with a six month trial to restrict traffic on Lendal Bridge was agreed at Cabinet on 7<sup>th</sup> May 2013. The trial commenced on 27<sup>th</sup> August 2013 with the restriction operating between 10:30 and 5:00pm seven days a week. Buses, taxis, cyclists, pedestrians and emergency vehicles were permitted to cross the bridge during this period as well as a limited number of other vehicles specifically exempted within the Traffic Order.
14. Advance warning and information was provided in the form of Press (York Press and Yorkshire Post) and radio adverts, business information sessions, three city centre consultation events, creation of new pages on the Council website, information released to accommodation providers through Visit York and a citywide leaflet drop to all residents.
15. The restriction was enforced by Automatic Number Plate Recognition (ANPR) cameras situated at the Rougier St/Lendal Bridge junction.
16. There are a number of standard Department for Transport (DfT) approved regulatory signs in place immediately adjacent to the restriction that makes the trial enforceable. Advance direction signs are also in place indicating a camera enforced restriction ahead and AA information signs are in place across the city.
17. An online and paper feedback form (in all libraries and West Offices) was available for residents and visitors to provide feedback. A separate online form was set up for businesses.
18. A grace period on the enforcement of the trial was agreed until 4<sup>th</sup> September 2013 consistent with a similar approach taken at Coppergate . A number of alterations were also made as the trial progressed, signing was reviewed and improved and a number of steps were taken to try and raise awareness of the restriction and its location.
19. The regulatory signs on the bridge were increased in size and placed on yellow backing boards to make them more obvious and visible. A second change was made later to indicate 'Lendal Bridge' at the top of the sign as an additional help to motorists unfamiliar with the city and the bridge.

20. Additional yellow directional lane signs were placed at a number of locations including at the Gillygate/Bootham junction and the approach from the station.
21. A variable messaging sign was placed at the junction of Station Rise/Station Avenue advising:  
  
Lendal Bridge, ← closed, 10:30am – 5pm
22. Network Operators monitor the CCTV camera network in relation to traffic flow and queues. Alterations to the traffic signals plans at Bootham/Gillygate, Lord Mayor's Walk/Gillygate, Lendal Arch Gyratory and Micklegate Bar were made to take into account lower flows and reduce delays for all vehicles at these junctions. Alterations at Clifton Green, Walmgate Bar, Layerthorpe Bridge and Water End / Salisbury Road were made to take into account increases in traffic flows and minimise the impact of the additional traffic on these routes. Alterations to Hospital Fields Road and Broadway were made to address some (pre existing) issues of queuing outbound during the PM peak.
23. To increase awareness larger advanced direction signs were proposed, however it was decided to delay the installation until a decision on the trial had been reached due to the size of the signs and foundations.
24. To avoid confusion and allow time for analysis of results, restrictions remained in place during the interim period between the end of the trial on the 26th February and the removal of the restriction on the 12th April, enforcement was undertaken on a 'part time' basis (approx. 70% reduction), whilst still maintaining compliance levels at a similar level to full enforcement.
25. Following a presentation of the preliminary findings of the trial on 8 April 2014 the Leader took the decision to remove the restriction from the bridge with effect from 12<sup>th</sup> April 2014, to give sufficient time to remove the enforcing signing and lining, again in order to avoid confusion. The presentation is available on line at <http://www.york.gov.uk/downloads/file/12355/lendalbridgeapril2014>
26. On 27<sup>th</sup> March 2014 Councillor Reid brought a motion to Council in relation to Lendal Bridge. Councillor Reid's motion in respect of Lendal Bridge was referred to Cabinet, as the data on the trial was

still being collated and analysed. The motion is included as Annex H.

27. The Leader made the decision, follow approval from the Scrutiny Management Committee Chair, under delegated powers within the Councils Constitution which provides authority to the Leader to exercise all Cabinet functions.

