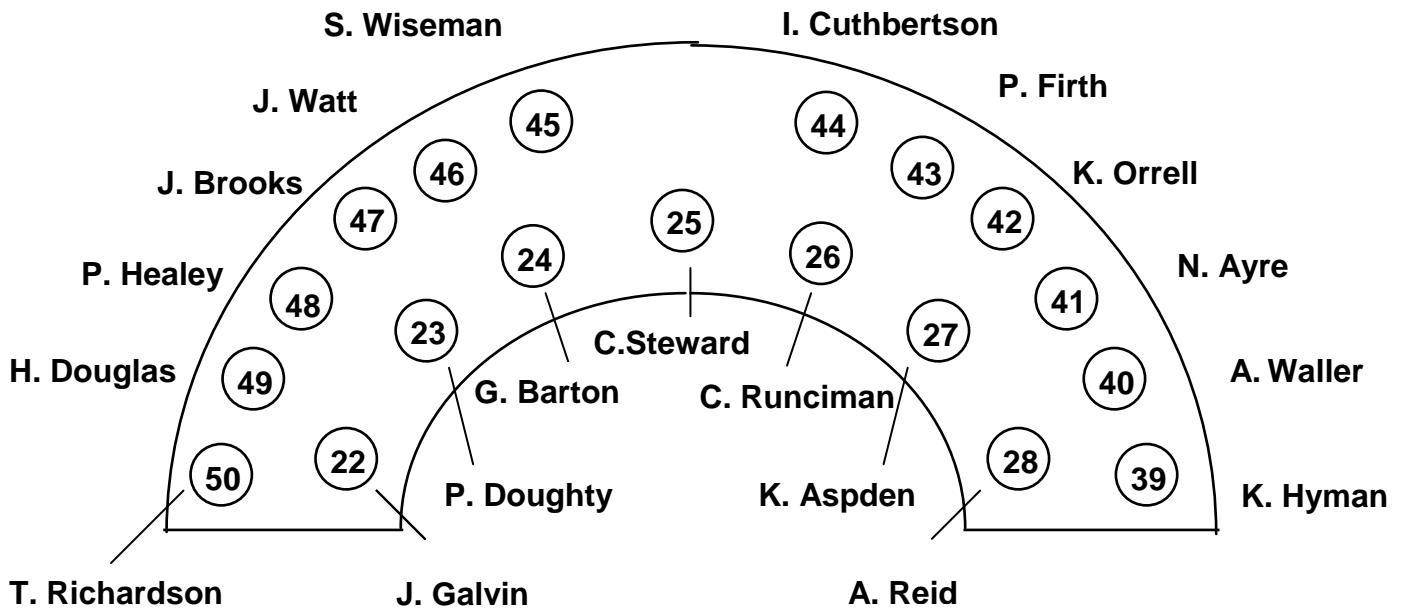


**CITY OF YORK COUNCIL
SUMMONS**

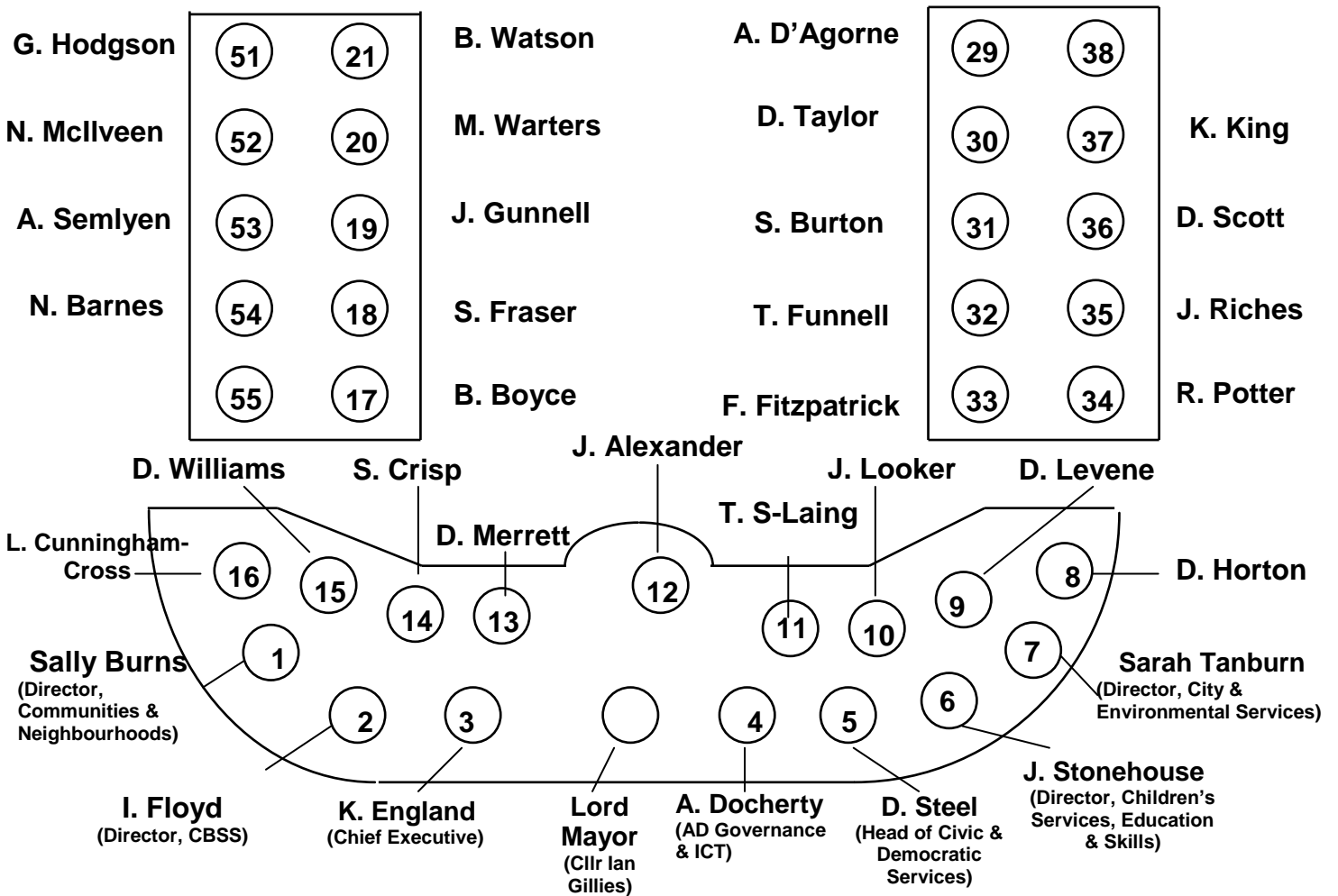
All Councillors, relevant Council Officers and other interested parties and residents are formally invited to attend a meeting of the **City of York Council** at the **Guildhall, York**, to consider the business contained in this agenda on the following date and time

Thursday, 11 December 2014 at 6.35 pm
or upon the conclusion of the previous Special Council Meeting

COUNCIL CHAMBER



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A G E N D A

1. Declarations of Interest

At this point, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

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

2. Minutes (Pages 1 - 72)

To approve and sign the minutes of the last Ordinary meeting of Council held on 9 October 2014 and the Extraordinary meeting held on 23 October 2014.

3. Civic Announcements

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

4. Public Participation

At this point in the meeting, any member of the public who has registered to address the Council, or to ask a Member of the Council a question, on a matter directly relevant to the business of the Council or the City, may do so. The deadline for registering is **5:00pm on Wednesday 10 December 2014.**

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

WEBCASTING NOTICE

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

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

Public seating areas will not be filmed by the Council.

5. Petitions

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

- (i) Cllr Runciman on behalf of local residents requesting the Council to recognise the significance of York's only large, unique, historic pool and to provide an adequate level of revenue funding to keep the pool open for at least the next 5 years to safeguard the health, fitness, safety and sporting needs of the local and wider community.

