

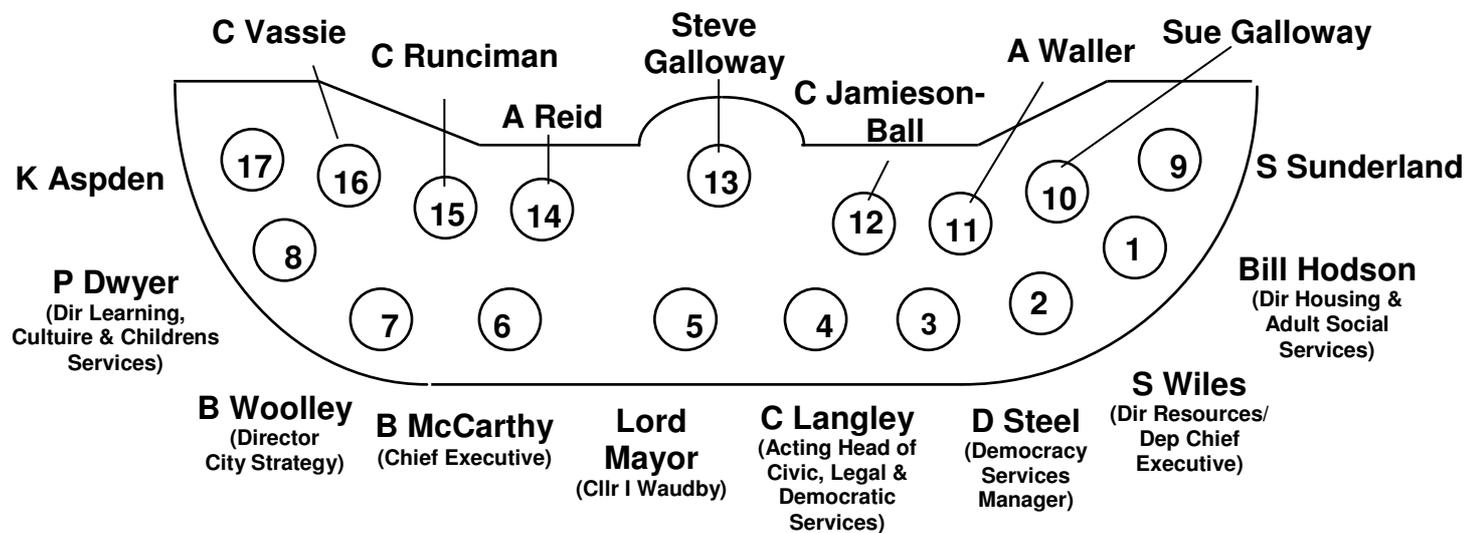
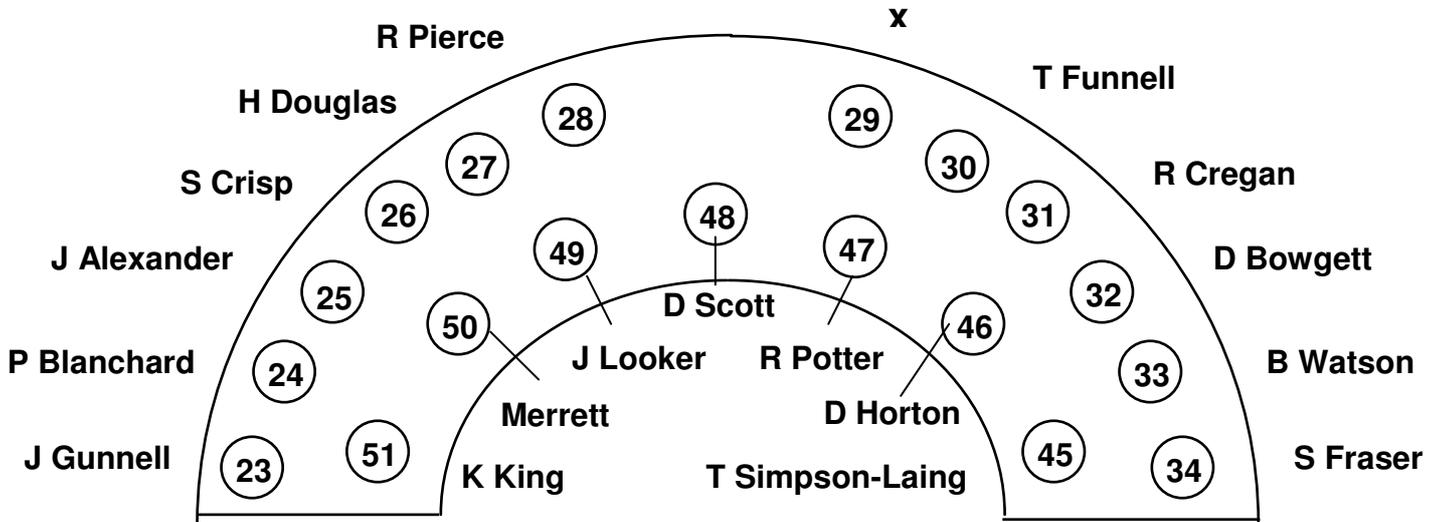
## CITY OF YORK COUNCIL SUMMONS

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, 4 October 2007 at 6.30 pm



# COUNCIL CHAMBER PLAN





## **A G E N D A**

### **1. Declarations of Interest**

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

### **2. Minutes** (Pages 1 - 26)

To approve and sign the minutes of the special and ordinary Council meetings held on 28 June 2007.

### **3. Civic Announcements**

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

### **4. Public Participation**

It is at this point in the meeting that members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the remit of Council may do so. Anyone who wishes to register, or requires further information, is requested to contact the Democracy Officer for this meeting. Contact details are listed at the foot of this agenda. The deadline for registering is **5:00pm on Wednesday 3 October 2007**.

### **5. Petitions**

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

- i) Cllr Potter, on behalf of the Save Yearsley Bridge Group, regarding the proposed closure of Yearsley Bridge Day Centre;
- ii) Cllr Potter, on behalf of residents in Penyghent Avenue, requesting speed humps and traffic calming on the avenue.

**6. Notices of Motion (Pages 27 - 34)**

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

**A – Motions previously referred to the Executive for consideration in accordance with Standing Order 11(a)(ii)**  
*(copies of the relevant report to the Executive and an extract from the Executive minutes are attached)*

(i) From Councillor Blanchard

“Council notes that:

- To produce foie gras, at just 12 weeks old ducks and geese are restrained and grain is forced down the throat through a tube or pipe, a process that often results in physical injury;
- They are forcibly fed the equivalent to an adult human eating 1-28 lbs (7-13 kg) of spaghetti a day; and, after two or three weeks, when they are ready for slaughter, their livers will have swollen to about ten times normal size. The swollen liver expands the abdomen and can make movement and breathing difficult, as well as causing other health problems;
- Most ducks are kept in wire cages so small they have no room to turn around or stretch their wings, and their feet are often injured by the wire floor;
- Many die before the force feeding cycle ends, and the mortality rate for ducks raised on foie gras farms is overwhelmingly the highest in the industry;
- The force-feeding of geese is already outlawed in Poland, Denmark, Germany, Norway and Israel.

Council believes that:

- This intolerably cruel and painful practice is unnecessary and should end;
- The city of Chicago, USA, has shown tremendous compassionate leadership in its brave decision to ban foie gras in its shops and restaurants;
- The torture of small innocent animals should not be a matter of personal dietary choice.

Council resolves to:

- Instruct the Chief Executive to write to Ben Bradshaw MP, Minister of State responsible for Animal Welfare, informing him of this motion and asking for the production

and sale of foie gras to be banned in the UK;

- Do as much as reasonably possible to discourage or prohibit the sale of foie gras within the authority area, whether in shops or restaurants.”

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

(ii) From Councillor Steve Galloway

"Council places on record its support for the Chief Constable of North Yorkshire in his efforts to ensure that adequate government grant is provided to his force to ensure that, at least, as many Police Officers and PCSOs are available, to enforce the law on the streets of York, as are currently allocated".

(iii) From Councillor Kirk

"Council notes with concern the flooding caused around York this summer as a result of drainage systems being unable to cope with the level of rainfall.

Council calls for the government to introduce a statutory duty on the private water companies to review and upgrade drainage in line with the increased needs due to climate change, as well as to maintain drainage systems properly and make pumping stations proof against flooding."

(iv) From Councillor Potter

"City of York Council calls upon North Yorkshire Police Authority to set a budget that adequately reflects the policing needs of York. Central area including York has 47% of the total crime in the area covered by NYP yet only received 33% of the total budget. This does not reflect the need for a higher level of policing in the York area due to the higher crime rate and is therefore not adequate. A redistribution of funding would ensure more Police on the streets of York to reduce crime and increase detection rates in the City."

(v) From Councillor Fraser

"Council is concerned that, whilst businesses in the inner core of the City are thriving, some of the peripheral streets,

such as Goodramgate, Micklegate and, to a lesser extent Fossgate, are not benefiting from this prosperity, and are, in some cases, taking on a somewhat “run down” look.

Further, Council notes that a review of the City’s footstreet scheme is currently underway, and determines that regard should be had to this issue, in the conduct of that review.

Finally, Council resolves to allocate adequate resources, including Officer time, to research this problem, and to develop an Action Plan, to include an economic regeneration strategy, to address this issue and to encourage a culture of vibrancy and prosperity, in these streets.”

(vi) From Councillor Gillies

"We call upon The City of York Council to petition the Secretary of State for Transport, with immediate effect, to provide funding for the dualling of the York Northern Ring Road at the earliest opportunity."

**7. Report of Executive Leader and Executive Recommendations** (Pages 35 - 42)

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

Meeting	Date	Recommendations
Executive	25 September 2007	Minute 64 – Setting out the long-term direction for the Council: Corporate Strategy 2007-2011

**8. Report of Executive Member** (Pages 43 - 46)

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

**9. Executive Key Decisions taken under Formal Urgency Procedures** (Pages 47 - 50)

To receive details of key decisions which have been taken by the Executive and Executive Members between 1 April 2007 and 30 September 2007 under formal urgency procedures, in accordance with Section 5 of the Council's Access to Information Protocol.

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

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

- (i) To the Executive Leader, from Cllr D'Agorne:  
"In view of the possibility of an October General Election, what action is being taken to ensure that students are not dis-enfranchised by the inconvenient timing and what budgetary contingencies are being made for the administrative costs of a General Election?"
- (ii) To the Executive Member for City Strategy, from Cllr Simpson-Laing:  
"Would the Executive Member for City Strategy explain whether she is satisfied that the highways drainage system is adequate in capacity and maintenance terms to prevent flooding in the light of the predicted higher rainfalls expected with global warming?"
- (iii) To the Executive Member for City Strategy, from Cllr Brian Watson:  
"Will the Executive Member for City Strategy confirm what will be the actual floor space, at ground level, for the community space in Hungate?"
- (iv) To the Executive Member for City Strategy, from Cllr Simpson-Laing:  
"Can the Executive Member for City Strategy explain to Council how she is planning to improve the staffing levels in City Strategy, which are at a low point, so that staff job satisfaction levels do not dip below 50% again, a result of the huge pressure currently being placed on staff due to

the current workloads?”

- (v) To the Executive Member for City Strategy, from Cllr D’Agorne:  
“What would the cost of 'dualling the outer ring road' be, what would that represent in terms of council tax increase per household and what would be the merits or otherwise of prioritising such expenditure over more sustainable transport measures for the whole city?”
- (vi) To the Executive Member for Corporate Services, from Cllr Looker:  
“The public are becoming concerned at the continuing increase in the costs of the new 'Town Hall'. Can the Executive Member for Corporate Services assure the Council that the arrangements for project and cost control are sufficiently robust to ensure that sufficient, suitable offices will be provided on time and within the latest approved costs?”
- (vii) To the Executive Member for Corporate Services, from Cllr D’Agorne:  
“In view of the £65m funding from the government towards the waste PFI, is the Executive Member now convinced that the 'affordability gap' on top of the other short term budgetary pressures can be bridged, without increasing council tax beyond the capping limit in any one year?”
- (viii) To the Executive Member for Youth & Social Inclusion, from Cllr Fraser:  
“Would the Executive Member for Youth & Social Inclusion outline one ambition for his coming year in office?”
- (ix) To the Executive Member for Youth & Social Inclusion, from Cllr Holvey:  
“Could the Executive Member report on progress, especially internet based progress, for the Youth Offer?”
- (x) To the Executive Member for Neighbourhood Services, from Cllr Firth:  
“How much Landfill Tax has been collected from York, and

how much has been returned as grants for recycling to date?"

- (xi) To the Executive Member for Neighbourhood Services, from Cllr Taylor:  
"Several residents of Fishergate and other city centre Wards have mentioned to me that the City of York Council is still failing to provide a full recycling service to all residents. The Council automatically provides waste collection services to all new flats but not the collection of recyclables. Would the Executive Member act swiftly to redress this issue, particularly in respect of new blocks of flats which could easily accommodate communal recycling facilities?"

#### **11. Scrutiny - Report of the Chair of the Scrutiny Management Committee (Pages 51 - 52)**

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

#### **12. Activities of Outside Bodies**

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

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

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

- Yorkshire and the Humber Strategic Health Authority – meetings on 1 May 2007, 5 June 2007 and 3 July 2007;
- Pension Fund Committee – meeting on 17 May 2007;
- North Yorkshire Police Authority – meeting on 25 June 2007;
- Association of North Yorkshire Councils – meeting on 14 March 2007;
- North Yorkshire Fire and Rescue Authority – meetings on 26 March 2007 and 18 June 2007;
- Regional Transport Board – meetings on 20 April 2007 and 15 June 2007;
- Local Government Yorkshire and Humber – meeting on 29 June 2007;
- Safer York Partnership/Drug Action Team Partnership Board –

meetings on 11 April 2007 and 30 July 2007.

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

**13. Appointments and Changes to Membership** (Pages 53 - 62)

- a) To consider approving a variation to the proportionality on Planning Committee and Gambling & Licensing Acts Committee, whilst maintaining the overall proportionality and political balance of the Council, and to consider the list of appointments and changes to membership of committees and outside bodies. *(report attached)*
  
- b) To consider an amendment to the policy on the appointment of Honorary Aldermen. *(report attached)*

**14. Urgent Business**

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

Democracy Officer for this meeting:

Name: Simon Copley

Contact details:

- Telephone – (01904) 551078
- E-mail – [simon.copley@york.gov.uk](mailto:simon.copley@york.gov.uk)

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

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

Contact details are set out above.

