

## City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in The Guildhall, York on Thursday, 26th March, 2015, starting at 6.50 pm

**Present:** The Lord Mayor (Cllr Ian Gillies) in the Chair, and the following Councillors:

Acomb Ward	Bishophthorpe Ward
Horton Simpson-Laing	Galvin
Clifton Ward	Derwent Ward
Douglas King Scott	Brooks
Dringhouses & Woodthorpe Ward	Fishergate Ward
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
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  
McIlveen

Strensall Ward

Doughty  
Wiseman

Westfield Ward

Burton  
Williams

Wheldrake Ward

Barton

Apologies for absence were received from Councillors Boyce,  
Hodgson and Watt.

## 75. 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 **prejudicial** interests were declared and the Members took no part in the discussion or voting on these items:

Councillor	Agenda Item	Description of Interest
Alexander	12B (i) Notice of Motion – Housing	In relation to the suggested Right to Buy exemption as a resident of a Housing Association property covered by this provision
Steward	12B (iv) Notice of Motion – Cost of Living	As an employer of staff receiving the Living Wage

The following **personal** interests were declared:

Councillor	Agenda Item	Description of Interest
Healey	12B (iv) Notice of Motion – Cost of Living	As the owner of a business
Richardson	12B (iv) Notice of Motion – Cost of Living	As the owner of a business and a member of Unite
Wiseman	8. Recommendations of the Gambling, Licensing & Regulatory Committee – Community Governance Review	As a longstanding Member of Earswick Parish Council

## 76. Minutes

Resolved: That the minutes of the Special Council meeting and the Ordinary meeting held on 11 December 2014 and the Budget Council meeting held on 26 February 2015 be approved and signed by the Chair as correct records.

## **77. Civic Announcements**

The Lord Mayor reminded Members of the commemorative event, he had attended on behalf of the city, prior to the meeting, at York Minster to commemorate the reburial of Richard III in Leicester.

The Lord Mayor also announced receipt of the gift of an embroidered Mandala panel, an artwork produced by young carers to record, share and celebrate the cultural heritage of York's multicultural society. This had been presented to him following the Yorkshire Fair Trade Schools Conference held at St John's University on 12 March and would be put on display in a civic building.

Finally the Lord Mayor wished all Members good luck if they were standing for re-election on 7 May. He also conveyed his best wishes to all those Member that were not standing for re-election for their work and service to the Council and the cities residents during their term of office.

## **78. Public Participation**

The Lord Mayor announced that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

## **79. Petitions**

Under Standing Order 7, petitions were presented by the following Members for reference to the Corporate and Scrutiny Management Committee, in accordance with the Council's new petition arrangements:

- i) Cllr McIlveen, on behalf of local residents, calling upon the Council to use those powers that they had to reduce anti-social behaviour taking place on privately owned land forming part of Clifton Moor Retail Park, in liaison with the owners and occupiers of the Retail Park and North Yorkshire Police.<sup>1</sup>
- (ii) Councillor Waller, on behalf of local residents, calling upon the Council to bring back proposals for the Lowfields Care Village, acknowledging the need for provision of services for an aging population in the city and the restricted road network to access the site.<sup>2</sup>

- (iii) Councillor Waller, on behalf of local residents, requesting that a pedestrian crossing is established at the crossing point on Askham Lane to Westfield School in order to assist with the safe crossing by residents, especially school children, on this busy road. <sup>3</sup>
- (iv) Councillor Aspden, on behalf of local residents, calling upon the Council to adopt Nevinson Grove, Stirling Grove and Wilsthorpe Grove in order to allow the roads and footways to be included in future resurfacing plans. <sup>4</sup>

#### Action Required

1-4. Refer to Corporate & Scrutiny Management Committee and appropriate Officers.

JP

### 80. **Report of Cabinet Leader and Cabinet Recommendations**

A written report was received from the Cabinet Leader, Cllr Daf Williams, on the work of the Cabinet.

#### **A Questions**

Notice had been received of twenty two questions on the written report, submitted by Members in accordance with Standing Orders. The first seven questions were put and answered as follows and Cllr Williams undertook to provide Members with written answers to the remaining questions:

##### (i) From Cllr Steward

“Do you accept that the reason the Conservative Group initiated the Local Government Association’s review of City of York Council’s political culture was not because there was an objection to the ‘Strong Leader’ model of cabinet government, but included because the Labour administration and in particular certain members of the Labour cabinet operated in a deliberately opaque and punitively aggressive manner towards opposition councillors and officers when they did not agree with the administration’s policies?”

#### **The Leader replied:**

*“I believe Cllr Steward to be an honourable man so if he says those were the motivations for the Conservative Group I entirely accept him at his word. However, that does not mean that I agree with the Conservatives perception about the conduct of the Labour Cabinet, which is a picture I do not recognise at all.”*

(ii) From Cllr Waller

“Regarding enforcement, residents have asked for information on the locations checked by the camera car such as schools. Why is the Council unable to provide this information?”

**The Leader replied:**

*“Councillor Waller needs to do his research a little better. The Council is able and has provided the information which it took me all of three minutes to find on the Council’s website when researching the answer to this question. For schools which Cllr Waller specifically mentions, the information can be found at:*

*[http://www.york.gov.uk/directory/5/primary\\_schools](http://www.york.gov.uk/directory/5/primary_schools)”*

(iii) From Cllr Warters

“The Leader refers to a new residential care home in the community hub in Burnholme, I will ask the same question I have asked numerous times at Cabinet without a satisfactory answer. Will the Leader rule out any development on the sports pitches and green field elements of the Burnholme school site and if not why not?”

**The Leader replied:**

*“Cllr Warters certainly should win the Lord Mayor’s Special Star Prize for persistence. Whether he would win the prize for effectiveness is rather more debatable.*

*I can only repeat what I have said before. There are no plans to build on the playing fields at the Burnholme site and whatever happens there the total provision for playing field space will remain at least as much, if not more. It is possible that this could be reconfigured to allow the space to work better, but the total playing field space on that site will not be reduced.”*

(iv) From Cllr Barton

“Can the Leader explain why, given his proclaimed desire to “protect the Greenbelt”, every time a Travellers Site is proposed (and subsequently abandoned in the face of public opposition) in York South, it always seems to be on a Greenbelt site?”

**The Leader replied:**

*“It is a legal requirement to provide space for traveler accommodation. The specific allocation of those sites within the*

*Local Plan is based on professional guidance from our planning and housing officers.”*

(v) From Cllr Ayre

“Could the Cabinet Leader give an example of when Cllr Steward has made a “very positive” contribution to Cabinet proceedings?”

**The Leader replied:**

*“Cllr Steward has made a positive contribution to every Cabinet meeting since he has been sitting at the table. I re-iterate that it is a great shame that the Liberal Democrats have chosen not to take part in proceedings and so they have intentionally denied themselves a voice on the key decision making body of this authority. The electorate may wish to reflect on this when they make their choice on May 7<sup>th</sup>.”*

(vi) From Cllr Steward

“Regarding the West Yorkshire Combined Authority and the current direction of travel towards further devolution, would you support an elected mayor for the combined authority along the Manchester model?”

**The Leader replied:**

*“I believe in devolution and as such I believe it should be for the people of York and West Yorkshire to decide on the governance arrangements for the authority and that it should not be dictated to us by George Osborne and Nick Clegg.*

(vii) From Cllr Reid

“According to the officer report at the Cabinet Member’s Decision Session on 19<sup>th</sup> March there was a “clear winner” in the bid to takeover Oliver House (providing 30 apartment retirement homes). Why was the Cabinet Leader therefore unable to come to a decision about the sale?”

**The Leader replied:**

*“I believed that given the large level of interest in the decision that it would benefit from the increased scrutiny of a decision by the full cabinet and not just one member.”*

(viii) From Cllr Warters

“At the public inquiry into Derwenthorpe in 2006 City of York Council’s case against alternative sites mentioned the Lowfields school site as only being suitable for future development on the existing built footprint, is this still the case?”

**Reply:**

*“The Lowfields school site is a draft allocation (H5) in the emerging Local Plan. The entire site (including the playing fields) was considered through the Local Plan Site Selection process after being submitted through the Call for Sites in 2012. The existing playing fields were excluded from the developable area as they were existing open space (part of criteria 2 of the local plan site selection methodology). The Preferred Options Local Plan consulted on during Summer 2013 allocated the remaining 2.24 ha site (including the built footprint of the school) for housing.*

*The whole site (including the existing playing fields) was re-considered as part of the Further Sites Consultation in Summer 2014. The technical officer assessment concluded that the loss of this openspace would have a detrimental impact on the urban landscape. The Publication Draft Local Plan which was approved by Cabinet in September 2014 continued to include the site as draft allocation H5 excluding the playing fields.*

*Following the motion agreed at Full Council in October 2014, the publication draft of the York Local Plan has not yet progressed through its statutory consultation pending further consideration of the Council’s housing requirements. As such, there is a possibility that the position in relation to this site may change when the Local Plan recommences its passage to adoption after the elections.”*

(ix) From Cllr Barton

“As part of the Leaders ambition to “protect the Greenbelt”, does he plan to abandon yet the third proposed invasion into the York South Greenbelt, this time in Naburn, by a desperately unpopular Travellers Site?”