6. Report of the Cabinet Member (Pages 73 - 82)

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

7. Report of Cabinet Leader (Pages 83 - 86)

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

8. Election of Leader

To receive nominations for the appointment of a new Leader of the Council and Labour Group.

9. Recommendations of the Staffing Matters and Urgency Committee (Pages 87 - 88)

Meeting	Date	Recommendations
Staffing Matters & Urgency Committee	24 November 2014	Minute 53: Director and Assistant Director of Adult Services-Appointment Process and Remuneration

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=120&MId=8100&Ver=4>

10. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee (Pages 89 - 92)

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

11. Activities of Outside Bodies

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

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

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

- North Yorkshire Pension Fund Sub-Committee - 20 February, 22 May, 10 July and 18 September 2014
- North Yorkshire Police and Crime Panel – 10 April and 17 July 2014
- York Teaching Hospital NHS Foundation Trust Council of Governor's – 11 June 2014
- Safer York Partnership/Drug & Alcohol Action Team Partnership Board – 31 July 2014
- North Yorkshire Fire & Rescue Authority – 24 September 2014

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

12. Appointments to Committees and Outside Bodies (Pages 93 - 100)

To consider a report which sets out details of changes to membership of the Health and Wellbeing Board and an appointment to the Mental Health and Learning Disabilities Partnership Board.