**CITY OF YORK COUNCIL**

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 28th June, 2007, starting at 6.30 pm

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

ACOMB WARD	BISHOPTHORPE WARD
Horton Simpson-Laing	Galvin
CLIFTON WARD	DERWENT WARD
Douglas King Scott	Brooks
DRINGHOUSES & WOODTHORPE WARD	FISHERGATE WARD
Holvey Reid Sunderland	D'Agorne Taylor
FULFORD WARD	GUILDHALL WARD
Aspden	Looker B Watson
HAXBY & WIGGINTON WARD	HESLINGTON WARD
Firth Hogg R Watson	Jamieson-Ball
HEWORTH WARD	HEWORTH WITHOUT WARD
Blanchard Funnell Potter	Bennett
HOLGATE WARD	HULL ROAD WARD
Alexander Crisp	Pierce
HUNTINGTON & NEW EARSWICK	MICKLEGATE WARD

WARD

Hyman  
Orrell  
Runciman

Fraser  
Gunnell  
Merrett

OSBALDWICK WARD

RURAL WEST YORK WARD

Morley

Gillies  
Healey  
Hudson

SKELTON, RAWCLIFFE & CLIFTON  
WITHOUT WARD

STRENSALL WARD

Moore  
Watt

Kirk  
Wiseman

WESTFIELD WARD

WHELDRAKE WARD

Steve Galloway  
Sue Galloway  
Waller

Vassie

Apologies for absence were received from Councillors Bowgett and Cregan

**HONORARY ALDERMEN**

13. The Lord Mayor stated the object of the meeting, under Section 249 of the Local Government Act 1972, as being to consider a motion to confer the status of Honorary Alderman upon Charles William Fairclough, Alan Charles Hall and David Anthony Wilde.

It was then moved by Cllr Steve Galloway and seconded by Cllr Scott that:

“That pursuant to its powers under Section 249(1) of the Local Government Act 1972, the Council do confer upon the following:

**Charles William Fairclough  
Alan Charles Hall  
David Anthony Wilde**

the title of Honorary Alderman of the City of York, in recognition of the eminent services which they have rendered to the Council of the said City during the period they were Members of the Council.”

The motion was put to the vote and declared CARRIED unanimously and it was

RESOLVED: That the above motion be approved.

Councillor Irene Waudby  
LORD MAYOR OF YORK

*[The meeting started at 6.30 pm and concluded at 6.35 pm]*

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Holvey Reid Sunderland	D'Agorne Taylor
FULFORD WARD	GUILDHALL WARD
Aspden	Looker B Watson
HAXBY & WIGGINTON WARD	HESLINGTON WARD
Firth Hogg R Watson	Jamieson-Ball
HEWORTH WARD	HEWORTH WITHOUT WARD
Blanchard Funnell Potter	Bennett
HOLGATE WARD	HULL ROAD WARD
Alexander Crisp	Pierce
HUNTINGTON & NEW EARSWICK	MICKLEGATE WARD

WARD

Hyman  
Orrell  
Runciman

Fraser  
Gunnell  
Merrett

OSBALDWICK WARD

RURAL WEST YORK WARD

Morley

Gillies  
Healey  
Hudson

SKELTON, RAWCLIFFE & CLIFTON  
WITHOUT WARD

STRENSALL WARD

Moore □ Watt □ I Waudby

Kirk  
Wiseman

WESTFIELD WARD

WHELDRAKE WARD

Steve Galloway  
Sue Galloway  
Waller

Vassie

Apologies for absence were received from Councillors Bowgett and Cregan

## DECLARATIONS OF INTEREST

14. Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. The following interests were declared:
- Councillor Merrett - a personal non-prejudicial interest in agenda item 6(i) (Notices of Motion – Provision of a Swimming Pool on the Kent Street Site) as his daughter was a member of the York Baths Club;
  - Councillor Hogg - a personal non-prejudicial interest in agenda item 6(iii) (Notices of Motion – Policing in York) as his father was a North Yorkshire Police pensioner;
  - Councillor Fraser - a personal non-prejudicial interest in agenda item 6(iv) (Notices of Motion – Funding of the York Older People's Assembly) as the Council's nominee on the Board of Trustees of the Council for Voluntary Service (CVS).

## MINUTES

15. The minutes of the ordinary meeting of Council held on 12 April 2007 and the Annual Council meeting held on 24 May 2007 were agreed as a correct record and signed by the Lord Mayor.

## CIVIC ANNOUNCEMENTS

16. The Lord Mayor announced receipt of the following gifts:
- Receipt of a flag and two books presented by visitors from the Swedish Parliament;
  - Receipt of a medal and declaration from Munster commemorating the 50<sup>th</sup> anniversary of the twinning and renewing the twinning agreement.
- She also reported that she had recently attended a civic reception to celebrate Clifton Without School winning a national football tournament and that the trophy was on display in the Council Chamber.

## PUBLIC PARTICIPATION

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

## PETITIONS

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

- i) A petition presented by Cllr Potter, on behalf of residents of Morrit Close, requesting that bungalows be built on the Council land adjacent to their homes;
- ii) A petition presented by Cllr Hudson, on behalf of Rufforth Parish Council, supporting the proposal to construct a cycle path linking Rufforth to Acomb.

## NOTICES OF MOTION

19. In accordance with Standing Order 11, five notices of motion had been received:

(i) **Provision of a Swimming Pool on the Kent Street Site**

This motion had been referred from the Executive in accordance with Standing Order 11(a)(i):

“Council instructs Council officers as a matter of urgency to seek to retain the option of a pool on the Kent Street site. To enable the re-provision of a pool on the site this Council asks

- a) That officers take no active steps to promote the sale of the site, save as might be required by law;
- b) That officers enter into negotiations to withdraw from the agreed sale.
- c) The £2m funding currently earmarked for a University Pool to be retained by the Council for pump priming a pool development at the Kent Street site or other appropriate city centre location.
- d) Officers provide a report which examines alternative design solutions for a replacement pool including examining
  - i) whether an agreement can be reached with the car park owner for car parking facilities to provide the customer parking off the coach park site, or
  - ii) the possible release of the end bay of the car park, and
  - iii) the redesigning of the previously proposed pool etc to provide front servicing to remove the need for the access road to the back.”

As proposer of the motion, Cllr Scott put forward an amendment with Council’s consent:

*“Delete wording from ‘retain the option of a pool’ to ‘this Council’ and replace with ‘provide the options for a City Centre Pool and’.*

*On point a) to add ‘To preserve all options’ at the beginning and delete the word ‘That’.*

*To delete points b) and d) and re-label point c) as new point b).*

*To add a new point c) to read, ‘A further report be provided outlining*

*possible options on sites, including the Kent Street site and all necessary design and redesign options for a any proposed building, and this be included in the Leisure Review already commissioned.”*

The amended motion was then moved by Cllr Scott, and seconded by Cllr Potter:

“Council instructs Council Officers as a matter of urgency to seek to provide the options for a City Centre Pool and asks:

- a) To preserve all options officers should take no active steps to promote the sale of the site, save as might be required by law
- b) The £2m funding currently earmarked for a University Pool to be retained by the Council for pump priming a pool development at the Kent Street site or other appropriate City Centre location.
- c) A further report be provided outlining possible options on sites, including the Kent Street site and all necessary design and redesign options for a any proposed building, and this be included in the Leisure Review already commissioned.”

Cllr Gillies then moved, and Cllr Galvin seconded, a further amendment to the above motion, as follows:

*“To insert the words ‘County Standard Swimming’ before ‘Pool’ in the first sentence.*

*To delete point a) and re-label subsequent points.*

*To delete all wording in point b) after the word ‘Council’ and replace it with ‘for future swimming provision’.*

*To delete the words ‘including the Kent Street site’ from point c).”*

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

The motion, as amended, now read as follows:

“Council instructs Council Officers as a matter of urgency to seek to provide the options for a City Centre County Standard Pool and asks:

- a ) The £2m funding currently earmarked for a University Pool to be retained by the Council for future swimming provision.
- b) A further report be provided outlining possible options on sites and all necessary design and redesign options for a any proposed building, and this be included in the Leisure Review already commissioned.”

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

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

(ii) **Report of the Future York Group**

It was moved by Cllr Steve Galloway and seconded by Cllr Jamieson-Ball that:

“Council:

- a) Notes the publication of the important *Future York* report on the economic well being of the City
- b) Places on record its thanks to Christopher Garnett and the other members of the Future York Group for the time that they have invested and the quality and depth of the report that they have produced.
- c) Welcomes the underlying conclusion of the report which is an endorsement of the economic strategy that has been pursued by the Council on behalf of the City for the last few years
- d) Urges residents and local businesses to consider and make their views known on the recommendations made in the report so that when the Council comes to consider its reaction, it can do so confident that, any refinements which may be necessary to the City’s economic strategy, will have the support of the local community.”

Cllr Bennett then moved, and Cllr Gillies seconded, the first amendment to the above motion, as follows:

*“On paragraph c) delete all of the words after ‘report’ and insert the following ‘in particular the comments expressed in support of the dual carriageway of the A1237 (Northern Ring Road)’”.*

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

The motion, as amended, now read as follows:

“Council:

- a) Notes the publication of the important *Future York* report on the economic well being of the City
- b) Places on record its thanks to Christopher Garnett and the other members of the Future York Group for the time that they have invested and the quality and depth of the report that they have produced.
- c) Welcomes the underlying conclusion of the report in particular the comments expressed in support of the dual carriageway of the A1237 (Northern Ring Road).
- d) Urges residents and local businesses to consider and make their views known on the recommendations made in the report so that when the Council comes to consider its reaction, it can do so confident that, any refinements which may be necessary to the City’s economic strategy, will have the support of the local community.”

Cllr Scott then moved, and Cllr Looker seconded, the second amendment to the above motion, as follows:

*“Paragraph c) add ‘and the assessment of York’s economy by Yorkshire Forward’.*

*Add a new paragraph at e)*

*‘e) instructs the Chief Executive to provide an urgent report to Council which examines how best this Council can*

- i) respond to the challenges set by the Report;*
  - ii) implement its recommendations; and*
- provide a timetable for actions by the Council.’”*

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

The motion, as amended, now read as follows:

“Council:

- a) Notes the publication of the important *Future York* report on the economic well being of the City
- b) Places on record its thanks to Christopher Garnett and the other members of the Future York Group for the time that they have invested and the quality and depth of the report that they have produced.
- c) Welcomes the underlying conclusion of the report in particular the comments expressed in support of the dual carriageway of the A1237 (Northern Ring Road) and the assessment of York’s economy by Yorkshire Forward.
- d) Urges residents and local businesses to consider and make their views known on the recommendations made in the report so that when the Council comes to consider its reaction, it can do so confident that, any refinements which may be necessary to the City’s economic strategy, will have the support of the local community.
- d) Instructs the Chief Executive to provide an urgent report to Council which examines how best this Council can
  - i) respond to the challenges set by the Report;
  - ii) implement its recommendations; andprovide a timetable for actions by the Council.”

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

*“Add an additional point at the end:*

*‘resolves to assess the recommendations of the report over the next six months using the carbon footprinting tool to enable the city to balance these against the planned climate change strategy.’”*

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

The motion, as amended, now read as follows:

“Council:

- a) Notes the publication of the important *Future York* report on the economic well being of the City
- b) Places on record its thanks to Christopher Garnett and the other members of the Future York Group for the time that they have invested and the quality and depth of the report that they have produced.
- c) Welcomes the underlying conclusion of the report in particular the comments expressed in support of the dual carriageway of the A1237 (Northern Ring Road) and the assessment of York’s economy by Yorkshire Forward.
- d) Urges residents and local businesses to consider and make their views known on the recommendations made in the report so that when the Council comes to consider its reaction, it can do so confident that, any refinements which may be necessary to the City’s economic strategy, will have the support of the local community.
- a) Instructs the Chief Executive to provide an urgent report to Council which examines how best this Council can
  - i) respond to the challenges set by the Report;
  - ii) implement its recommendations; andprovide a timetable for actions by the Council.
- f) Resolves to assess the recommendations of the report over the next six months using the carbon footprinting tool to enable the city to balance these against the planned climate change strategy.”

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

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

(iii) **Policing in York**

It was moved by Cllr Orrell and seconded by Cllr Kirk that:

- a) “Council extends a welcome to the new Chief Constable Graham Maxwell and looks forward to further cementing the constructive partnership with his staff which has led to significant reductions in crime levels in our City over the last 2 years.
- b) Whilst Council recognises the financial pressures being felt by many public agencies including the Police, it would be deeply concerned if any reduction in “front line” neighbourhood or reactive policing resources were advocated as a way of tackling any budget deficit.
- c) Council looks forward to discussing with the new Chief Constable how it may cooperate in addressing some of the

more intractable issues in the City including the levels of violent crime, traffic speeds & anti social behaviour generally together with the causes, consequences and possible remedies for drug and alcohol abuse.”

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

RESOLVED: That the above notice of motion be approved.

(iv) **Funding of the York Older People’s Assembly**

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

“The York Older People's Assembly, a registered charity representing the majority of York citizens over 50, call upon the City of York Council to urgently consider a grant of £6,000 so as to add to monies received by the Assembly from the North Yorkshire & York Primary Care Trust.

This will enable the Assembly is able to employ a part-time member of staff for 16 hours per week at Scale 4 (Local Government scales).

This will allow the Assembly to: -

- 1) Expand its contacts with older people in their own settings.
- 2) Aid its applications for alternative funding sources.
- 3) Embed and extend current work plans.
- 4) Ensure that it remains the key representative body for older people in the City of York Council area.
- 5) Be the key City of York Council focus of consultation with older people in the City.
- 6) Ensure Council services meet the needs of its older citizens.”

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

*“Add at the end of the motion the following words:*

*‘Council resolves to consider the request of the Older Persons Assembly, together with grant applications from other bodies, as part of the 2008/09 budget build process.’”*

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

The motion, as amended, now read as follows:

“The York Older People's Assembly, a registered charity representing the majority of York citizens over 50, call upon the City of York Council to urgently consider a grant of £6,000 so as to add to monies received by the Assembly from the North Yorkshire & York Primary Care Trust.

This will enable the Assembly is able to employ a part-time member of staff for 16 hours per week at Scale 4 (Local Government scales).