**Reply:**

*“I am sensing a theme here. It is unfortunate in his last set of questions at Full Council that Cllr Barton is displaying this rather distasteful attitude towards the travelling community using words like ‘invasion’ in this context.*



*The detailed set of proposals on the allocations of accommodation sites within the Local Plan is still under consideration.”*

(x) From Cllr Cuthbertson

“Could the Cabinet Leader be honest with the public and accept it is not down to the current administration that crime figures have fallen and it was not down to the previous administration that they rose for a single year (after falling between 2003 and 2010). Please can he just congratulate the Police for their hard work and not continue to spin like his predecessor?”

**Reply:**

*“I am happy to congratulate the police for their hard work. I am also happy to re-state that crime increased in York during the last year of Liberal Democrat control and crime has fallen sharply every year during the last four years of Labour control.”*

(xi) From Cllr Steward

“On housing, are you not in danger of confusing national trends with local needs when you speak of a “housing crisis” in York, and do you not agree that one can accept that York needs more new homes whilst differing on the number of new houses that York actually needs?”

**Reply:**

*“This question neatly demonstrates the dividing between Labour and the Conservatives in York.*

*York has a housing crisis and the fact that Cllr Steward even asks if I am confusing that with a national trend just shows how staggeringly out of touch with the normal working people of York he is.*

*In 2013 the average income in this City was £24,990 per year. The average house price in the same year was £211,844 – eight and a half times the average income. Since then the problem has become worse and you will struggle to find a family sized home on the market for less than £190,000, around eight times average incomes. No mortgage lender will lend someone anything like eight times their gross annual income. In fact, to buy a house on the mean average value in York in 2013 you need to earn around £53,000 to get a*

*typical mortgage at four times your annual income. This is well beyond the income of the typical working family in York.*

*Which means renting is the only option for working families in our city. But in 2013 the average monthly rent level was £738. Meaning that many people are paying 60% or more of their monthly income to meet the cost of their housing needs and far too many working families in York are forced to live in over-crowded houses.*

*We need more houses to fix this simple supply and demand issue. Labour in York get this. And for as long as the Conservatives speak about housing as they do, they continue to demonstrate how out of touch with working families they have become.”*

(xii) From Cllr Aspden

“The Cabinet Leader claims that the ‘Leader and Cabinet Model’ enables councillors to be “held accountable” for decisions. Could he therefore detail which Cabinet Member has been held accountable for the botched Lendal Bridge trial or the £187,000 loss-making ‘Grand Departy’?”

**Reply:**

*“Cabinet Members are accountable to the public in a way you will not see under the committee system. If Cllr Aspden disagrees with this, as he appears to from the Lib Dem motion, then he can put forward his alternative and we can all vote on it.”*

(xiii) From Cllr Steward

“What are the “long cherished views” on which you and your group are willing to compromise in order to pass a Local Plan that is acceptable and fair to all residents?”

**Reply:**

*“Let us have a sensible discussion based on you accepting the genuine need for more housing in York and we will see what compromises are to be had.”*

(xiv) From Cllr Orrell

In order to progress an “evidence-based” Local Plan, how will the Cabinet Leader revise the current proposals in light of the recent ruling on the Brecks Lane site and the recent government projections on household growth?

**Reply:**

*“As Cabinet Leader I will not be revising anything. Officers will take account of the projection figures and bring forward options for LPWG Members to consider. The ruling on Brecks Lane I don’t feel will have quite the impact on the Local Plan many Members believe it will.”*

(xv) From Cllr Steward

“Given all developments, not least the recent Department for Communities and Local Government revision to population projections and the Durham Planning Inspector’s view on their Local Plan, what current level of annual housing demand do you support?”

**Reply:**

*“I think the question is about what level of supply rather than demand I support. I wish demand were not so high but we live in a highly attractive city with a great quality of life for most residents. That makes people want to live here.*

*The level of annual supply I support is one that is evidenced based and I look forward to officers presenting that evidence and proposals at the next Local Plan Working Group.”*

(xvi) From Cllr Waller

“Why is the Council preventing residents in Gale Farm Court from introducing CCTV to the entrances of the complex despite this being how they want to spend their allocation of the Estate Improvement Grant?”

**Reply:**

*“For the second time in these questions Cllr Waller is factually wrong. The council isn’t preventing the installation of CCTV to the entrance to Gale Farm Court, we have been exploring the options available. The intention is to fit CCTV to the entrance of the scheme.”*

(xvii) From Cllr Reid

“If the Cabinet Leader wants the Council to become more transparent - and in the light of the Audit report on the allocation of the highways maintenance budget which criticised behind closed doors decision making - why was the highways programme for 2015/16 decided by a council officer using delegated powers and

without the meeting agenda being publicised until after the decision had been taken?”

**Reply:**

*“The Internal Audit Memorandum on this matter (referred to at the Audit & Governance on 25 March 2015) says that:*

*Members should be asked to approve the overall budget and principles to be used in allocating funding. Officers should determine actual schemes to be undertaken in accordance with the budget and principles set by Members.*

*The budget for the highways programme was set by full Council at its last meeting on 26 February. The principles for allocation are based on a full visual inspection of the highways network in accordance with the ‘Well Maintained Highways’ codes of practices which together with safety, location, usage, accidents, hierarchy, affordability and complaints form the scoring which underpins the scheme allocation. These have not changed in recent years and are well established.*

*Officers therefore allocated the capital programme in accordance with the advice of the Auditors. The final decision was taken by the Director in accordance with her delegated powers under the Council’s Constitution on 18 March and the relevant report was published on 19 March at 12:51. There is no requirement for advance publication of the papers.”*

(xviii) From Cllr Ayre

“Does the Cabinet Leader believe that the Labour Cabinet were being “honest with people” when in April 2013 they pushed on with public consultation on Local Plan proposals despite being told by council officers and consultants that evidence (on housing need) in the consultation was out-of-date and incorrect?”

**Reply:**

*“I think Cllr Ayre, not for the first time, is seeking to spin this as something it quite obviously is not. The consultation involved asking the public for their views on various options for annual housing targets, with the caveat that new household projections due out were likely to result in a reduction of those targets. We did not at any point say the options were all based purely on household projections, historic shortfall was always a consideration as well.”*

(xix) From Cllr Aspden

“Does the Cabinet Leader agree with Ed Miliband that the New Homes Bonus should be scrapped?”

**Reply:**

*“If it is replaced with a more sensible funding formula for local government then I’d have no problem with it. I hope Coun. Aspden will be seeking a better settlement for York residents following his party’s role in supporting a Tory led Government hell bent on ideological cuts to local councils.”*

(xx) From Cllr Waller

“When was the Cabinet Leader informed that Option 1, Lowfields Care Village, was being abandoned due to the financial model not working?”

**Reply:**

*“I have been aware throughout the whole process – as indeed all councillors should have been, since it was made explicit in the report presented to cabinet on 4<sup>th</sup> June 2013 – that there were risks associated with this project and that there was a chance the bidders might not be able to come back with a proposal that met all the criteria we had set out within the funding available.*

*It became conclusive that the council could not proceed with the procurement process when officers brought a report to cabinet in March, which clearly set out the affordability gap (of £1.5 million year on year) between the funding that was allocated to the project and the best offer on the table from any of the potential bidders.”*

(xxi) From Cllr Waller

After learning that the plan for Lowfields Care Village was being abandoned what action did the Cabinet Leader take as a consequence between then and the Cabinet report papers going public?

**Reply:**

*“I took action to ensure that there was a comprehensive and strong plan for the future of older people’s accommodation in this City which is what the Council is proposing. I still await with eager anticipation to hear what plans the Liberal Democrats have for the future of older people’s accommodation.”*

(xxii) From Cllr Waller

“In terms of enforcement and as a precursor to the new ASB Hub could the Cabinet Leader say how many penalty notices have been given for parking around schools - broken down by school for the last six months?”

**Reply:**

*“I am advised by officers that it will take some time to compile the data to answer this question. I will write to him with a full answer once the data is available.”*

**B Cabinet Recommendations**

Capital Programme – Monitor Two 2014/15

Cllr Williams moved, and Cllr Simpson-Laing seconded the following recommendation contained in Minute 72 of the Cabinet meeting held on 16 December 2014:

Recommended: That Council agree the adjustments in the Capital programme of a decrease of £3.764m in 2014/15 as detailed in the report and contained in Annex A.