13. Notices of Motion

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

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

None

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

(i) From Cllr Fraser

“Council welcomes the Government’s policy on integrated health and social care and local efforts to make this a reality for people in York, who should be central to NHS provision.

Council notes, however, the damaging impact of the £3bn Tory-Lib Dem Government’s top down reorganisation of the NHS, which is forcing local health economies to waste millions of pounds on pointless procurement exercises as they compete with the private sector for patient contracts.

This is all against a backdrop of severe financial pressure and significant historical underfunding of York’s healthcare system and mental health services in particular.

The cumulative effects on York patients include:

- Restricted access to certain treatments and procedures due to the Government’s insistence that the Vale of York Clinical Commissioning Group (VoYCCG) take on the historic debt of the former Primary Care Trust (PCT);
- The excessive waiting times for access to talking therapies for those experiencing mental ill health; and
- The imposition of funding cuts to York Hospital including reduced payment to the hospital for in-patient readmissions within 30 days and the imposition of an arbitrary threshold for A&E patient numbers above which the hospital only receives a percentage of the full tariff for emergency admissions.

Council resolves:

- To request the Chair of the Health Overview and Scrutiny Committee to make arrangements for Health Overview and Scrutiny Committee to consider conducting a review on the impact on local health services based on so called 'efficiency' savings and chronic underfunding of the NHS in York, to enable residents to understand what future services will look like over the period 2015-2020;
- To call on the city's two MPs to lobby for a fairer deal in funding for York's NHS;
- To publicly condemn the estimated £3bn unwanted and ineffective top down reorganisation of the NHS;
- To publicly support the NHS (Amended Duties and Powers) Bill which is being debated in Parliament and aims to halt privatisation in the health service by repealing sections of the Health and Social Care Act 2012 that enforce competition in the NHS;
- To note the Labour Party's commitment to increase NHS spending by £2.5bn per year mid way through the next parliament."

(ii) From Cllr Richardson

"Council agrees with concerns of residents that the Labour Cabinet has often forgotten it is there to serve residents and has failed to listen to their wishes and to properly engage. The Cabinet has too often been wrongly focused on grand plans outside the city and on vanity projects rather than on vital services such as salt bins, rubbish collection and potholes.

With the move to no overall control councillors resolve to work together to deliver the services residents want, deserve and respect. Council notes that Cabinet brought in a charge for second green bins and has discussed the potential for future additional charges. Council believes that council tax is the fee paid for services including rubbish collection and does not support additional charges. In particular the Council believes that a potential charge for the first green bin would be harmful to recycling rates as well as unfair to residents.

Therefore Council commits not to bringing in additional charges for the collection of residents' domestic rubbish for the life of the

present Council, and endeavours to maintain this commitment during the next Council.”

(iii) From Cllr Aspden

“Council Notes:

- The judgement of the Government Traffic Adjudicator, Stephen Knapp, that City of York Council had “no power” to issue PCNs (Penalty Charge Notices) under its Lendal Bridge trial.
- The decision of the Labour Cabinet to only repay PCN fines to those who apply for a refund and to close applications on the 31st December.

Council Believes:

That the Labour Cabinet must repay all the Lendal Bridge fines.

Council Resolves: To ask Cabinet to extend the 31st December deadline and to instruct officers to put in place a system for automatically repaying all Lendal Bridge fines.”

(iv) From Cllr D’Agorne

“Council notes with concern the growing number of local pubs that are closing and being threatened with conversion to supermarkets, in some cases without the opportunity for the local community to have a say in the process.

Council further notes the support of local MP’s High Bayley and Julian Sturdy and supports the intent of Early Day Motion 208,

"That this House believes that permitted development rights are leaving pubs in England vulnerable to demolition or conversion to a range of retail uses without planning permission; further believes, in light of evidence from the Campaign for Real Ale, that two pubs a week are converted to supermarkets, and that these planning loopholes are contributing to the loss of valued community amenities; is concerned that local people are being denied a say in the future of their neighbourhoods; and so urges the Government to bring forward amendments to the General Permitted Development Order 1995 so that any demolition or change of use involving the

loss of a pub would require planning permission."

In the short term, in order to provide local accountability, Council calls on Cabinet to follow the example of other councils by swiftly introducing an Article 4 exemption to GPDO 1995 so as to require application for planning permission for such change of use within the boundary of the City of York, starting with the Punch Bowl in the Groves as an urgent priority.