### **Summary of Results**

28. A monitoring and evaluation plan was put in place at the start of the trial covering all of the objectives for the restriction and to enable the impact to be assessed.
29. Data was collected from automatic traffic counters, traffic master, Bus Location system, speed recorders etc. Opinions of the trial were obtained from on-line surveys for residents/visitors and businesses and on-street pedestrian surveys on the bridge.
30. The table below provides a high level summary of the results - full details are included in the Annexes.

<b>Item</b>	<b>Summary Review – Comparison with previous year</b>
<b>Note: Summaries should be read with detailed results provided in Annexes</b>	
<b>Accommodation Occupancy Levels in City</b>	Increase
<b>Footfall (Parliament Street)</b>	Increase
<b>Parking in City Centre Car Parks</b>	Static
<b>Citywide Traffic Counts</b>	Static
<b>Journey Times</b>	Increases/Decreases
<b>Bus Journey Times</b>	Increases/Decreases

<b>Bus Reliability</b>	Improvement
<b>Bus and Park &amp; Ride Patronage</b>	Increase
<b>Air Quality</b>	Improvement
<b>Consultation Responses – General</b>	Very Negative
<b>Consultation Response - Business</b>	Very Negative

31. It is noted that whilst the data shows that the trial achieved most of its aims in relation to the potential for improving public transport journey times, reductions in traffic at key locations, improvements to the environment for cyclists and pedestrians there was very strong public and business opposition to the trial in terms of the impacts experienced and the potential for future impacts on the City.

### **Penalty Charge Notices (PCN)**

32. The trial was enforced by Automatic Number Plate Recognition (ANPR) cameras. The cameras were located at the junction of Rougier Street and Lendal Bridge. An initial grace period was agreed and enforcement commenced on Wednesday 4th September 2013.
33. The PCN was issued for £60, reduced to £30 if paid within 14 days (or increased to £90 if not paid within 28 days). If an appeal was made within the 14 days the 'clock is stopped' and the charge remained at £30 until the appeal is resolved.
34. For most of the trial the number of PCNs being issued varied with a peak of approx. 4,000 per week in October falling to approx. 1,500 per week in the final months. The high number is considered to be mainly due to the number of visitors to the city unfamiliar with the layout of the city centre. Residents appeared to be aware of the trial and the split between YO postcodes and others is approximately 20/80. The receipt of a PCN generated a significant proportion of emails/complaints. The numbers issued began to reduce in January and February.

35. In the interim period between the 26<sup>th</sup> February and the removal of the restriction on 12<sup>th</sup> April, enforcement was undertaken on a 'part time' basis (approx. 70% reduction), whilst still maintaining compliance levels at a similar level to full enforcement.
36. The main reasons for drivers advising that they crossed the bridge are: they did not see any signs; they were following their SATNAV (SATNAV companies were asked to include the restriction but declined due to the trial status of the restrictions) or they were following the traffic in front of them and didn't realise the restriction was in place.
37. The original intention of the trial had been to issue warning letters for a first offence but CYC had been advised by the Driver and Vehicle Licensing Agency (DVLA) and subsequently by ICES (camera operating company) that it was not possible to do so. Subsequently, after the trial was underway, the advice was amended to inform CYC that the issuing of warning letters was possible so long as it was the intention to pursue it if further contraventions occurred. However, at this point the terms of the trial had already been set.

### **Adjudicator**

38. On 1 April the Council received a decision on a PCN appeal from the Traffic Penalty Tribunal Adjudicator. Whilst the appeal related to Coppergate the adjudicator widened his decision to cover issues at Lendal Bridge. In his opinion the enforcement of the bus lane restrictions at both locations using cameras was not legal. Legal advice has been taken, which refutes this, and an application for the decision to be reviewed by the Chief Adjudicator has been submitted. Pending the result of the legal process it is not advisable to make decisions on the receipts from the PCNs.