This will allow the Assembly to: -

- 1) Expand its contacts with older people in their own settings.
- 2) Aid its applications for alternative funding sources.
- 3) Embed and extend current work plans.
- 4) Ensure that it remains the key representative body for older people in the City of York Council area.
- 5) Be the key City of York Council focus of consultation with older people in the City.
- 6) Ensure Council services meet the needs of its older citizens.”

Council resolves to consider the request of the Older Persons Assembly, together with grant applications from other bodies, as part of the 2008/09 budget build process.”

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

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

**(v) Holding an Additional Council Meeting in July**

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

“That an additional Council Meeting be held at or around the end of July to enable any Council business to be dealt with effectively between the current June and October cycles.”

The motion was put to the vote and declared LOST and it was

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

## **REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS**

20. A written report was received from the Leader, Cllr Steve Galloway, on the work of the Executive. He then moved, and Cllr Jamieson-Ball seconded, the minutes requiring confirmation from the Executive meeting on 26 June 2006, namely:

- Minute 20 – 2007/08 Best Value Performance Plan (BVPP) and Year-End Performance Review of 2006/07;
- Minute 21 – Statement of Accounts (subject to the inclusion of a number of minor corrections made following the Executive meeting, which were incorporated in or attached to the revised copies of the accounts circulated at the meeting);
- Minute 22 – Corporate Procurement Strategy 2007-2010.

RESOLVED: That the above minutes and the recommendations of the Executive be approved.

### REPORT OF EXECUTIVE MEMBER

21. A written report was received from Cllr Waller, the Executive Member for Neighbourhood Services.

Notice had been received of seven questions put by Members in accordance with Standing Orders, as follows and as set out on the list circulated around the Council Chamber:

**(i) From Cllr Potter:**

“I note the increase in staff satisfaction but also note the high number of working days lost due to absence, the high turnover of staff and the low percentage of staff appraisals undertaken in this Directorate, so can the Executive Member inform Council what he intends to do about this poor state of affairs and to further improve staff satisfaction?”

**(ii) From Cllr Brian Watson:**

“Will the Executive Member look at improving access for pedestrians bringing recyclables to the Hazel Court recycling centre following complaints from local residents?”

**(iii) From Cllr Merrett:**

“Is the Executive Member now pleased that he listened to Labour's suggestions that physically brushing footpaths clean would increase cleanliness and improve the BVPI 199 figures and does he not now wish he had introduced this much earlier as we had suggested?”

**(iv) From Cllr Potter:**

“What provision is the Executive Member making to enable more Ward Committees to have JAG meetings facilitated by the Neighbourhoods team so that this important work around community safety issues can be fully integrated into Neighbourhood Action Planning?”

**(v) From Cllr Alexander:**

“What is the Executive Member going to do about graffiti on private land that is not linked to the public utilities?”

**(vi) From Cllr Simpson-Laing:**

“What work is being undertaken to improve air quality in those areas that are close to breaching standards around the inner ring road?”

**(vii) From Cllr Firth**

“What steps have been taken by Neighbourhood Services to

tackle the recent and, in some cases, ongoing floods in the York area?"

Members agreed to accept written responses to these questions.

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

22. In accordance with Standing Order 10(c)(i), the following questions had been put and the following written responses had been given, as set out on the list circulated around the Council Chamber:

- (i) **To the Executive Member for City Strategy, from Cllr Vassie:**  
"Can the Executive Member report on the success of the relaunched Yozone card?"

*[Deferred from the meeting on 12 April 2007 as the guillotine had fallen.]*

*"The 'YOzone roadshow' has visited 9 state secondary schools in York, plus Bootham School & Tadcaster Grammar. I am pleased to be able to report that there are now 5,300 valid YOzone cards in circulation with just over 3,500 of these are the new-style cards launched in March 2007. This equates to a take up of around 50%.*

*Yozone cards are available from St Leonard's Place during normal office hours and full details are available on the Council's website."*

- (ii) **The question to the Executive Member for Adult Social Services, from Cllr Fraser had been withdrawn.**

- (iii) **To the Executive Member for Youth and Social Inclusion, from Cllr Scott:**

"Will the Executive Member for Youth and Social Inclusion explain why the young people of Strensall and Haxby feel excluded?"

*[Reworded question submitted in place of one deferred from the meeting on 12 April 2007 as the guillotine had fallen.]*

*"I am very sure that the majority of young people in Strensall and Haxby are far from excluded as implied by the question but are actively engaged and involved with a range of community and leisure activities. The Youth Service, supported by both local Ward Committees, is active in the areas and has a developing range of provision.*

*It is unclear what issue or group of young people Cllr Scott is referring too, however if he would like to inform me of a particular concern I would be more than happy to work alongside him, the*

*ward councillors and the Youth Service to investigate.”*

**(iv) To the Executive Leader, from Cllr Potter:**

“What action is being taken to ensure that the LPSA2 targets relating to violent crime, vehicle interference, reducing the reporting of noise nuisance and people feeling free from crime and violence will be met so that grant income can be maximised and reinvested into community safety?”

*“Safer York Partnership are leading on delivering the LPSA targets for Violent Crime and Vehicle Crime.*

*There has been a national increase in wounding incidents which contribute to the violent crime stretched target. The definition of violent crime has also changed during the recording period. This change makes it unlikely that any authority will achieve this element of the LPSA target. The numbers of incidents in the City is has been stable and, very recently, has started to show a downward trend.*

*The vehicle interference stretched target is also unlikely to be achieved despite there being reductions in incidents from the baseline set in 2003/04. However this element accounts for only 5% of the vehicle crime total target so there is little effect on the £327,919 reward grant available from this section of the LPSA agreement. The expectation is that Neighbourhood Policing will impact on the 492 instances of vehicle interference reported last year.*

*It is anticipated that the targets for reducing burglaries, the theft or unauthorised taking of a vehicle, theft from a vehicle and the percentage of illegal sales detected through our test purchase programme will all be achieved whilst overall crime has decreased by 8% in the last year.*

*The profile of noise nuisance (specifically noisy neighbours) was raised considerably throughout 2006/07. There was a great deal of publicity following the launch of the night time noise enforcement service which has been warmly welcomed by residents. One consequence of this media activity is that the perception that noise is a significant problem was placed in the minds of residents. To some degree therefore we are victims of our own success here. The expectation is that the noise nuisance team will gradually weed out the persistent noise producers reducing the number of repeat reports. Unfortunately this is unlikely to happen sufficiently quickly to impact on the current year’s public perception outturn.*

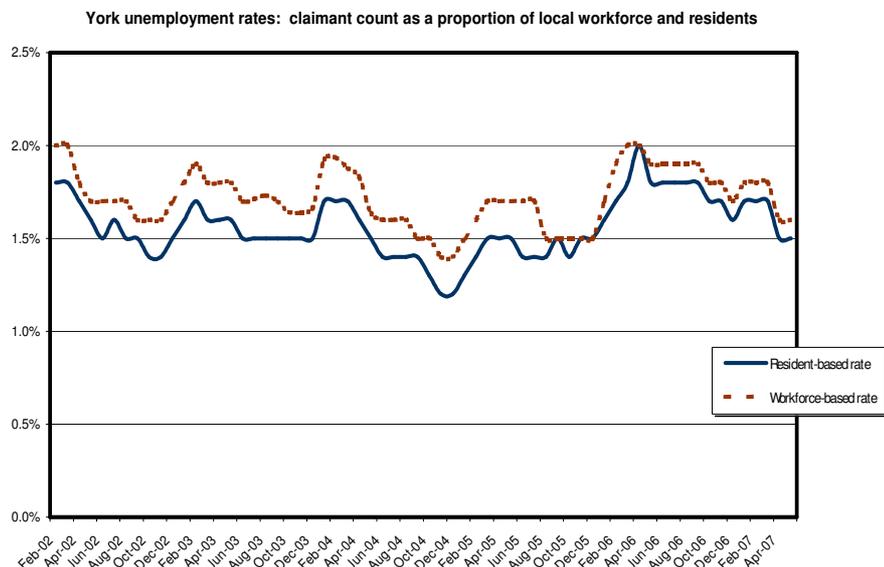
*The number of people who feel that York is a safe place in which to live has increased to 53% in 2006/07 compared with 50.6% in 2005/06. This is another perception measure which are notoriously slow to change dramatically.*

*A decision has already been taken to financially reward partners for their work in contributing to the successful achievement of targets where this is appropriate.”*

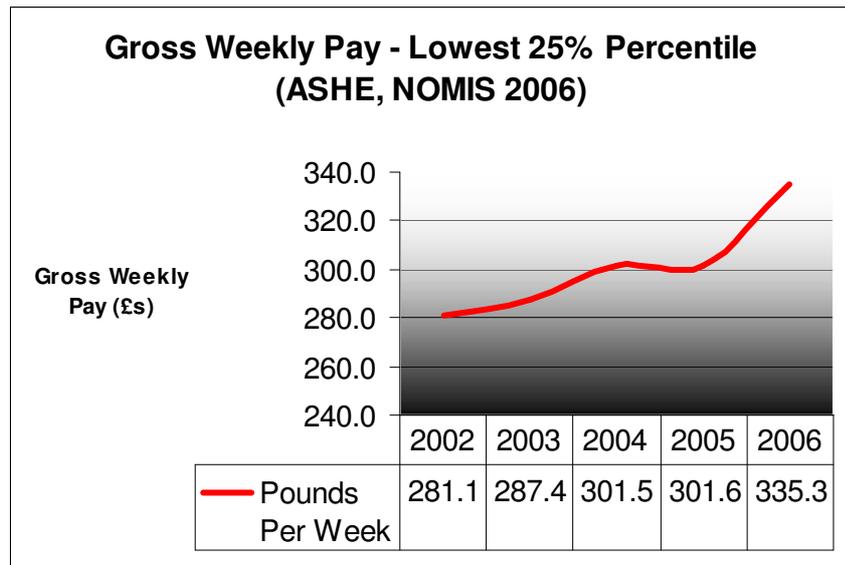
**(v) To the Executive Leader, from Cllr Holvey:**

“Would the Leader confirm the current levels of unemployment in the City and compare them with rates over the last few years? Would he provide information on how wage levels are changing in the City and particularly with regard to the traditionally low paid sectors?”

*“I am pleased to advise members that our unemployment numbers have remained remarkably stable over the last 4 years. Despite the much publicised and worrying reductions in employment numbers in the manufacturing sector, unemployment levels in the City have fallen from a February 06 high.*



*I am also pleased to report that using central governments preferred statistical base the earnings of the lowest paid 25% of our population has increased significantly faster than inflation over the last recorded 12 month period. While some caution should be exercised, as these figures refer to those in employment and are not therefore a reliable indicator on their own of relative poverty levels in the City, the trends taken together, suggest that the modernisation of the York economy is beginning to bring benefits for all sections of our community.*



**(vi) To the Executive Member for City Strategy, from Cllr Simpson-Laing:**

“Will the Executive Member for City Strategy promise to undertake a review of the Council’s Conservation Team in light of the known and expected development that is to come forward in the City over the next decade?”

*“As the member will be aware the need to properly resource key activities within the Strategy Directorate, to allow for prompt attention to be given to any development proposals, which may emerge from the new availability of brownfield sites for commercial, leisure and housing purposes in the City, has already been highlighted by the Council Leader. The York Future report also makes the same point. I would expect that the Director would bring forward such proposals as he considers necessary to address this issue in a timely way. However, members will be aware that the total expenditure of the Council continues to be limited by central government policy and, therefore, that any increase in costs in one activity area will have to be compensated by a corresponding reduction in costs elsewhere.*

*Recruitment is currently taking place for the 2 vacancies in the Conservation team.”*

**(vii) To the Executive Member for City Strategy, from Cllr Simpson-Laing:**

“Can the Executive Member for City Strategy explain why the City’s Variable Message Signs are not being used to promote modal shift, report on Air Quality and advertise Council Transport Campaigns?”

*“The answer is simple. - we are not allowed to use them for any other purpose than informing drivers of traffic conditions or preventing danger.*

*Other messages do not fall within the Department for Transport rules that authorise us to use VMS in York. We are also required to have a system that records the messages that we use so that these message can be audited if necessary.*

*Indeed, when these signs were used for a short period to warn drivers to safeguard their Satellite Navigation equipment from theft, the Council received a sharp rebuke from DfT in Leeds!"*

**(viii) To the Executive Member for City Strategy, from Cllr Simpson-Laing:**

"Would the Executive Member for City Strategy join with me in welcoming the Government's latest initiatives on Climate Change, which called for Local Authorities to adopt their own local strategies and inform members when she expects the first papers to go to City Strategy?"

*"As the member will be aware, the 4 Group Leaders have already addressed this issue as part of the Policy Prospectus which emerged from discussions about the Council's future political management arrangements. The agreement was ratified by the Executive on 12<sup>th</sup> June. I understand that the approved timetable shows that a policy review document, or documents, covering Climate Change strategy, will be tabled before September."*

**(ix) To the Executive Member for City Strategy, from Cllr D'Agorne:**

"In the light of the 'Future York' recommendations on dualling of the outer ring road, will the Executive Member provide its members and new council members with the Executive summary of the Halcrow Outer Ring Road study, reported to EMAP on July 6th 2005? Could she advise us what has changed since the conclusion of this report (commissioned by the council) that 'The full dual option results in similar time user benefits to that of upgrading roundabouts... but has a much lower benefit to cost ratio'?"