In addition Council supports the provision of advice to local groups on how to register their local pub as a 'community asset', identifying key social assets in local communities that need to be protected."

(v) From Cllr Simpson-Laing

"Council notes with concern that in the consultation document for the refranchising of *Northern Rail* and *Trans Pennine Express* there is a requirement for bidders to outline how they will remove the safety critical role of the guard from their services.

Council's response to the consultation for the refranchising argued that service reductions, staff reductions and ticket office closures are based on a false construct that regional rail is unaffordable, when in fact the problem is systemic under-investment.

Council is extremely concerned about the potential impact such a retrograde move would have on travellers to and from York and across the region in general. Passenger Focus research demonstrates that passengers perception of safety and security is greatly enhanced by the presence of conductors on trains.

Conductors provide an invaluable service to passengers providing:

- A vital customer service role including, travel information and assisting passengers with mobility issues to board and alight trains comfortably and safely at the many stations in the region that are not staffed.
- Dealing with issues of health emergencies, anti-social behaviour and reacting to safety and operational incidents.

Council is deeply concerned that the alcohol ban on a number of Saturday services, to and from York, will be unworkable without guards and the effect this will have on York's Visitor economy.

It is the view of Council that for some the removal of guards will make train travel to and from York less attractive.

Council therefore requests the Chief Executive to write to:

- *York, North Yorkshire and East Riding* and the *Leeds City Region* Local Enterprise Partnerships and to the City's two MPs to oppose the proposal to remove on-board conductors and request that they lobby for their retention
- contact the Department for Transport and relevant Government Minister to ensure on-board conductors are retained within the service specification."

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

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

(i) To the Cabinet Leader from Cllr Watson:

"By imposing the closure of Waterworld are you not prejudging the stadium planning application and placing your groups planning committee members into a preconceived decision?"

(ii) To the Cabinet Leader from Cllr Aspden:

"In view of the relatively low levels of unemployment in the city, what actions does the Cabinet intend to take over the next 4 months to address labour shortages in key sectors such as social care and the construction industry?"

(iii) To the Cabinet Leader from Cllr Steward:

"When did he become a believer in freezing council tax rather than increasing it?"

(iv) To the Cabinet Leader from Cllr Watson:

"What, if anything do you intend doing to address the concerns of the petitioners on the subject of Yearsley pool?"

(v) To the Cabinet Leader from Cllr Aspden:

“How much has the council paid to the Leeds City Region, the West Yorkshire Combined Authority and the local LEPs and how much of this has the authority received back (not promised, not national funding allocations) so far in increased investment in the city and its public services?”

(vi) To the Cabinet Leader from Cllr Steward:

“What will be the total cost of the council of the Lendal Bridge trial, including a breakdown of estimated officer time, once all fines have been refunded?”

(vii) To the Cabinet Leader from Cllr Steward:

“How much higher is the cost of the Lendal Bridge trial to the council due to the decision to initially only pay back people appealing?”

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

“In view of the news that York City Knights are no longer to be involved in the Community Stadium does the Cabinet Member not think that she, personally, should have issued a full and detailed explanation to her fellow Councillors about what is happening here rather than abdicate the responsibility to Officers resulting in a less than totally explanatory email being circulated?”

(ix) To the Cabinet Member for Leisure, Culture & Tourism from Cllr D’Agorne:

What is the estimated total cost to York council tax payers for the proposed one day Tour de Yorkshire event in May 2015 and where will this money be found from?

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

“Following York City Knights withdrawal from the Community Stadium venture, has the Risk Assessment Document been

rewritten and any elements previously shown as “medium” upgraded to “high”?”

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

“What is the estimated cost to the Council of the legal proceedings referred to in the recent Community Stadium project warning issued by Officers to Members?”

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

“Listing each pool separately, for each month for the last 2 years what were the attendances at York swimming pools?”

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

“How many people attended this years Illuminating York events, how does this compare to 2013 and 2012, and what was the cost to the council of this event in each of the last three years?”

(xiv) To the Cabinet Member for Health & Community Engagement from Cllr Barton:

“Bearing in mind that less than 1% of the population attended the series of Community Engagement Meetings does not the Cabinet Member think it time to reinstate the previously higher levels of Ward Committee funding to give residents a real opportunity to actively “engage” in their Ward’s activities?”

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

“Conservative calling-in members welcome that the Labour Cabinet have been encouraged to reconsider their decision to close the youth and young adult service at Castlegate. Given the Health and Wellbeing Board strategy was previously ignored by Cabinet, can the Cabinet Member please explain how the HWBB exerts it's influence and impacts on the decision making of the Council and it's partners?”