### **Finance**

39. 48,525 Penalty Charge Notices were issued during the period when the restriction was enforced. This has generated approximately £1,046k of income (net of processing costs).
40. A number of costs have been incurred as part of the delivery of the trial. Capital costs including cameras, signs, electric and fibre connections and surveys and monitoring are approximately £156k. This includes additional costs not included in the original



budget for items such as early receipt of TrafficMaster data, additional traffic surveys required to consider complaints and comments, additional signing (AA and replacement regulatory signs to increase conspicuity). Revenue costs are currently £189k including project management and advertising. This includes costs for additional items of advertising, bank costs for PCN payments and police support in the early stages of the trial, not originally included within the budget.

41. The additional funding required for these items is considered to be a legitimate use of the PCN income under section 36(a) of the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005. Support for the trial is the first use of the income ahead of other schemes that could be developed.
42. There are a number of schemes/proposals for which the PCN income could be used for delivery. However, use of PCN funding will be brought forward in a separate report following the conclusion of the legal process relating to the Adjudicator.
43. It is recommended that no expenditure is incurred from PCN receipts without approval from the Council's Section 151 Officer.

### **Overall Conclusions**

44. In transport planning terms the restriction achieved most of the aims of the project and the network demonstrated that, generally, it was able to cope with the restriction. However there was clear opposition from the public and businesses.
45. Economic indicators of, parking, footfall and accommodation stays all remained static or showed increases which indicates that residents and visitors did not avoid the City centre during the restricted period. It is difficult to rationalise the data with some business consultation responses stating that footfall through the door and revenue had decreased as this is not reflected in the general data. There may be other explanations that do not relate directly to the Lendal Bridge restriction and that have therefore not been identified through the data collected.
46. The 85th percentile journey time is a good indicator of what drivers experience day to day. Results varied by route but across the day increases in 85<sup>th</sup> percentile journey times were generally modest,

however peak times, particularly 5:00-6:00pm did see more significant journey time increases on some routes.

47. As part of the trial it was not possible to alter the bus timetables to take account of any journey time savings or reliability improvements. This may account for some of the mixed response from the consultation about public transport improvements. However, that data demonstrated that journey time savings would be possible and reliability did improve considerably. These factors combined with a service review and reduced fares produced a 7% in patronage.
48. Air quality has improved across the City, even at locations where traffic flows increased, although the improvements cannot be attributed to the Bridge restriction as the improvements fall within normal tolerances and are likely to be due to weather conditions.
49. The majority of negative consultation responses were from car drivers, who experienced more negative impact than other users. Cyclists were generally supportive with pedestrians providing a mixed response. Visitors to the City reported that the pleasant environment was the main reason for visiting (97%) and non car based visitors considered improvements to the pedestrian environment more important than improving vehicle speeds. Consultation responses were predominantly negative. In particular the business responses stated negative economic impacts.
50. Whilst the trial was able to demonstrate success in relation in a number of transport areas the Council has an obligation to consider the consultation responses and it was considered to be significant enough to outweigh the benefits flowing from the trial and this was directly responsible for the decision to lift the restriction.
51. It is anticipated that removing the restriction will mean that traffic flows will return to pre-trial levels with the consequential loss of the bus journey time reductions and environmental benefits achieved with the restriction in place. The delays and traffic flow increases experienced in some areas would return to pre-trial levels. In the long term delay levels are expected to increase.
52. The Reinvigorate York schemes proposed for Exhibition Square and Duncombe Place had been designed to be compatible with

continued use of the bridge as a traffic route, although it may reduce the ability to attract additional footfall to the city centre. Other transport aspirations could also be curtailed, in particular options for, and the operation of, a public transport interchange at the station and the ability to provide journey time and reliability improvements for public transport.