*"The executive summary to the Halcrow report is available on the Council's website as Annex 1 to the Outer Ring Road Study Report to the 6 July Planning and Transport EMAP meeting (note: date of meeting on the website is identified as 28 June).*

*The study identified that in terms of journey time savings the benefit to cost ratio of the roundabout enhancement proposal was higher than the full dualling and grade separation option. This was mainly due to similar predicted time savings but substantially higher costs for the dualling option. It should be noted that the dualling option assumed that all sections were dualled and all roundabout junctions grade separated – further work may refine the requirement to enhancing capacity at limited sections only.*

*The study concentrated on the congestion benefits of the upgrade and not the economic regeneration benefits which may arise e.g from the redevelopment of the York Central and British Sugar sites.*

*The dualling option would lead to the largest reduction in citywide travel time relative to do-nothing projections but could lead to additional trips being generated.*

*There have been a number of transport related issues since the study was completed which may have an affect on the conclusions of the report.*

- *The final LTP submitted in March 2006 including a proposal to enhance access to the city by providing additional Park and Ride capacity and bus priorities and upgrading sections of the Outer Ring Road. This proposal is the subject of current investigation.*
- *The LTP funding which was confirmed in December 2005 is substantially lower than was anticipated at the time the report was written.*
- *The Highways Agency Hopgrove Roundabout improvement scheme has not progressed as rapidly as expected due to rising costs and funding constraints.*
- *The transport model has been refined to take better account of the effect of public transport provision.*
- *The emergence of additional large developments at British Sugar and Nestle which were not considered in the original modeling.*
- *The landowners of the York Central site are reviewing their development strategy to take account of the British Sugar site.*
- *The approved layout of other large developments at Derwenthorpe, Germany Beck, the University and Terry's need to be incorporated into the model*
- *The emergence of the Regional Transport Board as the mechanism for determining regional priorities and advising the DfT on the distribution of funding.*
- *The emergence of the Leeds City Region and its transport vision of improving connectivity between main population centres.*
- *The emergence of the Leeds City Region and its transport vision of improving connectivity between main population centres."*

**(x) To the Executive Member for Neighbourhood Services, from Cllr Potter:**

"Can the Executive Member inform Council what plans are being put in place to ensure the roll out of recycling to terraced and flatted areas, and hard to reach properties in the City, in order that residents who live in these types of properties receive a recycling service that is equitable with the rest of the City?"

*“The objective of this administration has been to expand recycling collections as rapidly as funding allows for additional services to be rolled out, notwithstanding the ever increasing burden of Landfill Tax which draws four times more money from the city than is returned in grants for recycling.*

*Already 11,000 properties on terrace collection rounds receive recycling collections, and I was grateful for the support of all parties at the June 7th Neighbourhood Services EMAP for the continued support for the Friends of St Nicholas Field collection service. I hope that the other parties will support my objective in getting the growth bid mentioned in the report for the 2008/09 budget. Officers will be presenting a report by the end of September as stated in the Group Leaders’ Policy Prospectus on the LATS position of the council which will include options for members to consider regarding additional recycling services together with a financial assessment of the costs of taking these next steps. It would be helpful to know if the Labour Party’s view is in favour of Alternate Weekly Collection equality with the rest of the city?”*

**(xi) To the Executive Member for Neighbourhood Services, from Cllr Potter:**

“Will the Executive Member for Neighbourhood Services ensure that there are staff available to deal with any raised alarms in public disabled toilets, as currently if any alarm is triggered when ‘mitie’ are not on site there is no-one available to deal with the issues as there is no set procedure in relation to one of the alarms being activated?”

*“I have referred this issue to the Social Inclusion Working Group as there needs to be careful consideration of resources, and details of instances where this has been a problem and the appropriate way of ensuring assistance is available. City of York Council does not operate this part of the service any differently to the local authorities that we have benchmarked against, and is in line with the guidance from the British Toilet Association.”*

**(xii) To the Executive Member for Neighbourhood Services, from Cllr Taylor:**

“Would the Executive Member for Neighbourhood Services agree with me that the Government’s Gambling Act of 2005 is both a hurried and hazardous piece of legislation. In light of the recent tragedy related to gambling and the Executive Member’s comments in the media in relation to this man’s death, would he support a ‘no casino clause’ if brought forward to Full Council?”

*“The Government’s insistence on expanding the number of casinos in the Gambling Act has been rushed, and produced one of only three defeats of secondary legislation in the House of Lords since 1945 as testimony to the divisive natures of the moves. I believe that the ‘no casino clause’ should be examined*

*when the council reviews its' Gambling Policy as it has to within three years of Full Council's approval of the existing policy."*

**(xiii) To the Executive Member for Youth and Social Inclusion, from Cllr Orrell:**

"Would the Executive Member tell me about the number of applications received for YorkKash, and whether he hopes it will be a successful year for the scheme?"

*"The YorkKash Panel was recruited through a postcard campaign that went through all secondary schools and youth service and voluntary projects. Following publicity for the scheme 75 applications were received last year – an increase from the previous three years.*

*I know that that the YorkKash Panel are currently visiting some of the successful projects and making a DVD. This will help to continue to increase the success of the scheme."*

**(xiv) To the Executive Member for Youth and Social Inclusion, from Cllr Fraser:**

"Would the Executive Member outline one ambition for his coming year in office?"

*"I am looking forward to working with a wide range of people and community groups as Executive Member for Youth and Social Inclusion. It is vital that the Council continues to promote good community relations, whereby no one is disadvantaged or suffers because of discrimination.*

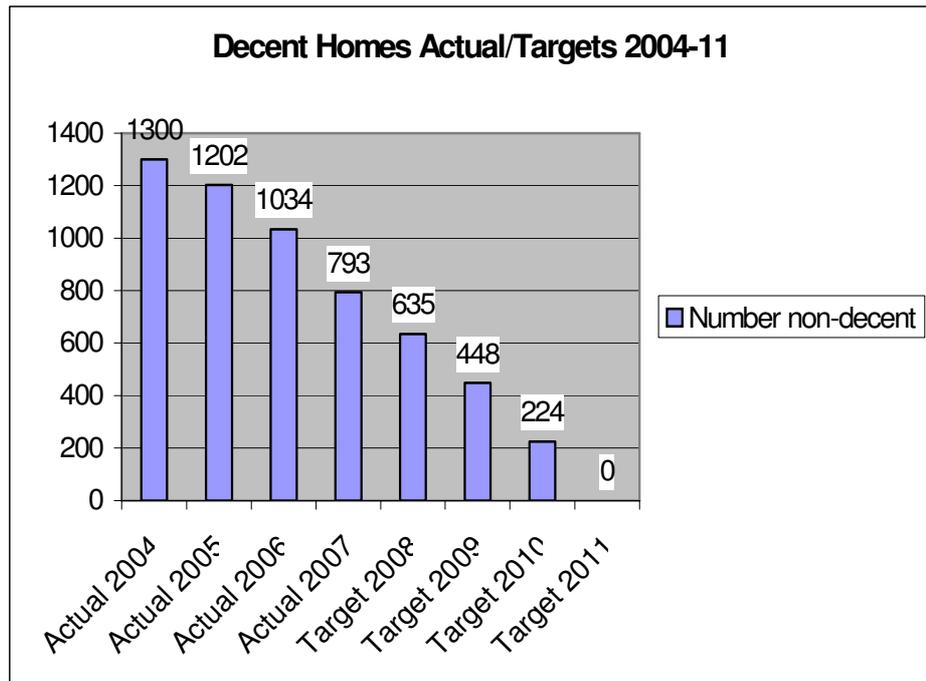
*Many developments, such as the revised Social Inclusion Working Group, the new Children and Young People's Champion and the recent equalities conferences, build on the Council's progress in this area. Moving towards the next level of the Equality Standard for Local Government will further help – and one ambition will be to oversee the annual review of the Equalities Strategy to ensure this."*

**(xv) To the Executive Member for Housing, from Cllr Hyman:**

"Would the Executive Member confirm what progress has been made over the last few years in bringing Council housing in the City up to "decent homes" standard and would she compare this performance with that of other Councils in the region?"

*"York has made excellent progress in bringing Council housing up to decent homes standard. York is in the **top quartile** of all the councils in England. The service remains on target to meeting the decent homes target by 2010. As at 1<sup>st</sup> April 2006, only 12.78% of our council housing stock was "non decent" – using central government terminology. By 1<sup>st</sup> April 2007 this had reduced to 9.80%. The target for 2006/07 was to reduce the number of non-decent homes to 810, but performance exceeded expectations*

and the actual number was reduced to 793.



**(xvi) To the Executive Member for Adult Social Services, from Cllr Hogg:**

“Could the Executive Member comment on any success that the Council may have had recently in encouraging vulnerable residents to claim the benefits to which they are entitled?”

*“Following the merger of the financial assessment team and the charging unit within HASS along with the transfer of the social care benefits advice team from Resources, a benefits check was undertaken on 800 customers receiving non residential care services via the Council. As a result 310 customers have received an increase in the amount of benefits claimed and a total of £800k is involved. To give you an example, one couple are now £161.40p a week better off.”*

### RECOMMENDATIONS FROM STANDARDS COMMITTEE

23. Cllr Kirk moved, and Cllr Horton seconded, the minute requiring confirmation from the Standards Committee meeting on 8 June 2007, namely:

- Minute 6 – The Revised Model Code of Conduct for Local Authority Members 2007

**RESOLVED:** That the above minute and the recommendations of the Standards Committee be approved.

**SCRUTINY - REPORT OF THE CHAIR OF THE SCRUTINY MANAGEMENT COMMITTEE**

24. A written report was received from Cllr Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council on 12 April 2007.

**ACTIVITIES OF OUTSIDE BODIES**

25. The Lord Mayor reported that there were no minutes of outside bodies to be considered at the meeting.

**APPOINTMENTS AND CHANGES TO MEMBERSHIP**

26. RESOLVED:(i) That the appointments and changes in membership of committees and outside bodies, indicated in italics in the revised list circulated around the Council Chamber, and the appointment of proper officers, also set out in revised papers circulated around the Council Chamber, be approved;
- (ii) That consideration of the proposed scheme of delegation for the Strategic Policy Panel, changes to the relevant article of the constitution and consequent changes to the scheme of delegation for the Executive be deferred for further consideration by the Group Leaders.

**DIRECTOR OF LEARNING, CULTURE & CHILDREN'S SERVICES**

27. Members recorded their thanks to Patrick Scott, Director of Learning, Culture & Children's Services, for his hard work and achievements and wished him well for his retirement.

Councillor Irene Waudby  
LORD MAYOR OF YORK

*[The meeting started at 6.35 pm and concluded at 10.15 pm]*

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**Executive**25<sup>th</sup> September 2007

Report of the Director of Neighbourhood Services

**Sale and production of *foie gras*.****Summary**

1. At the meeting of full Council on 27 January 2007 Members were asked to consider a motion put forward by Cllr Blanchard covering two issues in respect of the sale of *foie gras* in the York District:
  - *Instruct the Chief Executive to write to Ben Bradshaw MP, Minister of State responsible for Animal Welfare, informing him of this motion and asking for the production and sale of foie gras to be banned in the UK;*
  - *Do as much as reasonably possible to discourage or prohibit the sale of foie gras within the authority area, whether in shops or restaurants.*
2. Under Standing Order 11, the motion was referred for the preparation of an Officer report to be considered by the Executive before the matter was resubmitted to Council for debate. This report is a response to that referral.

**Background**

3. *Foie gras* is produced from the liver of a duck or goose that has been especially fattened by gavage (force feeding). This involves a tube being placed down the throat of the animal and a controlled amount of food, often corn, being dispensed. Use of this technique causes the liver of the animal to expand to ten times its normal size.
4. It is recognised that the method of rearing geese and ducks, used to provide *foie gras*, may be considered unacceptable by members of the general public.
5. The product does meet all food safety requirements and does not contravene any food standards legislation.
6. The purchase and consumption of *foie gras* therefore remains a matter of consumer choice.

## Consultation

7. The Head of Civic Democratic & Legal Services has been consulted and has confirmed that there are no legal powers which would have enabled the Council at the meeting in October to prohibit the sale of *foie gras* in the York area, nor for the Executive to ban the sale or production of foie gras in York.
8. It is considered that banning of *foie gras* nationally would be illegal under EU law, which requires member states to allow the free circulation of goods between Member states. Communication has been received from the Chief Policy Advisor for an organisation called 'Compassion in World farming', which has asked for their view to be known. This is attached at Annex One.

## Options

9. As a result of the current legal position, there are three options that members may wish to choose:-

### Option 1

#### Letter to Lord Rooker, Minister for Sustainable Food, Farming and Animal Health MP

To write to Lord Rooker MP (Ben Bradshaw is no longer responsible for this area of business) to inform him that City Of York Council is opposed to the production and the importing of *foie gras* in the UK., and to encourage legislation to ban the production and sale of foie gras .

#### Banning the sale of foie gras

The Council has no legal authority to ban the sale of foie gras in the City. The Council could however, as a matter of policy, prohibit the procurement and use of foie gras in its own establishments.

#### Link on CYC website

The 'compassion in world farming' website has a link to foie gras and other methods of animal food production, which some may consider to be unethical. The CYC website could contain a link to this webpage.

#### Letters to restaurants and delicatessens

The Council cannot ban the sale of foie gras. However, the Council could set out its ethical position in a letter to all registered food businesses that operate in York, and encourage them to voluntarily withdraw it from sale or as part of the menu offer. In order to avoid compromising the regulatory functions of the Environmental Health and Trading Standards service within the Neighbourhood Directorate, this letter should be sent as a letter on behalf of the Council, either from the Executive or the party leaders. Members should be aware that there is no way of knowing for certain which registered food businesses sell, or use foie gras in their menu offer. Either a letter

would have to be sent to all food registered businesses (approx 1800) to ensure complete coverage, or selectively, to only those registered food businesses who have a reasonable likelihood to sell, or use foie gras in their menu offers (hotels, supermarkets, restaurants and delicatessens). In this case complete coverage cannot be assured.

Option 2

To undertake any combination of those actions detailed in option 1

Option 3

Not to undertake any of those actions outlined in option 1

### **Analysis**

10. An analysis of the options contained in the motion are as follows:
11. Option 1 would respond to the Council motion as far as is practicably possible.
12. Option 2 would partly support the Council motion
13. Option 3 would not support the Council motion

### **Corporate Priorities**

14. The proposed motion does not meet any of the council's corporate priorities.

### **Implications**

15. The implications of the motion are as follows:
  - **Financial**

There are no financial implications other than postage costs of letters to food businesses, estimated to be approx £450, which could be contained within existing budgets
  - **Other**

There are no significant HR, equalities, legal, crime and disorder, IT, property or other implications other than those set out in the body of this report.

### **Risk Management**

16. There are no risks associated with the recommendation of this report.

### **Recommendations**

17. Members are asked to note the contents of this report and recommend either option One or Option Two. If Option Two is chosen, members are requested to indicate which of the following actions are to be approved.

- (i) A letter is sent by the Chief Executive to Lord Rooker MP, stating that the City of York Council is opposed to the production and importing of foie gras in the UK, and/or,
- (ii) That the Council prohibits the procurement of foie gras in its own establishments.
- (iii) That a link to the Compassion in World Farming website, be placed on the CYC webpage which gives information on the discouragement of foie gras production [www.ciwf.org.uk](http://www.ciwf.org.uk) and/or,
- (iv) That the Executive or the party leaders write to either (i) all registered food businesses in the City, or (ii) only those registered food businesses in the City that have a reasonable likelihood of sell foie gras, and/or use it as part of their menu offer, to voluntarily withdraw foie gras from sale or use.