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

“As it is now nearly 18 months since the Council started to seek partners to provide and run the Lowfields Care Village, when was the “competitive dialogue” phase concluded, why did it take so long, and when does the Cabinet Member now expect work on site to start and the first homes to be occupied?”

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

“As the Cabinet Member has previously said that she is involved in each stage of the hand over of community centres, could she explain how they are being equipped to respond to the challenges of having no grant nor caretaker provision, and does she not think it would be fairer for community centres to have a similar level of support to the 'hubs' developed by the council including Space 217 in Lindsey Avenue?”

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

“Residents have recently reported that pre-sorted recycling has been cumulatively thrown into refuse vehicles for landfill rather than recycling on a number of occasions. Given this disheartening sight where citizen efforts are literally 'wasted', can the Cabinet Member please advise how many collection shifts have been lost this municipal year due to recycling vehicles being out of use and replaced with a standard refuse cart?”

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

“How many reports has the council received during the current year about trees and hedges overgrowing and impeding public roads and footpaths, what action does the council take to require owners to cut back these obstruction, what is the average time taken by owners to undertake this task, and what is the current longest outstanding complaint of this sort?”

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

“Could the Cabinet Member confirm how many residents have paid for a second green bin collection and how this compares to budget assumptions?”

(xxi) To the Cabinet Member for Transport from Cllr D’Agorne:

“What is the timescale now for establishing the Congestion Commission?”

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

“Of the Lendal Bridge refund requests processed to date how many (in total and as a percentage) have been for York postcodes, how many for the rest of the UK and how many for overseas addresses?”

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

“How many meetings were held and where with prospective tenderers for the East Coast Main Line franchise at which City of York Cabinet members and/or officials specifically made the case for retaining the franchise HQ in York and what was the reaction of each of the tenderers?”

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

“How many faults have been reported on traffic signals in York so far this year, what is the total time that signals have been out of service, and how do these figures compare to the equivalent period last year?”

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

“In view of the fact that successive Cabinet Members for Transport have told previous Council meetings that they were trying to get more information about bus service reliability in York, could the current Cabinet Member now say - for each of the last 6 months - what reliability was achieved on stage carriage services (quoting commercial and subsidised separately) operating in the City?”

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

“At the last meeting the Cabinet Member for Transport said that the number of vehicles using different car parks would be assessed to determine the success or otherwise of the free morning parking trial and given this, would he now publish comparisons between the numbers using the free parking option and the numbers recorded prior to the trial, together with a month by month comparison of total car park usage and income comparing this year with last year?”

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

“Would the Cabinet Member provide up to date information comparing the revenue derived from the Marygate Car Park, since it has had barriers introduced, with the equivalent period during the previous year?”

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

“I understand that the Marygate barrier was not working on the 8th November. In total, how many faults on the barrier and payment mechanisms at the car park have been reported since the trial commenced and what has been the total loss in income?”

(xxix) To the Cabinet Member for Transport from Cllr Hyman:

“Could the Cabinet Member publish the monthly number of park and ride journeys made from each site – including the newly commissioned ones – comparing 2014 with 2013?”

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

“In light of planned cuts to the 2015/16 highways budget could the Cabinet Member outline any proposals to cut frontline staff and detail the consequential reduction in services in the ancient monument department, the blacksmiths department, the drainage department, the highways department or in yard foreman?”

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

“Will the Cabinet Member listen to local concerns and restore

gritting routes in Huntington on Brockfield Park Drive/Road and North Lane?”

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

“Could the Cabinet Member confirm how much has been spent so far on the roll-out of 20mphs zones since 2011 and how much is planned to be spent in 2014/15?”

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

“Will the Cabinet Member restore the gritting routes to Hob Moor School along ‘little’ Green Lane and along the bus route through Kingsway West, Windsor Garth, Ascot Way, Danesfort Avenue and St Stephen’s Road?”

(xxxiv) To the Cabinet Member for Transport from Cllr D’Agorne:

“When will the induction loops for Fulford Rd/Broadway junction be installed, now that the resurfacing and lining has been completed?”

(xxxv) To the Cabinet Member for Transport from Cllr D’Agorne:

“What impact has the free parking scheme in the city centre had on occupancy levels, total income and pollution levels?”

(xxxvi) To the Cabinet Member for Transport from Cllr D’Agorne:

“Following the charge for Minster badges how many residents tickets have been issued compared with a similar period last year?”

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

“What urgent action is the Cabinet Member taking in light of the very worrying findings of recently published research carried out in conjunction with Save the Children which put both York constituencies in the worst 25% of constituencies in the country for

ability to 'read well' at age 11?"