### **Traffic Congestion Commission**

53. Traffic congestion is recognised as a significant impediment to the economic prosperity of the city. However a consensus on measures to resolve the issues are much less easy to agree. It is therefore proposed to set up a cross-party traffic congestion commission to review options for tackling traffic levels in the city and develop a consensus on measures to resolve. It is also proposed that the commission is independently led. The Leader has written to all Group Leaders to invite them to take part in order to build this consensus moving forward.
54. The scope of the traffic congestion commission could include: an overall assessment of the current transport agenda and approach adopted by the Council; the scope of the transport portfolio of planned future schemes; implications of the city congestion management strategies; the political position in York and how this positively influences outcomes or conflicts with operational delivery, and lessons learned from delivery of major schemes and projects and how this can be fed into influencing future performance. A separate report will be prepared to fully scope and agree the parameters for the commission.

### **Council Plan**

55. Delivery of the proposals will help to achieve a number of the themes of the Council Plan, including :-

**Get York Moving** – the establishment of an independently chaired, cross-party congestion commission will allow the building of a consensus on how to address the city's traffic problems.

**Build strong communities** – demonstrating that the Council had listened and responded to public opinion.

## Implications

56. Implications are set out below

- **Financial** The net surplus from the Lendal Bridge trial totals c£700k at 31<sup>st</sup> March 2014. The ongoing legal process however means that the council will need to be prudent in the use of these resources prior to the resolution. The Director of CBSS in consultation with the council auditors will need to consider the treatment of this income in the final accounts and therefore it is prudent that no expenditure funded from the net receipts is committed at this time.
- **Human Resources (HR)** There are no implications
- **Equalities** There are no implications
- **Legal** The appropriate legal process is being pursued in relation to the Adjudicator.
- **Crime and Disorder** There are no implications
- **Information Technology (IT)** There are no implications
- **Property** There are no implications
- There are no other implications

## Risk Management

57. The immediate risk is one of reputation and is considered to be low as the decision reflects public opinion. There may be future risk associated with the pending legal process and will require ongoing monitoring.

## Recommendations

Members are asked to consider the following recommendations:

- 1) To note the Leaders decision made on 8<sup>th</sup> April 2014 to end the trial from 12<sup>th</sup> April 2014.

Reason: As a result of significant public interest that emerged on the issue and the need for urgent clarification

- 2) That no expenditure is committed from the net receipts at this time prior to the resolution of the legal process. This will be subject to a future cabinet report.

Reason: This is the most prudent approach to treating the income at this time

- 3) That Councillor Reid's motion is referred back to Council in July 2014 together with details of any discussion on the issues raised.

Reason: In accordance with the Council's Constitution

- 4) To note the Leaders decision to establish an independently chaired, cross party congestion commission and to request that the scope of the commission be brought to a future meeting.

Reason: To consider how the impacts of future congestion can be mitigated.

**Contact details:**

<b>Author:</b>	<b>Chief Officer responsible for the report:</b>		
Ruth Stephenson Major Transport Projects Manager Highways & Transport 01904 551372	Frances Adams Interim Assistant Director Highways, Transport & Fleet		
	<b>Report Approved</b>	√	<b>Date</b> 24 April 2014
<b>Specialist Implications Officer(s)</b> <i>Financial</i> <i>Patrick Looker</i> <i>Finance Manager CANS &amp; CES</i> 01904 551633			
<b>Wards Affected:</b> All			√
<i>For further information please contact the authors of the report</i>			

**Background Papers:**

ITS Final Evaluation Report

**Annexes**

Annex A – Data Evaluation Summary

Annex B – Traffic and Public Transport Data

Annex C – Traffic Speed Data (Lendal Bridge)

Annex D – Casualty Accident Data

Annex E – Air Quality Data

Annex F – Consultation results

Annex G – ITS Evaluation Reports

City of York Council

*Extract Committee Minutes*


---

Meeting	Cabinet
Date	6 May 2014
Present	Councillors Alexander (Chair), Crisp, Cunningham-Cross, Levene, Looker, Merrett, Simpson-Laing (Vice-Chair) and Williams
In attendance	Councillors Barton, Cuthbertson, D'Agorne, Fitzpatrick, Funnell, Galvin, Reid, Steward and Watt

---

### 132. **Public Participation**

#### **Lendal Bridge Trial Evaluation Report**

Gwen Swinburn spoke to raise concerns in relation to the decision making process undertaken as part of the reopening of Lendal Bridge. She also referred to issues of democratic accountability in respect of an important decision for the city which had prevented any input from members and residents.