Reason: To enable the effective management and monitoring of the Council’s capital programme.

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

Resolved: That the above recommendation in respect of the Capital Programme – Monitor Two be approved.<sup>1</sup>

Replacement of Ordnance Lane Homeless Hostel

Cllr Williams moved, and Cllr Simpson-Laing seconded the following recommendation contained in Minute 74 of the Cabinet meeting held on 16 December 2014:

Recommended: That Council use £3.56m from the Housing Revenue Account Investment Fund to demolish the existing accommodation and rebuild the new hostel. Any material changes will be reported to full Council through the capital monitoring process.

Reason: To release funding from the HRA Investment Fund to finance the required new hostel accommodation.

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

Resolved: That the above recommendation in respect of funding for the replacement of the Ordnance Lane Homeless Hostel be approved.<sup>2.</sup>

### Yorwaste Limited and Implementation of the Teckal Exemption

Cllr Williams moved, and Cllr Simpson-Laing seconded the following recommendations contained in Minute 123 of the Cabinet meeting held on 3 March 2015:

Recommended: That Council be asked to confirm:

- (i) The City Council is supportive of the County Council's recommendation to its Executive that the County Council takes the steps necessary to facilitate Yorwaste Limited's obtaining Teckal compliant status.
- (ii) That delegated authority be given to the Director of Customer and Business Support Services (acting in consultation with the Director of City and Environmental Services and the Assistant Director (Governance & ICT) to:
  - to adopt new articles of association (as a shareholder of Yorwaste Limited) to evidence the control condition;
  - enter into a Shareholders Agreement with Yorwaste Limited and NYCC to evidence the control condition;
  - enter into a non binding collaboration agreement with Yorwaste Limited and NYCC and other such documents as necessary;

- take such steps and enter into such documents as necessary to approve the transfer of the shares of SJB Recycling Limited once satisfied that due diligence is complete and legal and financial advice has been provided identifying the most appropriate route;
- take any ancillary steps necessary to meet the control condition or the economic dependence condition required to assist Yorwaste Limited in achieving Teckal compliant status; and
- award future waste management to Yorwaste Limited without the need for a competitive procurement exercise if the tests required to make use of the Teckal exemption have been satisfied.

Reason: In order to facilitate Yorwaste Limited meeting the control condition and the economic dependence condition required to utilise the Teckal exemption thereby enabling the Council to award contracts for future waste management contracts to Yorwaste Limited without conducting a competitive procurement exercise.

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

Resolved: That the above recommendations to facilitate Yorwaste Limited obtaining Teckal compliant status be approved.<sup>3.</sup>

Action Required

- |   |    |
|---|----|
| 1. Amend Capital Programme accordingly.   | RB |
| 2. Proceed with works and use of monies from the HRA Investment Fund.                               | AK |
| 3. Confirm to NYCC, CYC's support and note delegation to Officers in respect of legal requirements. | AD |

**81. Recommendations of the Audit and Governance Committee**

As Chair of the Audit and Governance Committee, Councillor Ayre firstly moved, and Cllr Brooks seconded, the following recommendation, in respect of proposed changes to the Council's



Contract Procedure Rules contained in Minute 74 of the Audit and Governance Committee meeting held on 11 February 2015:

Recommend: *[That Council agree]*

That the Contract Procedure Rules, as set out in the annex to the report, be adopted and included within the Council's Constitution.

Reason: So that the Council has controls in place to ensure that procurement activity is effective and lawful.

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 11 February 2015 be approved. <sup>1.</sup>

Secondly, Councillor Ayre, moved and Cllr Brooks seconded, the following recommendations, in respect constitutional changes required in relation to the accessing of information rules contained in Minute 75 also from the meeting held on 11 February 2015:

Recommend: *[That Council agree]*

- (i) That the rules in the annex to the report be included in the Constitution. <sup>2.</sup>
- (ii) That the Monitoring Officer make consequential changes to the Constitution. <sup>3.</sup>
- (iii) That the Monitoring Officer bring a report to a future meeting of the Audit and Governance Committee in relation to guidance to officers on recording decisions. <sup>4.</sup>

- Reasons:
- (i) To ensure that the Council has effective and accessible rules in place.
  - (ii) To ensure that the Constitution is kept up to date.
  - (iii) To allow Members to comment on the guidance.

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

Resolved: That the above recommendations of the Audit and Governance Committee meeting held on 11 February 2015 be approved.

Action Required

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|--|----|
| 1/2. Include revised rules in the Council's Constitution.                                    | JC |
| 3. Make any necessary changes to the Constitution in respect of access to information rules. | AD |
| 4. Prepare officer guidance on recording decisions and schedule item on A&G workplan.        | AD |

**82. Recommendations of the Gambling, Licensing and Regulatory Committee**

As Chair of the Gambling, Licensing & Regulatory Committee, Cllr Aspden moved and Cllr Runciman seconded, the following recommendations contained in Minute 7 of the meeting of that Committee held on 23 February 2015:

**City Of York Council Community Governance Review**

Recommended: (b) That Council approves the following two items and instruct Officers to complete the necessary formalities:

- An increase in the number of Parish Councillors for the Parish of Earswick from five to seven.
- The alteration of the cycle of elections for the Parish of Strensall with Towthorpe to be the same as all other parish councils, commencing with next full elections on Thursday 7 May 2015.

(c) That Council confirm that no other changes to community governance arrangements are to be pursued at this time.

Reason: To allow better local representation for the electors of the parishes.

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

Resolved: That the recommendations in relation to the City Of York Council Community Governance Review from the Gambling, Licensing and Regulatory Committee meeting held on 23 February 2015 be approved. <sup>1</sup>.

Action Required

1. Proceed to complete the necessary formalities in relation to the two Parish Councils concerned. AF

**83. 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 105 to 109, on the work of the Committee.

Councillor Galvin expressed his thanks to the Scrutiny Officers and all Members involved in scrutiny reviews over the past year for their work and then moved receipt of the report and it was

Resolved: That the scrutiny report be received and noted.

**84. Report of Cabinet Member**

Council received a written report from Councillor Looker, Cabinet Member for Education, Children and Young People.

Notice had been received of fourteen questions on the written report, submitted by Members in accordance with Standing Orders. The first four questions were put and answered as follows and Cllr Looker undertook to provide Members with a written answer to the remaining questions.

(i) From Cllr Aspden

“Can the Cabinet Member explain why nationally the performance gap between disadvantaged pupils and their peers at Key Stage 4 is narrowing, but in York it is widening?”

**The Cabinet Member replied:**

*“Nationally the gap between disadvantaged pupils and their peers has remained static over the last three years with the gap remaining at 26% nationally. In York between 2012 and 2013 we were narrowing the gap at a faster rate than national.*

*In 2014 the gap has widened largely due to contextual issues related to the disadvantaged Year 11 cohort in 2014. This particular cohort had with many pupils experiencing multiple challenging characteristics – among other factors, three-quarters of them had low prior attainment at the end of Key Stage 2. Thus, in context their outcomes were about in line with reasonable expectation.*

*Due to the small size of the disadvantaged cohort (288 pupils in the 2014 Y11) the City’s data can see wide fluctuations based on the contextual mix within the cohort. In any year group a higher proportion of disadvantaged pupils in York have special educational needs than is the case nationally and this impacts on the attainment performance indicator, 5A\*-C including English and mathematics.*

*In 2014 the percentage of the disadvantaged cohort achieving 5A\*-G was 2 percentage points higher than the national average (York 88%, National 86%) and the gap was the same as the national gap at 9%.”*

(ii) From Cllr Brooks

“Does the Cabinet Member agree that little or no progress was made under the previous two administrations to narrow the gap between disadvantaged pupils and their peers?”

**The Cabinet Member replied:**

*“York has historically had wide gaps – these predate the current administration.”*

(iii) From Cllr Runciman

“The Cabinet Member states that there has been some ‘progress in narrowing the gap’ between disadvantaged pupils and others and mentions new initiatives to achieve further progress. Will she describe those new initiatives and say how and when she feels the gap will narrow further?”