[Research recently published by Read on. Get on - a coalition of charities, parents, teachers and businesses, puts two York constituencies in the worst 25% of constituencies in the country for the percentage of children who can 'read well' at the age of 11: 64% in York Central and only 61% in York Outer]

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

"What work has been undertaken to assess the loss of services in the community as a consequence of the planned funding cuts to Children's Centres (especially the joint activity with local NHS staff) and does the Cabinet Member not feel that these cuts fly in the face of what the council has been claiming it is doing for vulnerable communities in the city?"

(xxxix) To the Cabinet Member for Finance and Performance from Cllr Doughty:

"It is noted that the new Labour group Leader has overturned the decision of his predecessor and Cabinet colleagues despite previously supporting their stance and will now ordinarily refund motorists fined under the disastrous Lendal Bridge fiasco. Can the Cabinet Member please confirm what the final total loss to the York council taxpayer will be including costs for administration of fines, refunds, signage and related operating costs?"

(xl) To the Cabinet Member for Finance & Performance from Cllr Ayre:

"What are the latest performance figures for Customer Services at West Offices listing each channel separately?"

(xli) To the Cabinet Member for Finance & Performance from Cllr Firth:

"What progress has been made with the sale of Oliver House and when can we expect it to be occupied by a new owner?"

(xlii) To the Cabinet Member for Finance & Performance from Cllr Waller:

“In those cases where residents report issues electronically why doesn't the Council confirm - to the person raising the issue - when any requested action has been completed?”

(xliii) To the Cabinet Member for Finance & Performance from Cllr Ayre:

“What progress has been made in upgrading reporting options available to residents using mobile devices so that they are at least on a par with commercial sites such as “My Council”?”

(xliv) To the Cabinet Member for Finance & Performance from Cllr Waller:

“The 2014/15 Finance Monitor 1 report noted an overall forecast overspend for 2014/15 of £2.3 million and continued shortfall and overspends in areas such as parking income (£400k), Learning Services (£110k), the EPH Project (763k). Could the Cabinet Member update council on the overall budget position and these specific areas?”

(xlv) To the Cabinet Member for Housing & Community Safety from Cllr Orrell:

“Could the Cabinet Member update councillors on the future plans for implementing additional Cold Calling Zones?”

15. Urgent Business

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

Democracy Officer for this meeting:

Name: Jill Pickering

Contact details:

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

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

 (01904) 551550

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October, 2014, starting at 6.30 pm

Present: The Lord Mayor (Councillor Ian Gillies) 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
Hodgson Reid Semlyen	D'Agorne Taylor
Fulford Ward	Guildhall Ward
Aspden	Looker Watson
Haxby & Wigginton Ward	Heslington Ward
Cuthbertson Firth Richardson	Levene
Heworth Ward	Heworth Without Ward
Boyce Funnell Potter	Ayre

Holgate Ward

Hull Road Ward

Alexander
Crisp
Riches

Barnes
Fitzpatrick

Huntington & New Earswick Ward

Micklegate Ward

Orrell
Runciman

Fraser
Gunnell
Merrett

Osbaldwick Ward

Rural West York Ward

Warters

Gillies
Healey
Steward

Skelton, Rawcliffe & Clifton
Without Ward

Strensall Ward

Cunningham-Cross
McIlveen
Watt

Westfield Ward

Wheldrake Ward

Burton
Williams

Barton

Apologies for absence were received from Councillors Hyman,
Doughty and Wiseman

30. Urgent Business

The Lord Mayor announced that, following a request from two Members of Council to address the meeting, he was of the opinion that their requests should be considered as urgent business by virtue of Section 100B(4)(b) of the Local Government Act 1972.

Councillor Scott, made a personal statement, to confirm that it was with great regret, he was resigning from the Labour Group and the Labour Whip. He indicated that, following issues with the leadership team, he would become an Independent Labour member to enable him to continue his work in the Clifton Ward.

Councillor King also made a personal statement to confirm his sadness in also having to offer his resignation to the Labour Group, after having held a number of positions within the Group over many years. He stated that he was no longer able to work with members of the Group and he wanted to share this with the Clifton Ward and York residents.

Councillor Alexander expressed his deep regret at Councillors Scott and King's decision to leave the Labour Group and he wished them both well in the future.

31. Order of Business

Councillor Levene then moved and Councillor Horton seconded that the order of business be varied to allow Councillor Steward's Notice of Motion at Agenda item 12Bii) relating to the results of the Organisational Development Action Plan to be moved up the agenda for consideration at Agenda item 8.