**Reason for recommendation**

To respond to the Council motion.

**Contact Details**

**Author:**  
**Andy Hudson**  
Assistant Director  
( Neighbourhoods and  
Community safety )

(Phone: 551814)

**Chief Officer Responsible for the report:**  
**Terry Collins**  
**Director of Neighbourhood Services**  
(Phone: 552003)

**Report Approved**  **Date** 11/09/2007

**Specialist Implications Officer(s)** None

**Wards Affected:**

All

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

**Background Papers:**

Council Minutes 27<sup>th</sup> January 2007

**Annexes:** Annex 1 - Compassion in World farming - opinion on the Legal position relating to the prohibition of the sale of Foie Gras

**Compassion in World farming - opinion on the Legal position relating to the prohibition of the sale of Foie Gras -**

I accept that, under the provisions of the European Community Treaty, it is generally thought that it would be difficult to prohibit the import of foie gras.

However, I believe that there would be a much stronger argument that it is permissible for the UK to prohibit the sale of foie gras (whether that foie gras is produced in the UK or imported). There are two helpful analogies in the field of animal welfare which fall to be considered under the rules of the World Trade Organisation (WTO). The WTO rules are very similar to those of the EU as regards restrictions on trade. The WTO rules govern trading relations between the EU and non-EU countries; the EC Treaty governs trading relations between EU Member States.

The two analogies are as follows:

- The EU has prohibited the sale of cosmetics tested on animals irrespective of whether those cosmetics have been produced within or outwith the EU. This prohibition comes into force in stages between 2009 and 2013.
- The European Commission is preparing legislation to prohibit the import of cat and dog fur into the EU. The USA has already prohibited such imports. If these import bans were challenged, the EU and the USA would have to defend them under the 'public morality' exception; both the EC Treaty and the WTO rules allow trade restrictions to be justified on grounds of public morality.

I should add that legislation to prohibit the sale of foie gras in the UK would also have to include a prohibition on the production of foie gras in the UK. It would be almost impossible to justify a sales ban on something the production of which was not prohibited in the UK..

I think it would be perfectly reasonable for the Council to call on the government to prohibit the sale of foie gras; the government would of course take advice from its own lawyers on the legality of a sales ban.

Peter Stevenson  
Chief Policy Advisor  
Compassion in World Farming  
[www.ciwf.org.uk](http://www.ciwf.org.uk)

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MEETING	EXECUTIVE
DATE	25 SEPTEMBER 2007
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), ASPDEN, SUE GALLOWAY, JAMIESON-BALL, REID, RUNCIMAN, SUNDERLAND, VASSIE AND WALLER

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## **PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**

### **62. Sale and Production of Foie Gras**

Members received a report which responded to a notice of motion on the sale and production of foie gras, which was referred to the Executive for consideration by Full Council on 27 January 2007.

The notice of motion, proposed by Cllr Blanchard, read as follows:

“Council notes that:

- To produce foie gras, at just 12 weeks old ducks and geese are restrained and grain is forced down the throat through a tube or pipe, a process that often results in physical injury;
- They are forcibly fed the equivalent to an adult human eating 1-28 lbs (7-13 kg) of spaghetti a day; and, after two or three weeks, when they are ready for slaughter, their livers will have swollen to about ten times normal size. The swollen liver expands the abdomen and can make movement and breathing difficult, as well as causing other health problems;
- Most ducks are kept in wire cages so small they have no room to turn around or stretch their wings, and their feet are often injured by the wire floor;
- Many die before the force feeding cycle ends, and the mortality rate for ducks raised on foie gras farms is overwhelmingly the highest in the industry;
- The force-feeding of geese is already outlawed in Poland, Denmark, Germany, Norway and Israel.

Council believes that:

- This intolerably cruel and painful practice is unnecessary and should end;
- The city of Chicago, USA, has shown tremendous compassionate leadership in its brave decision to ban foie gras in its shops and restaurants;
- The torture of small innocent animals should not be a matter of personal dietary choice.

Council resolves to:

- Instruct the Chief Executive to write to Ben Bradshaw MP, Minister of State responsible for Animal Welfare, informing him of this motion and asking for the production and sale of foie gras to be banned in the UK;
- Do as much as reasonably possible to discourage or prohibit the sale of foie gras within the authority area, whether in shops or restaurants.”

The report presented the following options for consideration:

- Option 1 – to undertake all of the following actions:
  - (i) That a letter be sent by the Chief Executive to Lord Rooker, stating that the Council was opposed to the production and importing of foie gras in the UK;
  - (ii) That the procurement of foie gras be prohibited in the Council's own establishments;
  - (iii) That a link to the *Compassion in World Farming* website, which gave information on the discouragement of foie gras production, be placed on the Council's webpage;
  - (iv) That letters be sent by the Executive or the Group Leaders to either all registered food businesses in the city or only those registered food businesses in the city that have a reasonable likelihood of selling foie gras and/or using it as part of their menu offer, asking them to voluntarily withdraw foie gras from sale or use;
- Option 2 – to undertake any combination of these actions;
- Option 3 – not to undertake any of these actions.

The Executive favoured Option 2 and the following actions:

- A letter being sent by the Chief Executive to Lord Rooker, stating that the City of York Council was concerned about the production and importing of foie gras in the UK and requesting a review of central government policies on animal welfare issues;
- Foie gras not being offered for sale by the Council on its premises;
- A link to the *Compassion in World Farming* website being added to the Council's web site;
- The contents of the motion being circulated to representative hospitality organisations in the City.

Having considered the advice of the Shadow Executive, it was

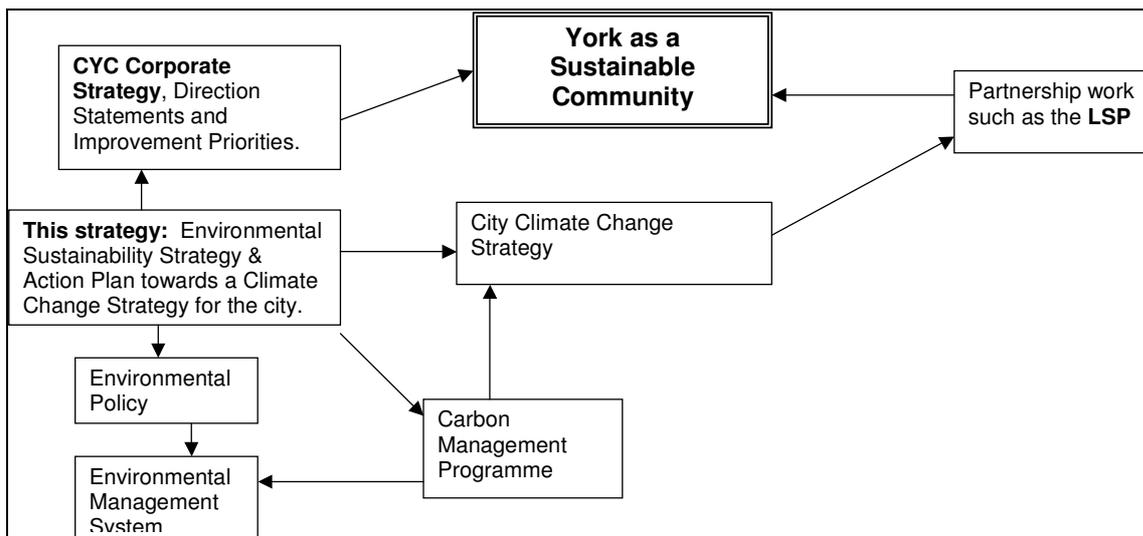
RESOLVED: That the notice of motion be referred back to Council, with the officer report and the Executive's comments and advice (set out above).

REASON: To respond to the Council motion.

S F Galloway, Chair

[The meeting started at 2.00 pm and finished at 3.05 pm].

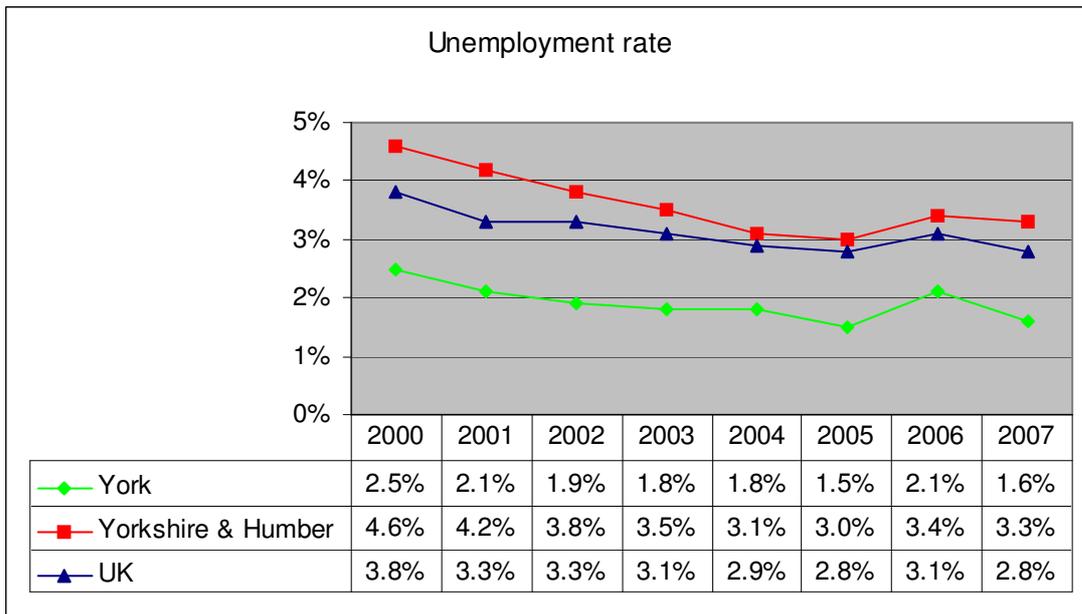
1 There have been 4 meetings of the Executive since the last meeting of the Council.  
 2 Four “review reports” have been received.  
 3 Perhaps the most important dealt with the Councils policies on **Climate Change**. Approval in  
 4 principle was given to an *Environmental Sustainability Strategy* and associated *Action Plan towards*  
 5 *a Climate Change Strategy* for the city, and to the adoption of the Environmental Policy as a basis  
 6 for the Council’s Environmental Management System (EMS).  
 7 Prior to the drafting of this strategy, work relating to environmental sustainability had tended to be  
 8 ad hoc and reactive. Staff resources had responded to opportunities as they arose rather than as  
 9 part of a measured and managed response. This produced good foundations and the embedding  
 10 of environmental sustainability has evolved over time. Additional staff resources are now in place  
 11 so that a more strategic approach to this rapidly changing area of work can take place. The  
 12 diagram below explains where the Strategy sits within the city aim of a Sustainable Community and  
 13 within the councils priorities:



14  
 15 It is expected that the Government target for Local Authorities to reduce their CO2 emissions will  
 16 be 20% by 2010 in line with the national target. As a council York would want to exceed this target.  
 17 The current York Carbon Footprint is 11 tonnes of CO2 per person per year. The targets agreed  
 18 are a reduction of York’s Carbon Footprint to 8.8 tonnes (20%) per person by 2010 and 4.4 tonnes  
 19 (60%) per person by 2050.  
 20 The Executive believes that the Council should be setting a good example to the City, that the  
 21 strategy must include specific trackable actions, that there should be input from all Council  
 22 departments (including the Neighbourhood Services Directorate) and that there should be clarity  
 23 about timescales, achievability, costs and the availability of resourcing streams. A further report  
 24 has therefore been requested.

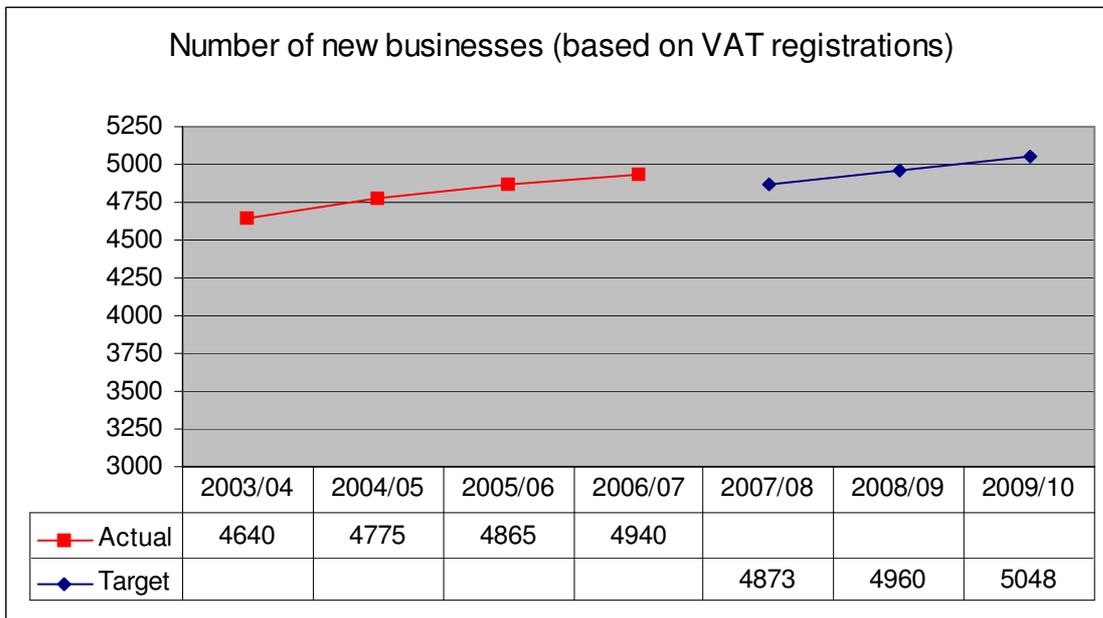
25 The Executive have also received and approved a **Review Report on Jobs**