**The Cabinet Member replied:**

*“Initiatives in Early Years to develop speech and language and early literacy eg the FRED initiative (Fathers Reading Every Day) have resulted in the gap narrowing by 8 percentage points in 2014.*

*The refocusing of the work of the Children's Centres to focus on improving the engagement with the most disadvantaged families is a key strand within the Childrens Centre transformation.*

*Detailed analysis of the disadvantaged cohort in the current Year 6 to provide schools with intelligence about the potential barriers to learning experienced by the York 300 cohort. Our schools are working hard to close the gap and in order to help them to target their interventions more precisely we been identifying the characteristics of underperforming groups. We are working with schools to build a clear profile of the pupil groups who are most likely to under achieve.*

*A cross party scrutiny of the work schools are doing to narrow the gap and a task group of the Learning and Culture scrutiny committee are due to publish their report in to how schools are using the Pupil Premium to close the gaps on 24 February 2015.*

*On 9 December 2014 we held a Pupil Premium Conference led by Sir John Dunford, the National Pupil Premium Champion. This conference focused on sharing national and local case studies of best practice and encouraged participants to develop an action plan to review and develop their use of the pupil premium. The conference was attended by head teachers, governors and elected members from the Learning and Culture Scrutiny Committee task group.*

*The six geographical school clusters have been funded to focus their action plans on closing the gap.*

*Work with schools is taking place to develop a city wide closing the gaps strategy which will incorporate the recommendations from the Learning and Culture Scrutiny Committee Task Group report.*

*The securest way to narrow the gap is to ensure that gaps are closing in early years and that disadvantaged children are then securely supported at points of transition. The gaps between the disadvantaged cohort and their peers have been a long standing issue in York and pre-date the introduction of national initiatives such as the Pupil Premium. The work that schools, particularly primary schools, are currently doing to narrow the gap are beginning to have an impact as shown by the recent letters to three primary schools highlighting the success of the work they've done to narrow gaps. Closing the gaps in early years and primary are crucial to securely closing the gap at KS4."*

(iv) From Cllr Brooks

“Was the selling off of Castlegate originally proposed in the Transformation programme influenced by the then ongoing correspondence with York Civic Trust concerning it buying Castlegate?”

**The Cabinet Member replied:**

*“No, the proposal was focused on developing a more sustainable and holistic model for providing the Castlegate services to young people. It was felt that the model could be enhanced if a range of services for young people could be accessed from one site (West Offices) and that this would mean that young people would have greater direct access to the full range of specialist services provided by CYC and partners eg Housing, Job Centre plus, Citizens Advice etc.”*

(v) From Cllr Aspden

“After a U-Turn on the plans to close Castlegate as part of the ‘transformation programme’ could the Cabinet Member outline the progress made in securing a future for the services currently offered at Castlegate?”

**Reply:**

*“A further period of consultation with young people has taken place and the findings from this have been shared with the members of the YorOk board.*

*A working group of representatives from the YorOK partnership has been formed and has met twice since January to discuss and develop new proposals to secure the future of the services currently offered at Castlegate. This group includes representatives from the 3<sup>d</sup> sector, health and education.*

*A group of staff from Castlegate are continuing to investigate the mutual/social enterprise model as a possible option.*

*Discussions with a number of partners, including health, are continuing to take place to inform the development of sustainable model for the services currently offered at Castlegate through developing a partnership delivery model.*

*Following the next meeting of the working group an options paper will be submitted to the YorOK board.”*

(vi) From Cllr Cuthbertson

“The report says that schools will take a central role in a sector-led system of school-to-school support. Will the Cabinet Member state how schools involved with these new school-to-school improvement arrangements can be certain that their own school is not disadvantaged whilst they are supporting others?”

**Reply:**

*“There are two Teaching School Alliances in York, five National Leaders of Education, eight Local Leaders of Education and twenty eight Specialist Leaders of Education. This forms part of the national framework for school to school support which has been actively encouraged by the Department of Education; research from the National College for Teaching and Leadership also shows that schools involved in school to school support benefit from the experience as it provides the opportunity to share best practice and develop the leadership skills of teachers across a school.*

*This practice is already happening in York schools both providing support within York and also in other Local Authorities, this has not had any adverse impact on the school; most Head teachers and teachers are very positive about the opportunities it provides to support professional development across the school from the Head teachers themselves, through middle managers to and classroom teachers.*

*Clusters are already leading on this approach and seeing real improvements in the quality of teaching. The work is school led and has involved and has involved the development and delivery of coaching programmes to move schools requiring improvement to good.*

*These schemes are always developed after an analysis of risk and importantly only those schools that have the secure capacity to provide school to school support are commissioned to be providers of support.”*

(vii) From Cllr Orrell

“How much success has the Cabinet Member had in working together with the Youth Offending Team (YOT) and the police to reduce the number of first time entrants to the criminal justice system?”

**Reply:**

*“As Cabinet Member I meet regularly with the YOT Manager to discuss the youth justice and prevention services. I have regular access to all YOT Management Board strategic meetings and performance data. I have included the YOT Manager as a full member of the YorOK Board and first time entrants are a key indicator on the Children and Young Person’s Plan and reported and monitored regularly by the YorOK Board, which I chair.*

*The YOT has developed a Triage and Diversion Scheme with the police to offer alternatives to entering the formal criminal justice system, and this began in November 2013. Initial indications of the scheme’s effectiveness show reoffending rates are less than 10% of the cohort.*

*Between April 2011 and March 2012 there were 122 first time entrants to the youth justice system in York. Between January and December 2014 this had fallen to 64. This is effectively a 47.5% reduction, and puts York on a par with the latest England average.”*

(viii) From Cllr Runciman

“Will the Cabinet Member give the reasons for the widening gap at Key Stage 4 compared to the narrowing gap at Key Stage 2 and state what one key stage can gain from the experience of the other?”

**Reply:**

*“As mentioned in my first answer to Cllr. Aspden the disadvantaged cohort in York is small (288 pupils in the 2014 Year 11). So the City’s data can see wide fluctuations based on the contextual mix within the cohort. As I also mentioned before in any year group York has a higher proportion of disadvantaged pupils who also have Special Education Needs than is the case nationally and this obviously impacts on the attainment performance indicator of 5A\* -C including English and Mathematics.*

*The 2014 cohort entered KS4 with wide gaps, and their performance was compounded by the changes to the examination system and performance tables in 2014. The removal of non-GCSE equivalent qualifications and the limited opportunities for high quality vocational learning in KS4 also had an impact on the attainment in particular schools in 2014.*



*We are very much focusing on transitions between primary and secondary schools for all our pupils and it is increasingly a focus of the work taking place in clusters. Developing and strengthening cross phase links are a key driver for the more formal partnerships which are currently being explored by some schools.”*

(ix) From Cllr Runciman

“The Cabinet Member claims that existing children’s centre sites are being retained. Could she outline how the services within them are to be retained also or enhanced?”

**Reply:**

*“The Children’s Centre workforce has now been restructured focusing on retaining the skills needed to support the statutory offer from Children’s Centres. We are focusing the work ever more closely on improving the outcomes for disadvantaged children and their families. All 9 Children’s Centres are remaining open and are developing service delivery models more closely aligned to the needs of their localities.*

*Key to this is working ever more closely with key partners – schools, health and the third sector – so that we can enhance the offer from each Children’s Centre.”*

(x) From Cllr Cuthbertson

“In terms of the skills agenda, what is the Cabinet Member doing to work with employers to promote learning in the workplace as an alternative to school, college or apprenticeships?”

**Reply:**

*“Work currently taking place to develop the City’s economic strategy is involving engagement with employers and providers of skills training. This is informing the analysis of the City’s future skills needs. This takes alongside the working taking place in the regional LEPs.*

*We are seeking to influence schools and colleges to better align the curriculum with the needs of the local economy and to encourage links between schools and employers in key industries such as construction and rail”.*

(xi) From Cllr Runciman

“What is the Cabinet Member doing to work with employers to promote learning in the workplace as an alternative to school, college or apprenticeships?”

**Reply:**

*“There is an identified priority within our Local Area Statement of Need around the development of traineeships and have formed a project group with the major providers of work based training opportunities to develop traineeships and other work based learning routes for young people particularly those not qualified to Level 2 at age 16.*

*It should be noted that 16-19 study programme principles require that all young people taking vocational programmes undertake substantial work experience and also encourage its inclusion in the programmes of academic learners. The national policy focus on work experience and work related learning is now firmly centred within post 16 and not at Key Stage 4.”*

(xii) From Cllr Runciman

“ Will the Cabinet Member describe the work that is being undertaken to raise’ the aspirations of girls who are struggling’ as mentioned in her report?”

**Reply:**

*“Girls mentoring schemes are in place in a number of secondary schools. The work taking place to further develop the CEIAG offer across the city and in particular to develop girls understanding of the opportunities offered by apprenticeships are also a key strand in the work.*

*The development of the emotional and mental health pilots in two clusters in the city will also be used to focus on developing a clearer understanding of the emotional health and well being needs of girls which impact on their aspirations and achievement.*

*Higher York has secured funding for some HEFCE outreach work which will provide support for groups of young people under-represented in HE.*

*It must be noted that the move away from course work and a greater requirement for the one exam at the end of the year does not help girls in the assessment of their overall achievements.”*

(xiii) From Cllr Runciman

“The Cabinet Member reports that 170 Early Help Assessments have been made. How can she assure council that these have led to tangible and sustainable outcomes for the families concerned?”