Resolved: That the business of Council be varied to allow Councillor Steward's motion listed at Agenda item 12Bii) to be considered earlier at Agenda item 8.

32. Declarations of Interest

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests they might have in the business on the agenda.

The following **prejudicial** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Brooks	12 (iii) Motion – National Planning Framework	In land which could be involved in the Local Plan consultation. The Monitoring Officer had granted Cllr Brooks a dispensation so as not to affect the political balance of the meeting.
Merrett	7) Cabinet Recommendation - Long Term Waste Management Contract	As an employee of Amey Consulting, part of a wider group of which AmeyCespa were a separate part. The Monitoring Officer had granted a dispensation however he would not be speaking during the debate.

The following **personal** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Barnes	7) Cabinet Recommendation – Community Stadium and Leisure Facilities	As his employer was a major sponsor of York City Football Club.
Boyce	12 (iii) Motion – National Planning Framework	As a member of the Planning Committee she would not be taking part in the discussion or voting on this motion.

Galvin	12 (iv) Motion – Hydraulic Fracking	As a member of the Planning Committee he would not be taking part in the discussion or voting on this motion.
Horton	12 (iv) Motion – Hydraulic Fracking	As Chair of the Planning Committee he would be leaving the room and not taking part in the discussion on voting on the motion.
King	12 (iv) Motion – Hydraulic Fracking	As a member of the Planning Committee she would not be taking part in the discussion or voting on this motion.
Merrett	7) Cabinet Recommendation – Community Stadium and Leisure Facilities	As his daughter was a member of the Yearsley Pool Baths Club
Riches	12 (iv) Motion – Hydraulic Fracking	As he would be abstaining in respect of the vote on this motion
Semlyen	12 (iv) Motion – Hydraulic Fracking	As a member of the Frack Free York group
Simpson-Laing	7) Cabinet Recommendation – Community Stadium and Leisure Facilities	As her daughter was a member of York Athletics Club
Simpson-Laing	12 (iv) Motion – Hydraulic Fracking	As a member of the Planning Committee she would not be taking part in the discussion or voting on this motion.
Taylor	12 (iv) Motion – Hydraulic Fracking	As a member of the Frack Free York group.

Taylor	7) Cabinet Recommendation – Community Stadium and Leisure Facilities	Any effect on his employer, City Screen, in relation to the cinema element of the scheme
Watson	12 (iv) Motion – Hydraulic Fracking	As a member of Planning Committee he stated that he would be leaving the room during debate on this issue.

33. Minutes

Resolved: That the minutes of the last ordinary meeting of the Council held on 17 July 2014 be approved and signed by the Chair as a correct record

34. Civic Announcements

The Lord Mayor announced that this was the first Council meeting since the death of Cllr Lynn Jeffries, a Liberal Democrat Westfield Ward Councillor for a number of years. He confirmed that although her presence at these meetings would be sadly missed he hoped that her equalities legacy would live on in all the Council's work.

He also reported the recent death of Bob Edwards, former Labour Councillor who was first elected to the Bishophill Ward in 1979.

Members stood for a moments silence in memory of the former Councillors.

The Lord Mayor announced receipt of the following gifts, a wall plaque from the Captain of HMS Dragon, York's affiliated ship, following a visit by the civic party on the 2 October. A watercolour painting from the town of Orsogna, presented to the civic party in July, when they were in York taking part in the Mystery Plays and a two 'medals' from Italian students, who were in York on an educational visit in September.

35. Public Participation

Danny Dorney, Chair of the Jorvik Deaf Connections group, signed by Vicci Ackroyd, spoke to the petition to be presented by Cllr Barnes, which reported on the formation of the Deaf Connections

group following concerns at the services provided by the Deaf Society. He spoke of a lack of information and access to the Social Club, particularly children, and a disregard for the needs and requirements of the wider deaf community. The petition asked the Council and the Charity Commission to investigate the funding provided to the York Deaf Society, access to the Club and the current management of the Society.

Michaela Coxon, spoke in support of the petition to be presented later in the evening by Councillor Douglas from residents of Peter Hill Drive. She referred to the excessive speed of vehicles using the road as a short cut and to the petitions request for the erection of bollards between Peter Hill Drive and Spalding Avenue for the safety of residents.

Eileen Johnson, also spoke in support of a petition to be presented later in the evening by Councillor Douglas in relation to the continued use of the Burton Stone Community Centre by various Groups. As Chair of the York Coronary Support Group she raised concerns that the Group had been informed that they would no longer be able to use the Centre, which they had used for the last 20 years, for their fitness classes. She referred to the valuable service they provided and to the equipment stored on the premises. They asked Council to reconsider their plans to enable the Group to continue its work.