26 By way of background the performance of the local economy can be summarised graphically as  
 27 follows:



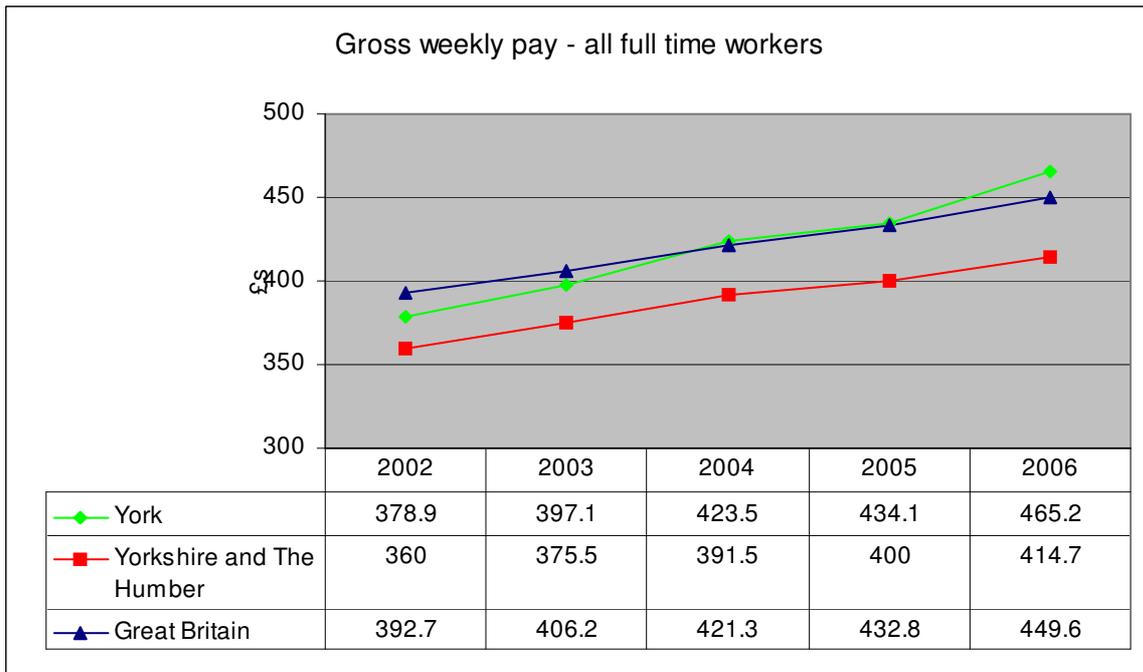
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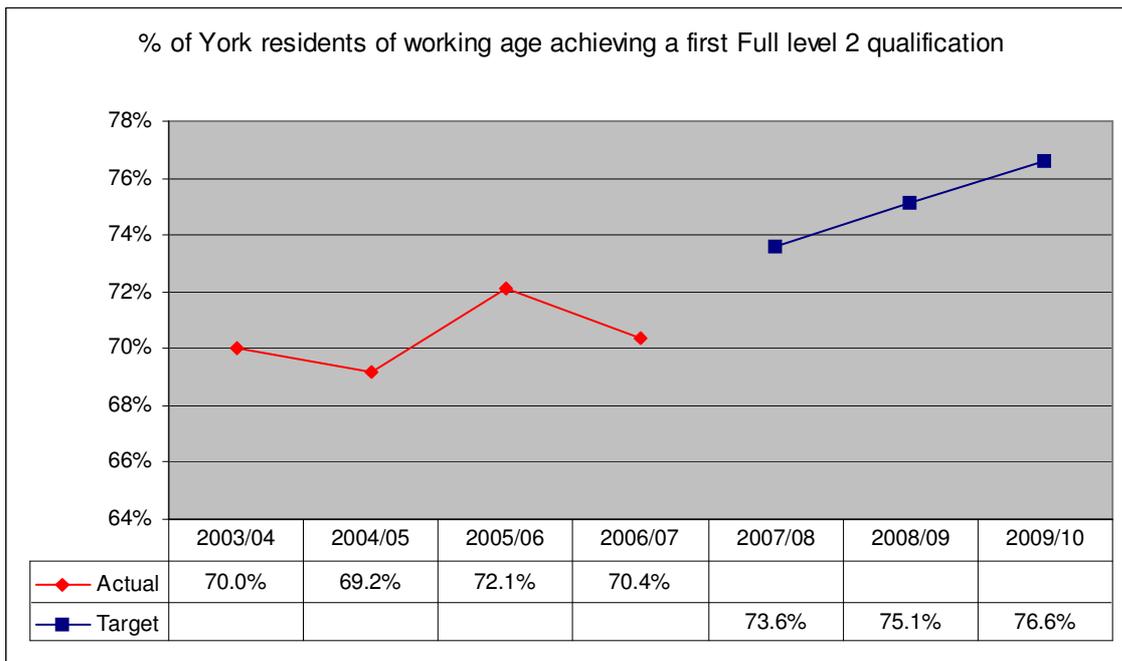
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34

35 In overall terms, the economy of York is performing well as measured against the “headline”  
 36 indicators of unemployment rates and median incomes. The Future York Group report indicates  
 37 the potential for the economy to grow at an annual rate of 3.7% per annum, providing opportunities  
 38 are seized and potential barriers are overcome. The Council is currently consulting on the  
 39 recommendations of the Future York Group report prior to making a formal response. There  
 40 remains an issue to address in ensuring that York residents are able to play a full part in the  
 41 economic growth of the City and that some people are not left “economically excluded”.

42 Key elements where LSP partners and partnerships have been asked to contribute to this include:

- 43 • revisions to Adult and 14-19 strategies through the Learning City Partnership;
- 44 • better employer engagement to improve an understanding of future skill requirements;
- 45 • developing a “worklessness” programme focussed on the most disadvantaged areas of the City;
- 46 • carrying out further research to examine the “destinations” for those displaced from employment  
47 following job losses.

48 The Executive noted the continuing good performance of the York economy and the very low  
49 unemployment rates seen in the City over the last 5 years.

50 The Executive welcomed the interim arrangements recently announced which will give major  
51 employers a direct channel to a senior contact within the Council to ensure that any issues relating  
52 to jobs are resolved quickly.

53 Officers were requested, as part of their response report to the Future York proposals, to consider  
54 how the Strategy Department resource allocation priorities could be refined to ensure prompt  
55 attention to major planning applications which are likely to result in significant additional jobs in the  
56 City and also to address the issues of job vacancies in the planning department.

57 Using the opportunities offered by the restructure of the Business Link support organisation officers  
58 were asked to consult further with small business representative organisations to understand  
59 whether more could be done to sustain the economic viability of the sector.

60 The Executive has also considered options for improving **direct communications with residents**.  
61 A formal procurement exercise has now commenced which will see a monthly, free issue,  
62 information magazine published by the Council next year.

63 The final review report looked at **CCTV systems in the City**.

64 Members considered the current status of the Closed Circuit Television (CCTV) system in the city,  
65 the development work that is ongoing and information about potential future enhancements.

66 The CCTV system inherited by the new administration in 2003 was badly in need of overhaul.  
67 There were no effective maintenance contracts in place, reliability was deteriorating and – partly as  
68 a result of media stories – public confidence was declining.

69 Additional funding was found, partly from the introduction of evening parking charges, and an  
70 effective maintenance contract put in place. £1/3 million is now invested in CCTV community safety  
71 activities each year

72 An injection of capital funding was made in 2006 resulting in digital quality pictures and recording  
73 being made available.

74 Officers were also asked to explore ways of exploiting emerging technologies to address cost,  
75 flexibility, quality and reliability issues.

76 The major announcement in the report related to the extension of the quality and scope of CCTV  
77 coverage in the City. Although the technology will need to be tested there is potential now for the  
78 extension of coverage to sub-urban areas.

79 The need to fill gaps in the quality of City centre monitoring has also been recognised.

80 Other technology improvements could see benefits for motorists with web access to pictures of  
81 traffic conditions being made available.

82 These improvements will require funding at a time when Council finances are under severe  
83 pressure. While any partnership funding from businesses and other public service providers would  
84 be welcome, it may be that some of the capital expenditure will be required from the LPSA2  
85 performance grant.

86 Several other issues have been considered by the Executive

87 The Executive received an update on the **Council's corporate accommodation project**, which  
88 includes the targets and achievements for the period October 2006 to June 2007. The main focus  
89 of the report was the outcomes from the Hungate feasibility study. The report set out a revised  
90 business case for the project which showed that, by investing more capital funding at the  
91 construction stage, greater savings could be achieved for the Council in future years than  
92 previously anticipated. Currently the Council is spending £2.5 million each year in its buildings. The  
93 new Hungate building will cost only about half that - £1.3 million a year. Any revenue savings will  
94 be reinvested in improving public service standards for residents.

95 The project represents a significant opportunity to contribute to the climate change agenda. Not  
96 only will the building achieve an 'Excellent' BREEAM rating and have 20% of its energy needs met  
97 on site from renewable sources, it will better the government's CO2 building requirements by 30%.

98 The report also provided, for the first time, a sense of how the offices could be laid out. The  
99 preferred option is for the publicly accessible customer centre and conference suite to be located  
100 closest to The Stonebow on just 2 floors, with the main office accommodation located towards  
101 Black Horse Lane on 5 floors. This option allows for an open and accessible customer centre that  
102 respects its setting amongst listed buildings- particularly the Black Swan pub.

103 Progress has been made on ensuring that the land required for the development is available on  
104 time. The Ambulance Service has committed to move from their Hungate site in time to meet the  
105 timetable and planning permission has been granted for the replacement of the Peasholme hostel.

106 The Executive considered how to allocate the **Performance Reward Grant** (PRG) earned at the  
107 conclusion of York's second Local Public Service Agreement (LPSA2), considered research  
108 findings on the **Evening Economy** in York, progressed the **Efficiency and Strategic**  
109 **Procurement Programme** and approved the **Finance Strategy 2008/09 to 2010/11** and the  
110 Policy Prospectus response on the **Future of a Fair Grant for York** campaign.

111 Other items considered included the **York Northwest Area Action Plan**, developing the **York**  
112 **Compact: new codes of good practice**, a reference report: **Public Places and Footstreets**  
113 which will lead to the Deangate part of the City being paved.

114 The long-term direction for the Council was set following the approval of the **Corporate Strategy**  
115 **2007-2011** and this is placed before Council now for approval.

116 The referred motion on the sale of **Foie Gras** was considered and the Executive advises the  
117 Council to consider the following wording option.

118 *That option 2 in the officer report be adopted and that:*

119 *(i) A letter be sent by the Chief Executive to Lord Rooker MP, stating that the City of York Council*  
120 *is concerned about the production and importing of foie gras in the UK and requests a review of*  
121 *central government policies on animal welfare issues,*

122 *(ii) That the Council will not offer for sale foie gras on its premises.*

123 *(iii) That a link to the "Compassion in World Farming" website be added to the Councils web site,*

124 *(iv) That the contents of this motion be circulated to representative hospitality organisations in the*  
125 *City*

126 Steve Galloway

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MEETING	EXECUTIVE
DATE	25 SEPTEMBER 2007
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), ASPDEN, SUE GALLOWAY, JAMIESON-BALL, REID, RUNCIMAN, SUNDERLAND, VASSIE AND WALLER

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

### **64. Setting out the long-term direction for the Council: Corporate Strategy 2007-2011**

Members received a report which set out proposals for a refreshed Corporate Strategy, which set out the long-term direction for the Council, and also for an overall corporate planning framework.

The refreshed Strategy, which had been developed via an extensive consultation process, built on the excellent foundations established through the Council's existing Corporate Strategy. The refreshed Strategy was however enhanced significantly by the addition of a series of long-term (10 year) "direction statements" which gave the Council's improvement priorities essential strategic context. These focused on areas which were fundamental to how the Council needed to operate in the future and what role it took in the city. The refreshed Strategy would provide clarity over the Council's improvement priorities and set out a 4-year programme of work for the Council in the period 2007-2011. If Members agreed to the headline issues proposed in the overall corporate planning framework, then further work would be carried out to work up the detail and produce an updated Corporate Strategy document and a summary by the end of October. This could then be published widely within the organisation, with residents and with partners.

Members had the option to agree the proposed outline for the refreshed Strategy set out in Figure 1, continue with the existing Strategy or vary parts of the refreshed Strategy.

Having considered the advice of the Shadow Executive, it was

- RECOMMENDED:
- (i) That the proposed outline Corporate Strategy, set out in Figure 1 of the report, be agreed;
  - (ii) That the values, direction statements, improvement priorities and imperatives set out in Annexes A-C of the report be agreed;
  - (iii) That the embedding proposals and next steps outlined in paragraphs 25-27 and 37 of the report be agreed.

REASON: In order that the Council has an agreed Corporate Strategy which sets out long-term strategic direction and improvement priorities, which in turn underpin improved services for the people of York.

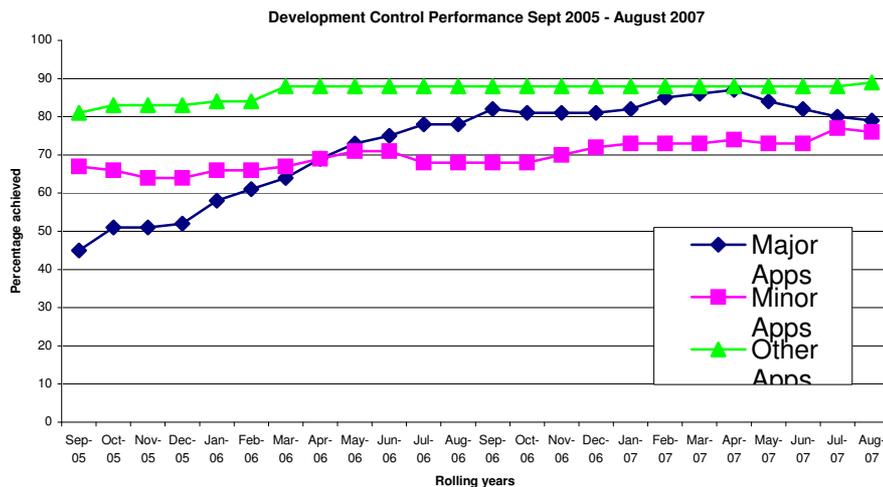
S F Galloway, Chair

[The meeting started at 2.00 pm and finished at 3.05 pm].

## CITY STRATEGY REPORT TO COUNCIL. OCTOBER 2007

I last reported to Council in January 2006 when the City Strategy Directorate had just come in to being. Since then there have been a wide variety of achievements.

**Planning performance.** This has continued to improve out of all recognition, illustrated by the graph, despite the large number of complicated major applications. We now have processes in place that ensure consistent performance for all categories of applications. We received **Planning Delivery Grant** of £315.6k in 2006/07, and although our performance improved, our grant reduced to £238.8k in 2007/08



**Major Developments.** Derwenthorpe, Heslington East and Germany Beck were all granted approval after an extensive public enquiry. The Heslington East Forum has held it's inaugural meeting and will allow residents and the University to resolve issues resulting from the expansion. A similar forum is to be set up for Germany Beck with the Derwenthorpe Partnership Committee due to meet in the near future.