**Reply:**

*“The City’s refreshed Early Help Strategy provides for a range of early assessment tools to be in place. These will be deployed, depending on the context, nature and extent of the issues children/young people and their families are facing. The Early Help Offer for the City is a collaborative venture with a wide range of partner agencies including colleagues from the Local Authority, Health, the Police, Schools and the Voluntary Sector.*

*As a very high level indicator of success it is fair to report that the significant and sustained reduction in the number of children and young people entering care in York is in part attributable to the effectiveness of the City’s preventative and Early Help strategy.*

*The Children’s Safeguarding Board has final responsibility for ensuring these arrangements are safe and effective and the Board receives regular reports on this activity.”*

(xiv) From Cllr Runciman

“Several members attended the meeting with some of the city’s children who are looked after. Can the Cabinet Member tell us what has happened to address the issues and concerns brought up at that meeting and how that will be fed back to the young people concerned?”

**Reply:**

*“There is extensive ongoing consultation and engagement with our looked after children and young people in relation to every aspect of their care.*

*The Show me that I Matter Panel, and I Matter Too group’s views and concerns are at the heart of the refreshed Looked After Children’s strategy for the City that is currently being developed.*

*The issues raised at the useful and innovative meeting between Corporate Parenting Board and Show me that I Matter Panel is one part of this consultation. There will be specific feedback to the young*

*people as things move on and when appropriate the Corporate Parenting Board will also receive a report.”*

#### **85. Pay Policy 2015/16**

Councillor Williams, as Cabinet Leader and Cabinet Member for Finance and Performance, presented a written report detailing the Council's Pay Policy Statement for 2015/16 relating to the pay of the Council's senior staff and any Chief Officer pay increases for local consideration, 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 Simpson-Laing.

Resolved: That the motion in respect of the Pay Policy Statement for 2015/16 be approved.

Reason: In order to fulfil the requirements of Section 38 – 43 of the Localism Act 2011 for the council to produce and publish an annual policy statement that covers a number of matters concerning the pay of the council's senior staff, principally Chief Officers and relationships with the pay of the rest of the workforce.

#### **86. Activities of Outside Bodies**

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

- Local Government North Yorkshire & York – Employers Committee - 20 November 2014
- North Yorkshire Fire and Rescue Authority – 10 December 2014
- Pension Fund Sub-Committee – 21 November 2014
- North Yorkshire Police & Crime Panel – 15 January 2015
- Quality Bus Partnership – 15 December 2014
- York NHS Foundation Trust – 10th December 2014

No questions had been submitted to representatives on outside bodies.

## 87. Suspension of Standing Orders

Councillor King moved and Councillor Scott seconded a motion to suspend Standing Orders in order to allow five Notices of Motion to be considered at the meeting.

Resolved: That Standing Order 12.2 not be suspended in order to allow five Notices of Motion to be considered at the meeting.

## 88. Notices of Motion

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

- (i) Housing Affordability  
(proposed by Cllr Merrett, seconded by Cllr Riches)

“Council recognises the depth of the housing and affordability crisis facing the younger generation in York and the country, with home ownership amongst the 25-34 year olds falling from 59% in 2004 to 36% in 2014. Council notes the even bleaker position in York with house prices **8.5** times average earnings.

Council also recognises that private sector renting correspondingly has more than doubled from 21% to 48%, and that private sector average rent levels rose from £153 per week to £176.40 in 2014, at a time when incomes have been significantly squeezed in real terms, particularly for younger workers. York now has the most expensive private rents - by a significant margin – for one, two & three bedroom properties in the region and north of England.

Council notes that many younger families and individuals are paying disproportionate amounts of their incomes on rents. Those on middling incomes cannot now realistically save for deposits for home ownership whilst those on lower pay face a lifetime paying out increasing rents, with one in five renters now dependent on housing benefit, with the bill to taxpayers twice what it was five years ago – a completely unsustainable trend. Lower rent council housing is under double pressure from loss of stock through Right to Buy sales (with only one in ten being replaced nationally) and increased demand.

Council therefore notes the various National party commitments to much higher levels of house building:  
Lib Dems 250-300k per annum

Labour 220k per annum  
Conservatives 200k starter purchase homes (albeit in place of  
Section 106 requirements)  
Greens 500k social need housing by 2020

These figures reinforce the need for early adoption of a local plan in York providing good levels of new and affordable housing for the city, and Council welcomes the major increase in housing permissions, including affordable housing requirements, that the Council has given in the last two years.

Council also agrees to support the cross party LGA proposals in their “Investing for our Nation’s Future – First 100 days of the next Government” report and agrees to the Chief Executive writing to the national parties in support of this, and also to the Secretary of State to make an immediate request for an exemption for York from the Right to Buy provision given the exceptionally difficult York housing picture.”

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) Draft Local Plan  
(proposed by Cllr Healey, seconded by Cllr Steward)

“Council notes that since York became a unitary authority that it has failed to secure a Local Plan and that it is now vital that a Local Plan which includes the wishes of residents is put in place;

Council believes that to date the proposed plan has favoured excessive housing growth based on a reliance on presumed high employment growth and associated in-migration which is not reflected in current statistics;

Council also believes that the reliance on such inflated statistics would fail an inspection, resulting in a verdict similar to that recently given by the Planning Inspector to the City of Durham Council, who said that their proposed local plan relying on similar high growth assumptions ‘represents an unacceptable risk’ and that it ‘necessitates huge releases of green belt land around the city, which I cannot support’;

Council also notes the recent DCLG census data which shows the level of demand for York is not as high as the current Labour plan and that a further reduction should be made to reflect this;

Council concludes that whilst the Labour administration's modest proposal to reduce housing numbers is a move in the right direction, it does not adequately reduce proposed building on the green belt, nor adequately reflect the number of brown field sites potentially available, possible windfall sites or differences of opinion regarding the amounts of safeguarded land necessary to be provided;

Council therefore instructs officers to review and present to Cabinet a revised draft local plan for York reflecting the number of houses actually needed and achievable in York rather than a plan based on assumptions of high growth which will not be supported at inspection."

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

Resolved: That the above motion be approved. <sup>2</sup>.

(iii) Committee System

(proposed by Cllr Aspden, seconded by Cllr Waller:

"Council Notes:

- The 2011 Localism Act gave local authorities new powers over their executive arrangements allowing them to operate a committee system. Subsequently, a number of councils including Sutton, Brighton, Reading, Norfolk and Hartlepool have moved to a committee-style system.

Council Believes:

- Since 2011 (under both a majority group rule and no overall control) the Cabinet and leader system has proved that it is not fit-for-purpose.
- Regardless of the results of May's elections, it is in the public interest for different political viewpoints to have an influence on the decision-making process and for decisions to be made in a more open and collaborative way.

- All councillors should have the opportunity to be involved in making real decisions on matters that affect their residents and be held accountable for them.

Council Resolves:

- To instruct Officers to bring forward proposals to change the Council's governance arrangements to implement a return to a committee system after May's local elections. Under this system executive power will be exercised by a number of committees made up of councillors in proportion to the political balance of the Council."

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

Resolved: That the above motion be not approved.

### **Order of Business**

It was then moved by Cllr Scott and seconded by Cllr King that in accordance with Standing Order 4.2.2, the order of business of the meeting be varied, in order to allow the fifth motion, relating to Councillor Champions, to be considered as the fourth motion. On being put to the vote it was

Resolved: That the order of business not be varied and no changes made to the order of the notices of motion.

At this point in the meeting, the guillotine fell and 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) Cost of Living  
(proposed by Cllr Burton)

"Council notes that those living in Yorkshire are £2,380 a year worse off on average in real terms compared to 2010 [1]. This is equivalent to almost a 9% pay cut, worse than the national average.

Council resolves to:



- Commit to the principle of a business rate discount for small businesses paying the Living Wage, as Labour-run Brent Council has done. This will in turn help support the small, independent businesses that make York special;
- Lobby for greater devolution to local government over regulation of bus fares and private tenancy rents, as the Local Government Association (LGA) Labour Group is doing. This is a particular issue in York which has the most expensive private rents - by a significant margin - in the region and north of England [2];
- Support the freezing of energy bills and the extension of free childcare, as a Labour Government would deliver. York's 2014 Childcare Sufficiency Assessment states that "Parents and carers expressing that they feel that childcare is not affordable is the strongest single message from families through the parental consultation."

In order to start tackling the cost of living crisis facing York residents."