Cllr Steward referred to the lack of cross party discussion in relation to the Lendal Bridge closure and reopening and his concerns at the length of time prior to the decision taken to reopen the bridge. He highlighted the lack of tangible metrics and how success would have been measured.

Cllr D'Agorne spoke to welcome the detailed assessment of the Lendal Bridge trial and to the setting up of a cross party congestion commission. He expressed regret that the evidence had not been considered prior to the reopening of the bridge and changes made to parking charge whilst there was still a need to find solutions to traffic congestion in the city centre.

Cllr Cuthbertson spoke of the damage done to the reputation of the city in relation the Lendal Bridge trial. He questioned whether sufficient information on footfall could be gained from one camera and pointed to longer journeys and air quality issues during the trial. He asked for a cross party scrutiny review of the Lendal Bridge trial to ensure that lessons were learnt and other measures taken to tackle congestion.

**134. Lendal Bridge Trial Evaluation Report**

Consideration was given to the final evaluation report of the Lendal Bridge traffic restriction trial, implemented using an Experimental Traffic Regulation Order which had restricted vehicles from using the bridge between 10.30am and 5.00pm each day. The report provided information covering the six month period up to 26 February 2014 and up to the decision taken to revoke the order on 8 April 2014.

It was noted that analysis of the data recorded during the trial, in transport terms, had achieved many of the original objectives to improve the environment for pedestrians and cyclists and reduced public transport journey times. Considerable concern had however been raised by residents and businesses regarding implementation of the trial.

Following questions regarding the legality of the enforcement of the restriction a request had been made to the Chief Adjudicator for the decision to be reviewed. A presentation of the finding of the trial had subsequently been made and the Leader had exercised his powers to remove the restrictions from the bridge which had resulted in it being reopened shortly after. At that time it had also been agreed to set up an independent commission to review how traffic congestion could be addressed in the city.

Cabinet Members acknowledged the problems that had arisen during the trial but confirmed that advice had been sought prior to the trial closure from both the Department for Transport and the Driver and Vehicle Licensing Agency. Members expressed their continued support for undertaking the trial as there was still a need to tackle congestion in the city. It was noted that alternative measures would have to be examined to meet future traffic challenges the city faced, particularly as traffic in the city would increase by 19 to 30% in the next 5 years, resulting in further congestion.

Officers referred to the difficulties encountered in running the trial and to the large amount of data collected which required further work, although some of the trials objectives had been achieved.

Members expressed appreciation for the work undertaken by officers both during the trial and subsequently in the analysis of data and preparation of the final report.



Following further lengthy discussion it was

Resolved: That Cabinet agree:

- (i) To note the Leaders decision made on 8<sup>th</sup> April 2014 to end the Lendal Bridge trial from 12<sup>th</sup> April 2014.
- (ii) That no expenditure is committed from the net receipts at this time prior to the resolution of the legal process. This will be subject to a future cabinet report.
- (iii) That Councillor Reid's motion is referred back to Council in July 2014 together with details of any discussion on the issues raised. <sup>1</sup>.
- (iv) To note the Leaders decision to establish an independently chaired, cross party congestion commission and to request that the scope of the commission be brought to a future meeting. <sup>2</sup>.

- Reason:
- (i) As a result of significant public interest that emerged on the issue and the need for urgent clarification.
  - (ii) This is the most prudent approach to treating the income at this time.
  - (iii) In accordance with the Council's Constitution.
  - (iv) To consider how the impacts of future congestion can be mitigated.

Action Required

- 1. Refer motion back to 17 July Council meeting. JP
- 2. Schedule report on the legal issues and scope of the Commission on Forward Plan. RS

Cllr J Alexander, Chair

[The Meeting started at 5.30 pm and finished at 7.50 pm].

This page is intentionally left blank