The Archbishop of York recently dug the first sod for the new **Manor School** and the new **York College** opened on time at the beginning of the autumn term.

**Hungate** has received outline planning permission, with reserved matters permission granted for the first building. The biggest archaeological excavation since Coppergate is currently taking place on the site. The Council depot moved to Hazel Court, releasing land for the Morrison development and funding for first part of the, now completed, Layerthorpe Link Rd. Redevelopment of the **Barbican** has at last started.

The **Terry's** planning application is due at Planning Committee in October, the **Nestle South** planning brief has been adopted and the **York Northwest AAP** consultation starts next month. All three sites are subject to extensive public consultation exercises.

**Local Development Framework** As I predicted in my last report the LDF Working Group, and Officers, have been kept very busy progressing this new process. The following documents are currently being produced. Everything is subject to extensive consultation.

<b>Core Strategy DPD</b>	Currently consulting on Issues and Options 2
<b>Allocations DPD</b>	Issues and Options document due by the end of 07
<b>Statement of Community Involvement</b>	Approved by Government. Adopt at 29 <sup>th</sup> Nov Council.
<b>York Northwest Area Action Plan</b>	Issues and Options consultation Nov –Jan 2007/08
<b>City Centre Area Action Plan</b>	Issues and Options consultation – March-April 08.

These need to be backed up by the following Evidence Based studies

<b>Strategic Housing Market Assessment</b>	Completed June 2007
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<b>Housing Land Availability Assessment</b>	Phase 1 report due Oct 07. Second phase due Early 08.
<b>Employment Land Review</b>	Stage 1 complete. Stage 2 due Dec 2007
<b>Open Space, Sport and Rec Study</b>	Phase 1 complete. Phase 2 due Dec 2007
<b>Strategic Flood Risk Assessment</b>	Completed September 2007
<b>Retail Study</b>	Work underway, final report anticipated Oct 2007
<b>Biodiversity Audit</b>	Survey work ongoing. Final study - Spring 2008

**Regional links** The Proposed Changes to the draft RSS are due to be published at the end of September, with a further round of public consultation before the final plan is adopted in early 2008. Officers attend regional officer groups and will be coordinating a Council response to the Proposed Changes in due course.

The **Leeds City Region** agenda is growing and moving ahead quickly with officer working groups looking at a range of issues. Officers have taken an active involvement in the groups looking at transport, housing and economic development/innovation issues. Officers provide briefings to the Chief Executive and Leader who attend regular Leeds City Region meetings.

**Sustainability issues.** City Strategy is leading on the production of the Council's **Environmental Sustainability Strategy** which will ensure that we reduce our own emission levels and work effectively with partners to reduce the City's carbon footprint. There are a number of current initiatives that will contribute to this.

I am delighted that a **Car Club** was finally launched in York in Sept 2006. Total number of members, including some Councillors, is 212 and rising. A Car Club does give people a real choice about car ownership and new developments will soon be coming on stream with dedicated car club places. We also have 50 corporate members and an increased car fleet. We have developed **Interim Planning Guidance for Sustainable Design and Construction**, which, when adopted in October, will help ensure that new developments are built using the highest levels of sustainable building techniques and that other things such as water butts and cycle storage are provided.

A **Sustainable Street Lighting Policy** is about to be approved as part of our carbon management programme.

**Local Transport Plan** Members will be aware that the Local Transport Plan underpins all our transport policies and I am pleased that the Plan for 2006 - 2011 received an "Excellent" rating which was recognised by an extra £460k of funding. This meant that our total LTP allocation for integrated transport for 2007/08 was £4,141k plus £1,419k for Structural Maintenance and £750k for detrunked roads maintenance. Our Delivery Report for the previous 5 years also received an "very good" rating reflecting the fact that we delivered the majority of targets. The current LTP and the Delivery Report are available in the Members library for those who wish to see why we received such good ratings for both.

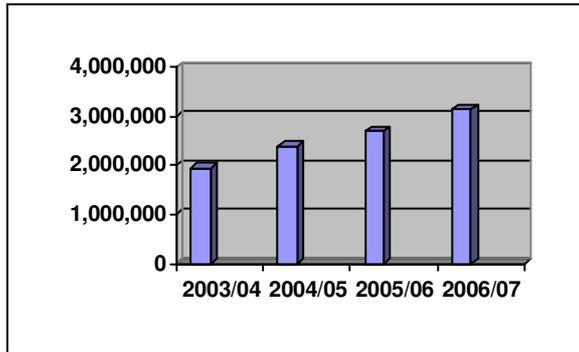
**Highway schemes.** Through the Capital programme we have delivered a wide variety of highway schemes which tackle traffic management, congestion and safety issues. These include the installation of new traffic lights at **Crockey Hill** and **Dunnington** giving residents safer and easier access to their communities, speed reduction and local safety scheme on the A19 at **Skelton**, a 20mph zone at **Eastfield Ave, Haxby** and parapet protection works to **Monk** and **Castle Mills Bridges**. Ongoing schemes include the new off road cycle path on **Heslington Lane**, the **A1237/Strensall Rd** roundabout and the **Fulford** pedestrian refuge. Work on the new roundabout at the **A1237Moor Lane/Askham Lane** junction is progressing well and should complete on time. I am disappointed that the Highways Agency has so far been unable to deliver the much needed **Hopgrove** junction improvement scheme.

**Highway maintenance.** Investment in the highway infrastructure in 2006/07 was £8,320k and for 2007/08 is £8,100 but the favourable price for the retendered Highway Maintenance contract has allowed the same volume of work to be delivered at a lower price - a true efficiency saving. Investment over the last 4 years has resulted in an improvement to the overall condition of the highway. Although the £27.625m backlog to bring all grade 3 highways up to grade 1 was a decrease of just under £2m it became clear that we would

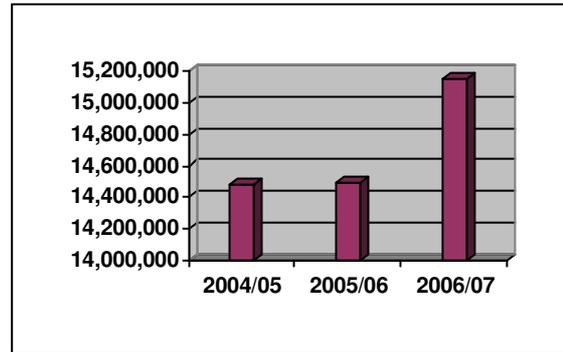
never have sufficient money to invest in a major up lift. We therefore took the opportunity to bid for a PFI scheme. Although working to a tight timescale we submitted an expression of interest on time in Sept 06 expecting an answer by Christmas. I thought that they meant Christmas 2006 but we still are still waiting! Roads and footpaths are now in a better condition overall than when we formed our administration in 2003.

**Bus issues.** Both Bus and Park and Ride patronage continues to increase (see tables). A new Park and Ride contract is about to be let and this will include a commitment to the lowest emission vehicles possible, improvements to waiting facilities and measures to ensure that the service is attractive is the first choice for people wishing to access the City.

Park and Ride use 2003 - 2007



Bus use 2004 -2005



**Concessionary Fares.** We successfully introduced the new bus pass scheme that allows free travel for all pass holders in York and North Yorkshire. Like many other Local Authorities across the country we were given inadequate resources to cover the costs of the scheme and decisions outside this Authorities control mean that we have a forecasted overspend of £640,000 this year. I am delighted with the switch from tokens to passes (see below) which can only mean that more people are choosing to use the bus but the current funding means that the scheme is being heavily subsidised by the Council taxpayer.

	2006/07	2007/08	Difference
Token claimant	15,875	13,040	-2,835
Bus pass claimant	24,000	27,000	3,000
Parking concession	184	184	0
Total	40,059	40,224	165

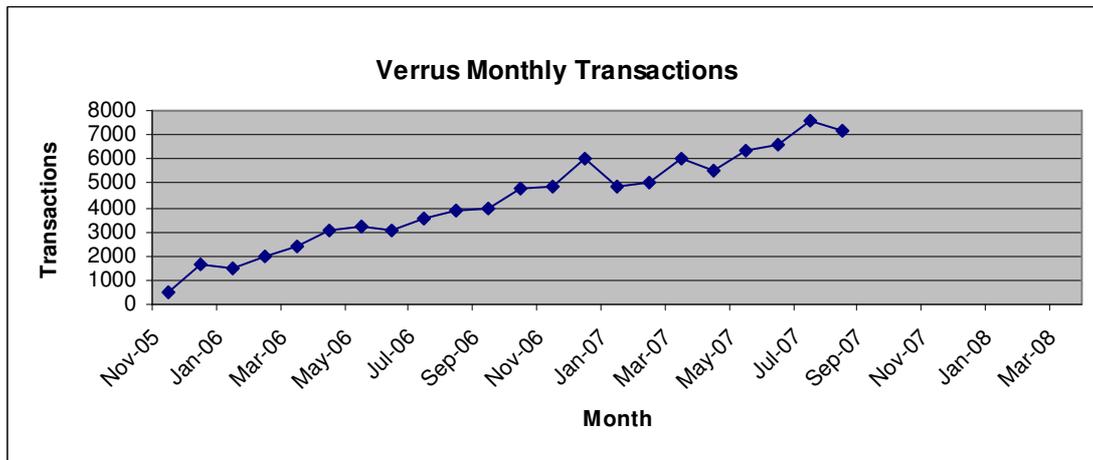
The **Yozone card scheme** has been re-launched and, working in partnership with schools, 4766 new cards have been issued. The scheme allows young people to travel by bus anywhere in the City for 50p. Getting children into the “bus habit” early encourages them to be bus users later in life and making bus travel affordable is the first step. The card also gives discounts at leisure facilities and we are grateful for the support of the bus companies in supporting this initiative.

The **Quality Bus Partnership** has been successfully relaunched with a new Chairman, John Carr. The partners are determined to focus on the specific issues where they feel that they can make a real difference to improved bus services in the City.

**Road Safety** We have received £247k funding towards Road Safety campaigns and a full programme of work has been drawn up. This includes working with children and young people on a variety of education programmes as well as partnership working with the Police and Fire Service. One of the most visible actions we have taken is the introduction of the Vehicle Activated Signs on roads that have been identified as having a speeding problem. This have been well received by residents and surveys have shown that they do reduce vehicle speeds. Officers are now investigating if there are more roads where VAS signs might be appropriate.

**Car parking** Getting the right balance between providing parking and encouraging people to use public transport can be difficult and car park provision has been used as a demand management tool in York for many years. We have responded to concerns that restrictive parking policies were having negative effects on the City's economy by freezing all day time charges for the second year running. We decreased the cost of parking at Foss Bank to 70p an hour and this has proved very popular with a major increase in use. In 2005/06 there were 98,420 hours of paid parking rising to in 429,430 hours 2006/07. This suggests that usage has quadrupled. Put another way each of the 338 spaces were used for 48 mins each day in 05/06 but in 06/07 this increased to 3 hours and 30 mins each day! Quite a success story. I feel that the structure of day time charges allows people a choice with higher charges at the most central car parks.

We have successfully introduced the **Pay by mobile phone** system and this has been expanded to allow users to pay by sending a text message. This latest initiative resulted in 6000 new registrations in July and the suppliers asking if they can use our marketing material to promote the scheme in other areas.



I am delighted to report that last week the Council received the Association of Chief Police Officers **Park Mark Award** for car park security. 10 City of York Council run car parks have been awarded Park Mark Status making York one of the safest cities in the UK to leave your car with virtually zero crime reported on any of these sites. Members will be interested to know that all our Park and Rides already have Park Mark Award and are regarded by ACPO as examples of national good practice.

**Waste Management** This has come into my portfolio since my last report and Members will be aware of the recent award of £65m of PFI credits to the City and North Yorkshire to manage our waste disposal in the long term up to 2033.

**Finally** some unsung heroes. Right across the Council we have Officer who carry out their duties efficiently with little fuss and little praise. In City Strategy, **Land Charges** and **Building Control** fall into that category. Both are successful services that deliver an excellent service to their customers. Land Charges have a consistent 100% turnaround of applications and we have recently been able to invest more of the Building Control income in the service to improve it yet further. Although developers can use private sector building control firms many still choose us because of the excellent professional service they receive.

I would like to thank all the Officers in City Strategy for their hard work to help the Department provide the best possible service. The achievements outlined above could not have been possible without everyone's dedication.

## CITY OF YORK COUNCIL

## EXECUTIVE KEY DECISIONS UNDER FORMAL URGENCY PROCEDURES

In accordance with Section 5 of the Council's Access to Information Protocol, this schedule sets out key decisions which have been taken by the Executive and Executive Members under the formal urgency procedures set out in the protocol between April 2007 and September 2007.