[1] February 2015, Annual Survey of Hours and Earnings RPI adjusted

[2] Shelter Housing Databank

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. Write to national parties and the Secretary of State on the lines requested in the motion.                   | KE, TE                 |
| 2. Review and present to Cabinet a revised plan to reflect the number of houses actually needed and achievable. | SCT                    |
| 3. Lobby in line with the motions request.  | TE, KE, NF,<br>SCT, SW |

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

Thirty 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 (including Finance & Performance)  
from Cllr Steward:

“Does the council leader see York’s Combined Authority future as sitting in the West Yorkshire Combined Authority or does he think a different authority should be considered, whether entirely different or one including West Yorkshire plus other council areas, and, if he is prepared to consider other options what discussions has he had and what does he propose to have with North Yorkshire and East Yorkshire Councils?”

*“I have had private conversations with the Leaders of both North Yorkshire and East Yorkshire about these matters.*

*My view is that I would prefer a greater Combined Authority taking in all of West Yorkshire, North Yorkshire and East Yorkshire including Hull. How practical or desired by other this I do not yet know. However I believe a body on that scale is the best way to drive forward economic growth in our region.”*

(ii) To the Cabinet Leader (including Finance & Performance)  
from Cllr Aspden:

“Does the Cabinet Leader believe that with the publication of the latest household projections (Department for Communities and Local Government 27<sup>th</sup> February) the annual housing targets in York’s Local Plan should be revised down from the 926 figure agreed in December?”

“Yes.”

(iii) To the Cabinet Leader (including Finance & Performance)  
from Cllr Doughty:

“As the Cabinet Leader also has the main Finance portfolio responsibility within the Council, can he please tell Council when he first became aware that his own groups much-touted and failed Care Home programme was unaffordable?”

*“I have been aware throughout the whole process – as indeed all councillors should have been, since it was made explicit in the report presented to cabinet on 4<sup>th</sup> June 2013 – that there were risks associated with this project and that there was a chance the bidders might not be able to come back with a proposal that met all the criteria we had set out within the funding available.*

*It became conclusive that the council could not proceed with the procurement process when officers brought a report to cabinet in March, which clearly set out the affordability gap (of £1.5 million year on year) between the funding that was allocated to the project and the best offer on the table from any of the potential bidders.”*

(iv) To the Cabinet Leader (including Finance & Performance)  
from Cllr Ayre:

“Could the Cabinet Leader detail the results of the 2015/16 public budget consultation process?”

*“Please see Annex 8 of Financial Strategy, February Budget Cabinet.”*

(v) To the Cabinet Leader (including Finance & Performance)  
from Cllr Steward:

“Would a future Labour administration always try and take government council tax grant freezes if they are baselined?”

*“That rather depends on how much more of our budget a Government is going to remove and keep in Whitehall. If we are unfortunate enough to have another Conservative-led Government whose cuts continue unabated and we move from losing almost 50% of our grant towards 75% or more, then the answer is no.*

*If the ideological cuts to local government are stopped and we move to taking on our share of deficit reduction, and remain able to deliver our core functions by accepting freeze grants which remain in the base budget, then yes.”*

(vi) To the Cabinet Leader (including Finance & Performance)  
from Cllr Galvin:

“What are the current arrangements for the management and operation of the use of the Guildhall Complex, including staffing and security?”

*“The Guildhall complex has remained the responsibility of the Mansion House, Guildhall and Civic Services Manager since the council vacated in March / April 2013. In addition to council use, bookings for the main hall and former committee rooms have continued with reasonable levels of use and with forward bookings*

*being taken to Dec 2015 at this time. Other use includes; office rental to consultancy JMP who are delivering a council ittravel contract, Adult Education used the annex between Sept and Dec 2014, the Tour d Yorkshire team have an office there and space is used for theatre group rehearsals ahead of performances booked in the main hall / council chamber. The core staffing has remained with rota hours to cover events as required.*

*The security arrangements have recently changed with Gough Kelly (who have the WO contract) taking over the out of hours (7pm – 7am cover) for security and fire calls and also including for nightly inspection visits.”*

(vii) To the Cabinet Leader (including Finance & Performance)  
from Cllr Galvin:

“Are there any other alternative short or medium term proposals for the management and useage of the Guildhall complex, including staffing and security, which the Council ought to be aware of?”

*“There have been consistent requests for greater interim use and on 16 Dec 2014 Cabinet approved the investigation of interim use. Proposals are being sought from a number of organisations who have expressed an interest and these will be presented to Cabinet for consideration in June.”*

(viii) To the Cabinet Leader (including Finance & Performance)  
from Cllr Doughty:

“How will the Cabinet Leader ensure there is a full and open review into Labour's Care Home debacle?”

*“The only debacle I’m aware of is the calling in of the elderly people’s housing decision by the opposition, of which the reasoning was spurious to say the least. The original vision has been market tested and rather than plough ahead with a major funding gap and a market which was not able to deliver that vision, we have altered plans to reflect the changing nature of elderly people’s housing need within the funding envelope we have agreed. The new proposals are actually very positive and deliver a wider range of options that reflect different needs of elderly people in our communities.*

*The calling in was exposed for what it was and was rightly rejected by the committee.*

*We have learned lessons from the process and look forward to the outcome of the review commissioned by the Chief Executive when it is completed.”*

(ix) To the Cabinet Leader (including Finance & Performance) from Cllr Steward:

*“Will the leader use the last Full Council of this term to offer the first ever Labour apology for the Lendal Bridge debacle?”*

*I’m not going to apologise for trying something to tackle the congestion problem in the city. Of course I’m disappointed that it did not operate as I would’ve wished, but your question exposes what the Conservatives are all about and which was so ably highlighted by your former comrade when he left your benches.*

*“That is, that you have no plan for tackling congestion, only a plan to oppose anything a Labour council does to try and address it.*

*Without any commitment to a Congestion Commission, it would be illuminating for you to share with the electorate what you plan to do about congestion before the election. But I suspect we will all be waiting a long time for that.”*

(x) To the Deputy Cabinet Leader from Cllr Doughty

*“Does the Cabinet Member find it a worrying indictment on this Labour Council administration that in testament to the failure of engagement, the Freedom of Information process is now becoming commonplace as the only realistic means of route to elected Members as well as citizens of the city in obtaining some answers at least to questions that are vitally important to the running of the city? I would appreciate a yes or no”*

*“No.....and I say this in light of this Council being one of the most open and democratic Councils in the country. Whether Cllr Doughty, and those he asks this question on behalf of, accepts this or not is a matter for him to consider, what I am stating is fact and that the Council has followed the letter of the law.”*

(xi) To Cabinet Member for Leisure, Culture & Tourism from Cllr Barton:

*“How much to date has been spent on Consultants Fees, Officers Time and Overheads in preparation for the building of the Community Stadium?”*

*“To date £2,815,807 has been spent on the project overall. This includes capital expenditure on the construction of the new county standard athletics stadium at Heslington West and the provision of the new 3G floodlit pitch and support facilities that has been completed at York St John University’s Haxby Road sports ground.*

*I would remind Members that the CYC contribution to the overall project would be around £8m pounds with a total investment value of £47M.*

*Put in simple terms. For every £1 of public money invested £5 of private / external investment is being leveraged into York.*

*It would not be a simple exercise to separate out all of the project costs, consultancy and legal fees from this figure as some of the capital works have professional fee allocations within them. What I can say is that the current spend on project fees is well below industry standards for a project of this complexity and value.”*

(xii) To Cabinet Member for Leisure, Culture & Tourism from Cllr Barton:

*“Can she give an accurate date for “the first brick to be laid” in the planned Community Stadium?”*

*“As we do not yet have detailed planning consent and confirmation of the conditions attached to a consent, so it is not possible to give an accurate date for the laying of the “first brick”. Furthermore, significant pre-construction work and site enablement works are to be undertaken before that.*

*Subject to the planning process, construction is still programmed to begin in Summer 2015.”*

(xiii) To Cabinet Member for Leisure, Culture & Tourism from Cllr Barton:

*“Can she give an accurate cost to the Council, including all facets of the overheads incurred, for the building of the Community Stadium?”*

*“Members were provided with a breakdown of the estimated costs and risks at the Cabinet in September 2014 and the Council meeting in October 2014. The position has not changed. As reported then, the total cost to the Council can only be confirmed at the point of contract award. Authority to proceed with the project was given within the financial parameters set which are as follows:*

*The Council costs for the design, build, operation and maintenance of the Community Stadium Leisure Complex and the operation and maintenance of the City's Leisure portfolio:*

- £8M CYC capital contribution*
- £323K per annum revenue budget."*

(xiv) To Cabinet Member for Leisure, Culture & Tourism from Cllr Barton:

*"Does she plan to continue abdicating responsibility to a senior officer for informing of fellow Councillors of the progress (or lack of it) in the building of the Community Stadium?"*

*"As you still don't seem to grasp the mechanics of the council delivering large projects, which is evident from the rest of your questions Cllr Barton, I'm happy to explain that it is normal for officers to report and brief members on the progress of major and complex projects and this is one of the largest most complex projects to be delivered by this council thus far.*

*I also would like to point out that regular briefings by officers have been held at the specific request of members to enable members to keep up with progress.*

*Briefings by officers enables the more complicated technical questions to be answered there and then without the need to come back with information at a later date and as you now have to travel quite some distance back to York should you wish to attend briefings, one would assume that it is to your benefit to have your questions answered first time around leaving you free to ask any further questions that emanate from any reply, on the day.*

*In respect of progress or implied lack of it, If you have attended briefings recently, you would have been aware that significant and satisfactory progress has been made and the planning application will be coming before planning committee tomorrow."*

(xv) To Cabinet Member for Leisure, Culture & Tourism from Cllr Barton:

“In view of York City’s current poor performance, should they sadly be relegated from the Football League, will plans to build the Community Stadium continue?”

*“I’m happy to confirm that the stadium will continue to be built.*

*This is a joint facility for use of both football and rugby teams as well as a first class leisure facility and home for our community partners.*

*This project was started and approved whilst York City were playing in the conference and will continue should they return or not as is the case.*

*This Labour administration promised to deliver on this project and I’m determined to play my part in ensuring we keep that promise. Furthermore, we wish York City FC every success in their remaining fixtures.”*

(xvi) To the Cabinet Member for Health & Community Engagement from Cllr Doughty:

“Could you please advise the Council when you or your predecessor as Cabinet Member for health or indeed any member of the Cabinet became aware that the plans for Labour’s abandoned care home programme were unviable and unworkable, that is, at what point did it become conclusive that these plans needed a financial commitment that the council could not meet and therefore the council could not proceed?”

*“ It became conclusive that the council could not proceed with the procurement process when officers brought a report to cabinet in March, which clearly set out the affordability gap (of £1.5 million year on year) between the funding that was allocated to the project and the best offer on the table from any of the potential bidders.*

*I have been aware throughout the whole process – as indeed all councillors should have been, since it was made explicit in the report presented to cabinet on 4<sup>th</sup> June 2013 – that there were risks associated with this project and that there was a chance the bidders might not be able to come back with a proposal that met all the criteria we had set out within the funding available.”*



(xvii) To the Cabinet Member for Health & Community Engagement from Cllr Runciman:

“What is the total amount of Better Care Funding received in York since the scheme was launched in 2013 and can the Cabinet Member outline how this money has been spent?”

*“The Better Care Fund (BCF) came into effect in 2014/15 and totals £3.4m. This is made up of £2.7m relating to transfer of health funding to social care and £0.7m for the investment in pilot schemes intended to integrate health and social care in readiness for the full introduction of the BCF in 2015/16.*

*The £2.7m is the continuation of Health transferring funding to adult social care for spend on areas having a health benefit. This started in 2011/12 when £1.997m was transferred. This has been primarily spent on staffing needed to support the reablement of customers and long term care packages for those needing a lower level of support following reablement. There has also been funding to support carers and telecare provision within this period.*

*The £0.7m in 14/15 has been invested in schemes targeted to reduce hospital admissions. The 2015/16 BCF has approx £1m of funding which can only be accessed if we are successful in reducing hospital admissions by 11.7%, about 6 people per day.*

*The schemes contributing to this in 2014/15 are the Priory Medical Group community hub (£261k), eight Urgent Care Practitioners (£198k), Hospice at Home (£135k) and Street Triage (£100k).*

*Priory Medical Group is a multi disciplinary team which has both health and social care staff and looks at the holistic needs of the individual and looks to deliver positive outcomes for that person, irrespective of whether it's a health or social care need. They have also looked at targeting certain at-risk groups to prevent admissions.*

*Urgent Care Practitioners are able to treat patients in their homes, at the scene of accidents etc and have been successful in stopping people being conveyed to hospital and cared for in their own home where previously an ambulance trip and a stay in hospital was the only option.*

*Hospice at Home has allowed patients to be cared for in their own homes as they approach the end of their lives whereas previously the hospital would have been the setting.*

*Street Triage is a service where the police and care professionals have a presence on the street and can deal with people with mental health issues they find in situations which may have escalated to hospital stays or detention.*

*Other areas supported by the integration funding are community facilitators who work with individuals and signpost them to services supporting their needs and a data analyst who has worked on a data sharing agreement to allow both organisations to share information for the benefit of customers/patients.”*

(xviii) To the Cabinet Member for Health & Community Engagement from Cllr Doughty:

“Can the Cabinet Member please advise which areas of social care in the city have suffered or will suffer because her own group has squandered at least £350,000 in the failed procurement of Care homes in the city?”

*“There was a £500,000 budget allocated to the procurement process. The approx £150,000 underspend will be added to the general adult social care budget. There will be no reductions in frontline services as a result of this procurement exercise and to suggest otherwise demonstrates, at best, a misunderstanding of the budget process.”*

(xix) To the Cabinet Member for Health & Community Engagement from Cllr Waller:

“What performance indicators exist for residents coming into West Offices for benefits advice and what is the current average waiting time before being seen?”

*“The customer centre keeps weekly statistics of the number of customers visiting the customer centre and the reason why. The number of customers seeking benefits advice varies on a weekly basis but normally account for between 25% and 30% of customers. The numbers can vary greatly at certain points of the year but the recent 4 week average is 347. In w/c 13<sup>th</sup> March (last full week we*

*have data for) we saw 409 Benefit customers the average waiting time was 11 minutes.”*

(xx) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Richardson:

*“Of the sites with in the City of York Boundary measuring NOx emissions. What percentage of them have risen under this administration in the past four years and what lessons have been learned in tackling the high levels of emissions across the City?”*

*“Nitrogen dioxide concentrations have fallen at all real-time monitoring locations between 2010 and 2014, except for Holgate which is the same.*

*Low Emission measures undertaken since the adoption of the Low Emission Strategy in October 2012 include:*

- *Electric buses at Poppleton Park & Ride, tour buses and other locations*
- *Low emission taxi incentive including York’s first low emission taxi company*
- *Continued development of an electric vehicle charging infrastructure throughout York*
- *Delivery of low emission measures through the planning process*
- *Reduced emissions from the council fleet*
- *Expansion of the Eco Stars fleet management scheme*

*In October 2014 the Air Quality Action Plan 3 agreed to consult on the following additional measures to improve air quality:*

- *A Clean Air Zone to regulate the emissions of buses travelling through the city centre*
- *Anti idling measures*
- *Delivery of a Compressed Natural Gas refuelling facility and freight transshipment centre*
- *Development of marketing and incentive campaigns to support the above.*

*This consultation is now complete and a further report to confirm next steps will be considered early in the new civic year.”*

(xxi) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Reid:

“What are the target times for repairing streetlights and could the Cabinet Member outline performance in this area over the last 12 months?”

*“Service standards for streetlighting are as follows:*

- Urgent faults will be attended and either repaired or made safe within 2 hours*
- Normal faults will be attended and either repaired or made safe within 4 working days*
- When a defect has been made safe and further works are required, we aim to have the repairs carried out within 20 working days. When there is an issue with the electricity supply, and we have to work with a utility company to resolve, the national standard allows 35 working days for the repairs to be completed*

*Performance is as follows:*

<b>Month</b>	<b>Total Faults</b>	<b>Faults out of standard</b>	<b>% Faults out of standard</b>
Jan-14	347	70	20.2%
Feb-14	209	43	20.6%
Mar-14	158	4	2.5%
Apr-14	131	13	9.9%
May-14	128	2	1.56%
Jun-14	125	10	8.0%
Jul-14	124	4	3.2%
Aug-14	208	18	8.7%
Sep-14	224	81	36.2%
Oct-14	369	293	79.4%
Nov-14	393	313	79.6%
Dec-14	339	278	82.0%
Jan-15	335	216	64.09%
Feb-15	252	169	67.06%

*The increase in number of faults reflects the aging of the street lighting asset due to chronic underinvestment during the previous administration that this administration is addressing, initially through the £1m of funding introduced in 2012 and now through the £1.2m programme of LED replacement.”*

(xxii) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Richardson:

“Will the Cabinet Member give his assurance that the works preventing vehicles from turning outside the Art Gallery will be moved to reduce traffic over Lendal Bridge and reduce the NOx emissions in that area?”