Meeting / Date	Report Title / Summary of Key issues	Summary of Decision and Reasons
10 April 2007	<p><b>Joseph Rowntree School – Appointment of Technical Consultants</b>  <i>Report seeking approval of the appointment of technical consultants to assist in the development of the Outline Business Case (OBC) for the Joseph Rowntree One School Pathfinder (OSP) project.</i></p>	<p>Executive agreed to appoint Mott MacDonald as technical consultants for the Joseph Rowntree School OSP.  <u>Reason:</u>            To enable the project to progress according to existing timescales.</p>
26 June 2007	<p><b>Evening Parking Charges</b>  <i>Report seeking Members views on evening parking charges following the approval of the Policy Prospectus by the Executive on 12 June 2007.</i></p>	<p>The Executive Leader endorsed and accepted the Urgency Committee's advice to allow Minster badge holders to park free of charge in the evening.  <u>Reason:</u>            As requested in the Policy Prospectus.</p>
3 August 2007	<p><b><a href="#">easy@york</a> Progress Report and Options for Phase 2</b>  <i>Report setting out the early outcomes of the first phase of easy@york, providing an analysis of the early benefits that have been achieved by the programme and giving an indication of some of the lessons already learnt. Also making the case for a second phase of the</i></p>	<p>The Executive Leader endorsed and accepted the Urgency Committee's advice:</p> <ul style="list-style-type: none"> <li>(i) That the review of the benefits brought about by phase 1 of <a href="#">easy@york</a> be noted;</li> <li>(ii) That the options for a future phase set out in paragraphs 41-53 of the report be noted,</li> </ul>

	<p><i>programme and presenting options to extend the reach of the current York Customer Centre and to establish a single, one-stop shop for face-to-face contact in the Hungate Building by 2010. Also presenting high level costs for a future phase and options on how this can be funded.</i></p>	<p>Option 3 be recommended and a further report be brought to Members in the autumn containing robust figures for possible capital costs and revenue savings and targets;</p> <p>(iii) That it be agreed that additional funding for <a href="#">easy@york</a> phase 2 be made available from Prudential Borrowing to a maximum of £2.5m where it can be supported by identified efficiencies and savings options that would repay the level of additional investment required, and that Local Public Service Agreement 2 (LPSA2) funds be allocated in line with the new bidding process, in support of the Local Area Agreement (LAA), with any <a href="#">easy@york</a> related bid needing to demonstrate its contribution to the LAA and compete for funds accordingly;</p> <p>(iv) That the introduction of telephone menus in August 2007, as set out in paragraph 27 of the report be noted;</p> <p>(v) That additional savings be sought from each <a href="#">easy@york</a> phase 2 service in order to fund the repayment of the Prudential Borrowing.</p> <p><u>Reason:</u></p>
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		<p>As Option 3 will enable the move into Hungate and will lead to improvements in Customer Services and deliver savings, all of which are part of the Council's Corporate Strategy.</p>
<p>3 August 2007</p>	<p><b>Children's Centres Capital Programme</b>  <i>Report informing Members of progress to date on the development of the eight Children's Centres in York under phase 2 of the national programme, detailing the results of tenders received for capital works and setting out options for closing a funding gap in order to allow construction contracts to be let.</i></p>	<p>The Executive Leader endorsed and accepted the Urgency Committee's advice:</p> <ul style="list-style-type: none"> <li>(i) That the contents of the report be noted, in particular the increased costs of delivering an acceptable Children's Centres programme following the recent tendering exercise;</li> <li>(ii) That it be agreed that the estimated receipt of £275k from the sale of Heworth Family Centre be included as a contribution to the Children's Centre programme to enable reprovision of the family centre to be delivered within the Tang Hall Children's Centre;</li> <li>(iii) That it be agreed that the transfer of £400k from the New Deal for Schools (NDS) Modernisation Programme to the Children's Centres programme reflecting the reimbursement in to the NDS Modernisation budget of a £400k Section 106 receipt from the propose housing development at Germany Beck, Fulford;</li> </ul>

		<p>(iv) That it be agreed to investigate further, as a high priority, the scheme reduction set out at Option 2 to construct the extensions in steel rather than aluminium at Haxby Road, subject to English Heritage and planning approval, and to allocate additional corporate capital resources to fund the planned programme.</p> <p><u>Reason:</u> In order to allow construction contracts to be let.</p>
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## **Scrutiny Report to Council**

### **Report of Chair, Scrutiny Management Committee**

Since the last Council Meeting, the following developments have been taking place in Scrutiny:

#### **Scrutiny Management Committee**

In its last 2 meetings, Scrutiny Management Committee (SMC) has appointed an Ad-hoc Scrutiny Sub-Committee to review a topic registered by Councillor Watt regarding the situation from May 2003 relating to the sale of the Barbican. It has also received the final report from the Area Asset Management Plan (Tang Hall) Scrutiny Sub-Committee and agreed to refer the report to the Executive when the report itself on the draft Area Asset Management Plan for Tang Hall was submitted. In addition, the Committee has reviewed virtually all the remaining outstanding agreed recommendations in relation to completed reviews and determined which of those it still wishes to continue monitoring.

#### **Education Scrutiny Committee**

The Committee has considered a number of potential review areas and after receiving a presentation from the Governance Service Manager and the advice of the Executive Member for Children's Services, it decided to next undertake a review on the Role of the Governance Service, focusing in particular on the following:

- ways of increasing the number of community Governors and community involvement with Governing Bodies
- the current composition of governing bodies with an effort to find ways of improving the ethnicity balance and chairing skills of panel members
- the role of Governors and current clerking arrangements in extended schools

#### **Health Scrutiny Committee**

The Committee has been focusing its efforts on establishing a work planning programme for 2007/8 and with that in mind has discussed how health scrutiny could contribute to the work of the Healthy City Board and the Local Area Agreement. It has organised a facilitated work planning event for Councillors and health partners to develop some key priority areas for the work plan. A Community Engagement Day is also planned in October to hear the views of all voluntary and community groups in an effort to incorporate some of their concerns within the plan. More information on how this is progressing will be available in my next report.

Finally, SMC has also been looking at its present role within the scrutiny function and for the time being has decided not to change the way it operates in both managing the work areas and resources of scrutiny. It is, however,

dedicated to managing an effective scrutiny process in York and recognises some of the challenges which lie ahead in the White Paper 'Stronger, Prosperous, Communities.'

**Councillor John Galvin**  
**Chair**  
**Scrutiny Management Committee**  
September 2007



**Council**

**4 October 2007**

Report of the Head of Civic, Democratic & Legal Services

## ***Appointments and Changes to Membership***

### **Summary**

1. This report seeks approval to vary the proportionality on Planning Committee and Gambling & Licensing Acts Committee, whilst maintaining the overall proportionality and political balance of the Council. It also seeks approval for the appointments and changes to membership of committees and outside bodies on the list attached as Annex 1.

### **Background**

2. Following the Heworth Without by election, the overall political balance on the Council changed as follows:

<b>Political Group</b>	<b>Proportionality before the by election</b>	<b>Proportionality before the by election</b>
<i>Liberal Democrat</i>	<i>40.4%</i>	<i>42.6%</i>
<i>Labour</i>	<i>38.3%</i>	<i>38.3%</i>
<i>Conservative</i>	<i>17.0%</i>	<i>14.9%</i>
<i>Green</i>	<i>4.3%</i>	<i>4.3%</i>

3. This change represents a transfer of three committee seats to the Liberal Democrats from the Conservatives.
4. Following negotiations between the two groups, it is proposed that one seat will be transferred from the Conservatives to the Liberal Democrats on each of the Strategic Policy Panel, the Local Development Framework Working Group and the Gambling & Licensing Acts Committee.
5. Whilst maintaining the overall proportionality and political balance of the Council, this arrangement would not maintain individual proportionality on the Gambling & Licensing Acts Committee or the Planning Committee, where the distribution of seats would be as follows:

Gambling & Licensing Acts Committee

<b>Political Groups</b>	<b>Number of Seats</b>
<i>Liberal Democrat</i>	<i>7</i>
<i>Labour</i>	<i>5</i>
<i>Conservative</i>	<i>1</i>
<i>Green</i>	<i>2</i>

Planning Committee

<b>Political Groups</b>	<b>Number of Seats</b>
<i>Liberal Democrat</i>	<i>6</i>
<i>Labour</i>	<i>6</i>
<i>Conservative</i>	<i>3</i>
<i>Green</i>	<i>1</i>

6. Council's approval is therefore sought to vary the proportionality on these two committees.

**Consultation**

7. The Leaders of the Liberal Democrat and Conservative Groups have indicated that these arrangements are acceptable to them.

**Options**

8. Members have the option to either approve or reject the request to vary the proportionality on Planning Committee and Gambling & Licensing Acts Committee, whilst maintaining the overall proportionality and political balance of the Council.

**Analysis**

9. Approval of the request would allow the changes agreed between the Groups to be implemented.

**Corporate Priorities**

10. This issue does not contribute to or impact on any of the corporate priorities.

## **Implications**

11. There are no implications in any of the following areas:

- **Financial**
- **Human Resources (HR)**
- **Equalities**
- **Legal**
- **Crime and Disorder**
- **Information Technology (IT)**
- **Property**
- **Other**

## **Risk Management**

12. In compliance with the Council's risk management strategy. There are no risks associated with the recommendations of this report.

## **Recommendations**

13. (i) That approval be given to vary the proportionality on Planning Committee and Gambling & Licensing Acts Committee, whilst maintaining the overall proportionality and political balance of the Council.

Reason: To implement the changes agreed by the Groups.

(ii) That the other appointments and changes to membership of committees and outside bodies on the list attached as Annex 1 of the report be approved.

Reason: In line with constitutional requirements.

**Contact Details**

**Author:**

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Democratic Services  
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**Chief Officer Responsible for the report:**

Colin Langley  
Interim Head of Civic, Democratic & Legal  
Services

**Report Approved**

**Date** 21/9/07

**Specialist Implications Officer(s)** *None*

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

**All**

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

**Background Papers:** None

**Annexes**

Annex 1 - list of appointments and changes to membership of committees and outside bodies.

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

### **STRATEGIC POLICY PANEL**

Cllr Sue Galloway (Liberal Democrat) to replace Cllr Healey (Conservative)

Cllr Runciman to replace Cllr Sue Galloway as 2<sup>nd</sup> Liberal Democrat Substitute

Cllr Sunderland to replace Cllr Runciman as 3<sup>rd</sup> Liberal Democrat Substitute

Cllr Vassie to replace Cllr Sunderland as 4<sup>th</sup> Liberal Democrat Substitute

Cllr Orrell to replace Cllr Vassie as 5<sup>th</sup> Liberal Democrat Substitute

### **NEIGHBOUROOD SERVICES EMAP**

Cllr Ayre to replace Cllr Hyman as 2<sup>nd</sup> Liberal Democrat Substitute

### **GAMBLING AND LICENSING ACTS COMMITTEE**

Cllr Ayre (Liberal Democrat) to replace Cllr Gillies (Conservative)

### **HIGHWAYS PFI AD HOC SCRUTINY COMMITTEE**

Cllr Blanchard to replace Cllr Merrett

Cllr Bowgett to replace Cllr Looker as 1<sup>st</sup> Labour Substitute

### **TRAFFIC CONGESTION AD HOC SCRUTINY COMMITTEE**

Cllr Holvey to replace Cllr Hogg

### **SOCIAL INCLUSION WORKING GROUP**

To appoint

#### **Community Group Non-voting Co-opted Members :**

Jan Jauncey                      York Interfaith

Paul Woodsworth              Churches Together in York

Lynn Jeffries                    Disabled People's Forum

**LOCAL DEVELOPMENT FRAMEWORK WORKING GROUP**

Cllr Ayre (Liberal Democrat) to replace Cllr Hudson (Conservative)

**YOUNG PEOPLE'S WORKING GROUP**

Cllr Ayre to replace Cllr Holvey

Cllr Holvey to replace Cllr Jamieson-Ball as 1<sup>st</sup> Liberal Democrat Substitute

**ADMIN ACCOMMODATION WORKING GROUP**

Cllr Scott to replace Cllr Merrett

**HEALTHY CITY BOARD**

Cllr Sue Galloway to replace Cllr Runciman

**YORK COMPACT GROUP**

Cllr Aspden to replace Cllr Sunderland

**OUTSIDE BODIES**

**ADOPTION PANEL**

Cllr Morley to replace Cllr Waudby

**HESLINGTON EAST COMMUNITY FORUM**

To appoint Taylor to replace D'Agorne as Fishergate Ward representative

To appoint Morley as Osbaldwick Ward representative

To appoint Cregan or Pierce as Hull Road Ward representative



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## **Full Council**

**4 October 2007**

Report of the Head of Civic, Democratic & Legal Services

## **Honorary Aldermen**

### **Summary**

1. This report reviews the Council's current policy on the appointment of Honorary Aldermen and presents an amendment to the policy for consideration.

### **Background**

2. Section 249 of the Local Government Act 1972 allows a principal council to confer the title of Honorary Alderman. On 17 June 1974 the York City Council Policy & Resources Committee considered a report from the Chief Executive on the procedure for exercising the section 249 discretion and agreed a criteria for determining what would be regarded as having rendered eminent services to the District Council or to the York City Council as a past member of either of these Councils.
3. The Committee resolved:
  - (i) *that the Council agree to the principle of the appointment of Honorary Aldermen;*
  - (ii) *that former members of the City Council who have served for 20 years or more be automatically considered for the conferment of the honour of Honorary Aldermen;*
  - (iii) *that the Working Party be authorised, if they so desire, to bring to the notice of the Council names other than those covered under (ii) above and that it be open to any serving member of the Council to submit names for the consideration of the Working Party; and*
  - (iv) *that the total number of Honorary Aldermen at any one time be limited to one-third of the Council's complement of members.*
4. The current policy does not therefore take into account service representing the City of York area on the county council, prior to the unitary City of York Council being set up. It does however take into account service representing the current City of York area on district councils, prior to the unitary authority being set up. This position is inconsistent and it is therefore proposed to amend the policy to allow county council service to be counted.

5. The Local Government Act 1972 does not prevent county council service from being considered.
6. The current policy also limits the total number of Honorary Aldermen at any one time to one-third of the Council's complement of Members. Members may wish to reconsider this aspect of the policy as there are currently 13 Honorary Aldermen and therefore the limit of 15 has almost been reached.

### **Consultation**

7. The Group Leaders have been consulted on the proposed changes to the policy and support the proposals.

### **Options**

8. Members can approve the proposed change to the policy, suggest alternative changes or retain the existing policy.

### **Analysis**

9. The proposed change to the policy would bring county council service in line with district council service.

### **Corporate Priorities**

10. The proposed change contributes to the corporate priority of improving leadership at all levels to provide clear, consistent direction to the organisation.

### **Implications**

11. There are no implications relating to any of the following areas:
  - **Financial**
  - **Human Resources (HR)**
  - **Equalities**
  - **Legal**
  - **Crime and Disorder**
  - **Information Technology (IT)**
  - **Property**
  - **Other**

### **Risk Management**

12. In compliance with the Council's risk management strategy. There are no risks associated with the recommendations of this report.

### **Recommendations**

13. (i) That the proposed change to the policy to include county council service be agreed.

Reason: To address the inconsistency in the current policy.

- (ii) That consideration be given to amending the limit on the total number of Honorary Aldermen.

Reason: As the current limit has nearly been reached.

**Contact Details**

**Author:**

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*Acting Principal Democracy Officer*  
*Democratic Services*

**Chief Officer Responsible for the report:**

*Suzan Hemingway*  
*Head of Civic, Democratic & Legal Services*

**Report Approved**

**Date** *31/8/07*

**Specialist Implications Officer(s)** *None*

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

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

**Background Papers:**

*Extract from the Local Government Act 1972*  
*Minute from York City Council Policy & Resources Committee 17/6/1974*

**Annexes:** *None*

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