*“I am assuming Cllr Richardson is referring to the changes at Exhibition Square that have made the area less dominated by vehicular traffic and improved the environment for pedestrians. I am not sure if Cllr Richardson is proposing to change the layout again, and if so how this would be funded, but the current layout was made in consultation with bus operators who I am not aware have raised any problems. The small number of bus services which previously turned around in the area now continue over Lendal Bridge providing an improved connection to the railway station. The conversion of the tour bus fleet to electric in 2015/16 will also reduce emissions in the area.”*

(xxiii) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Waller:

“What was the reasoning for leaving Vesper Drive deteriorating for three years and then filling in potholes shortly before the whole road was resurfaced and how much did this pothole filling cost?”

*“As per the Council’s standard highway maintenance process – a process unchanged since the previous administration – Vesper Drive was patched at a cost of £500 in order to ensure it did not present an immediate risk to users or open the authority up to an increased risk of claims and litigation. It was then resurfaced in line with the 14/15 programme thanks to the additional £2m this administration agreed for local roads and footpaths.*

*The alternative to this approach was either to not patch the road, a legally and physically dangerous course of action, or to move Vesper Drive up the resurfacing programme at the expense of schemes elsewhere in the city that were assessed as in greater need. Which would Cllr Waller have preferred?”*

(xxiv) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Richardson:

“Given the drop in the percentage of recycled waste from 2011 for the City of York, can the Cabinet Member quote the percentage of recycled waste for this financial year?”

*“Given that waste services is in the portfolio of the Cabinet Member for Communities, I suggest you ask her.*

*I do find it concerning that the Conservatives are still unable to correctly identify which Cabinet Member is responsible for which area.”*

(xxv) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Orrell:

“Could the Cabinet Member outline the total costs of the blanket 20mph roll-out across York so far and provide a road-by-road record of average speeds before and after the limits were introduced?”

*“Cllr Orrell is incorrect in stating that this programme was a blanket 20mph roll-out. Every road was carefully individually assessed and considered whether suitable to be included, leaving a comprehensive network of primary, secondary and feeder/distributor roads at their existing speed limits.*

*Regarding the total cost of this programme, we are still awaiting some final charges, but officers are confident that the total cost will be within the £500k budget as funded by dedicated Government grant. This represents an approximate £25k underspend in the 14/15 budget.*

*We do not have average speeds available for all roads with new limits. At time of writing, there are two areas of York where comparison data is available: South Bank, introduced in late 2012, and the West of York, introduced in late 2013.*

*In the West of York, the average reduction in speed was over 3%. This was similar to the average in South Bank after the first year, where speeds continued to decrease in the second year as the new limits ‘bedded-in’.*

*In South Bank, on roads where average speeds exceeded 20mph, speeds reduced by an average of 8% over the two years. This is in*

*line with Department for Transport guidelines on expected speed reductions for signed-only 20mph schemes and, taking Department for Transport figures, could be expected to lead to a longer-term average reduction in collisions of around 9% on those roads. This is in line with Department for Transport guidelines on expected speed reductions for signed-only 20mph schemes and, taking Department for Transport figures, could be expected to lead to a longer-term average reduction in collisions of around 9% on those roads.”*

(xxvi) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Richardson:

“How many of the Company’s providing Bus Services across the City have applied for the government Grant to replace existing buses running on diesel to the new hybrid units and when will this council introduce a city wide exclusion area for diesel powered units?”

*“Three of the eight companies operating local bus services in the City of York area have applied through the various funding streams made available by Government for either purchase of new ultra low emission vehicles or the ‘greening’ of existing buses in their fleets. This includes the successful application to the Clean Vehicle Technology Fund which will see all six of Transdev’s ‘City Sightseeing’ tour buses converted from diesel to electric operation, a national first.*

*The consultation on the Council’s Air Quality Action Plan included a Clean Air Zone for the city centre. This consultation is now complete and a further report to confirm next steps will be considered early in the new civic year. A Clean Air Zone would require that the majority of frequent bus services in the city centre are operated using ultra low emission vehicles by 2018.”*

(xxvii) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Aspden:

“Could the Cabinet Member confirm how much money has been spent so far contesting the legal decision on the Lendal Bridge/Coppergate ruling and when he expects a final judgement to be announced?”

*“The Council has spent £11,330 on a QC’s advice in respect of the bus lane enforcement decisions. It has been absolutely prudent for this advice to be obtained given that the decisions have*

*ramifications for the enforcement of all bus lanes in York, some of which have been in operation for many years, as well as ensuring the refund process was lawful.*

*The Council has no control over or knowledge of when the decision will be issued.”*

(xxviii) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Waller:

“When the Cabinet announced a scheme for additional business rate relief on new small businesses in Acomb, £50,000 was allocated for businesses opening in previously empty premises. Please could the Cabinet Member detail how many businesses have benefitted from the scheme to March 2015, and how much support has been given?”

*“The £50,000 allocation was to support all four of our business rate discount priorities, of which the Acomb initiative was one. Two businesses have benefitted under the scheme in Acomb with £7284 of support to date.”*

(xxix) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Waller:

“Would the Cabinet Member detail how much of the £30,000 investment scheme for Acomb Shops (as allocated by the Cabinet report in September 2013) has been spent to date and will he give a guarantee that any unspent resources will be carried forward into the new financial year?”

*“£6000 has been drawn down to date and has been used for a number of improvements to public areas, including installation of new benches. Future proposals currently being developed with local business owners and residents.*

*I can confirm that all resources allocated for Acomb shops from the Economic Infrastructure Fund will be reprofiled so they can be spent in the 15/16 financial year.”*

(xxx) To the Cabinet Member for Communities from Cllr Waller:

“In the last six months how many households have seen their recycling collected in a normal refuse lorry to be sent to landfill?”



*“I will be very clear. No waste that has been presented for recycling has ended up in landfill and those that are suggesting so are damaging the good work that Council staff undertake.”*

*The service has had to, at times, use normal refuse vehicles when specialist, recycling vehicles have not been available. Due to the small amount of material involved, our disposal contractor has sent this for processing to ensure that the recyclate is separated at no extra cost to the council.”*

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

“Could the Cabinet Member outline the timetable for introducing a charge for all green bin collections as agreed in the Budget last month?”

*“Officers are analysing the feedback from the recent Rewiring consultation exercise (over 11,000 residents have taken part in the discussions over the last year) in order that it can inform Council post May 7<sup>th</sup> 2015 of the public views in respect of changes to green Waste Collections.*

*Officers from waste services, IT and customer services are working to determine a time frame in which chargeable Green waste collections could be implemented should the Council choose to proceed. It is anticipated that sufficient evidence will be available in the summer of 2015 for the Council to consider this matter.”*

(xxxix) To the Cabinet Member for Communities from Cllr Cuthbertson:

“Could the Cabinet Member outline the total cost to the Council of Landfill Tax for every year since 2010 along with the yearly recycling rates (including the present rate)?”

*“The total costs are:*

- *2010/2011: Landfill Tax - £2,668,320 (£48 per tn)/ Recycling Rate - 45.06%*
- *2011/2012: Landfill Tax - £2,995,440 (£56 per tn)/ Recycling Rate - 46.41%*
- *2012/2013: Landfill Tax - £3,337,600 (£64 per tn) / Recycling Rate - 45.96%*

- 2013/2014: Landfill Tax - £3,777,840 (£72 per tn) / Recycling Rate - 43.63%
- 2014/2015: Landfill Tax - £4,196,800 (Estimate) (£80 per tn) / Recycling Rate - 44.45% (Estimate)
- It should be noted that Landfill Tax increased by £8 per tonne annually until 2014/15 and by inflation thereafter having reached £80 per tonne.

*I would note that these figures are in line with Councils throughout the country which have seen a slight dip in recycling due to a combination of the economic recession and as manufacturers have reduced their packaging*

*Officers will continue to work with residents to recycle as there are many households who are currently either not recycling or finding it difficult to do so."*

(xxxiii) To the Cabinet Member for Communities from Cllr Waller:

*"What action has been taken to deal with dog fouling complaints by residents to council officers in the past year?"*

*"When Council Officers are informed of dog fouling they are required to gather evidence to tackle offenders. This financial year one fine has been issued, despite Officers going out to hotspots at different times of the day to catch offenders.*

*Thanks to the investment of this Labour administration we have set up the Anti Social Behaviour Hub and increased its funding which the two main opposition parties did not support at this year's Budget Council. This has resulted in an increase in the numbers of Neighbourhood Enforcement Officers (NEOs) that can tackle such issues. There are currently 11.6 FTE posts, and agreement has been given for an additional 3 posts which are currently being recruited to. I have asked officers to look at monthly campaigns which will use Community Protection Notices, new legislation that covers both private and public areas and which could lead to a £100 fine if people breach the notice."*

Cllr Ian Gillies

LORD MAYOR OF YORK

*[The meeting started at 6.50 pm and concluded at 10.15 pm]*