Gordon Renshaw, of the York Renal Exercise Group also spoke in support of the second petition to be presented later by Councillor Douglas relating to the continued use of the Burton Stone Community Centre. He reiterated the concerns of the earlier speaker at the changes proposed at the Centre. He also highlighted the benefits their exercise group offered to renal patients in maintaining and improving their lives. The Group asked the Council to provide a suitable central alternative to ensure continuation of their Group.

Fiona Evans, spoke on behalf of the Yearsley Pool Action Group, confirming that the Group were not against a Community Stadium but that their objection related to the inclusion of Yearsley Pool in the Stadium process. She confirmed that the Group asked for equal treatment and a future commitment to the Pool as previously agreed. She referred to the benefits the pool played in the health and fitness of the city and requested a guarantee that the Pool would not be closed in the Council's next 4 year term.

Sophie Hicks, spoke in support of the Cabinet recommendation to provide capital investment for the new Community Stadium complex. She outlined the consequences of any delay in funding of the Stadium on York City Football Club. She reiterated the need for a sustainable future for the Club and highlighted the benefits the Stadium would offer to the wider community. Any delay she confirmed would affect the Football Clubs loan and result in the Club being homeless.

Frank Ormston, spoke as Chair of one of York City's supporters' groups, the York Minstermen, also in support of the Community Stadium recommendation. He referred to their loyal fan base and to the support, passed on through families over many years. On behalf of fans he asked Members to support the building of a new Stadium which would provide a venue worthy for all Club supporters both past and present.

Rachel Barber spoke as Manager of the Clarence Gardens Association (The Hut), a registered charity which provided a programme of activities to support people with mental health and learning disabilities. She referred to the savings their volunteers made to both council and health services and to the successful outcomes for many who received their support. She highlighted the need for funding to enable the Association to develop long term programmes without which they would be unable to continue.

Allan Charlesworth spoke on behalf of the Earswick Action Group, part of the York Village Alliance, formed to raise objections to ten safeguarded sites in the Local Plan. They felt that insufficient evidence had been put forward in relation to housing growth to support the sites designation. He stated that safeguarding of these sites would make it difficult for future planning applications to be refused, in particular as the sites lacked infrastructure.

John Cossham spoke in support of Cllr Semlyen's fracking motion to be debated later in the evening. He spoke to highlight the issues arising from climate change from increased temperatures and to future affects on weather and wildlife. He asked Members to vote in support of Cllr Semlyen's motion for a frack free York and not for the incineration of waste.

36. Suspension of Standing Orders

The Leader moved a motion to suspend Standing Orders to enable the Director of Children's Services, Education and Skills to address

the meeting regarding arrangements made in York to identify and address sexual exploitation issues.

Resolved: That Standing Orders be suspended to allow the Director of Children's Services, Education and Skills to address the meeting.

37. Address by the Director of Children's Services, Education and Skills

The Director of Children's Services, Education and Skills addressed the meeting regarding arrangements made in York to identify and address sexual exploitation issues, in light of recent events in Rotherham. He outlined the work being undertaken with partners to protect vulnerable children to ensure that similar events did not take place in the city. He read a message from Simon Westwood, Chair of the Safeguarding Children Board outlining the local strategies in place to ensure that York would remain a safe place for children.

38. Petitions

Under Standing Order 7, petitions were presented by the following Members for reference to the appropriate Committee, Cabinet or Cabinet Member:

- i) Cllr Douglas on behalf of residents of Peter Hill Drive requesting the Council to block Peter Hill Drive at one end due to excessive speeding on the road.¹
- ii) Cllr Douglas on behalf of residents concerned at the Council's proposed changes at the Burton Stone Community Centre which they felt would not cater for exercise classes, principally heart patients.²
- iii) Cllr Gunnell on behalf of residents of South Bank Avenue concerned at the regular breaking of the 20mph speed limit along the road and urging the Council, in consultation with residents, to implement traffic calming measures.³
- iv) Cllr Reid on behalf of residents of Strensall objecting to the inclusion of site H30 (land between The Village and the railway line) in the draft Local Plan.⁴

- v) Cllr D'Agorne on behalf of residents of Walmgate and Navigation Road and the surrounding residential streets asking the Council to extend the rollout of the 20mph limit to their area. ⁵.
- vi) Cllr Barnes on behalf of members of the Jorvik Deaf Connections group and other members of the wider deaf community, asking the Council to investigate the funding provided to the York Deaf Society and the lack of access to services provided by the Society. ⁶.

Action Required

- 1/3/5. Schedule items on the Forward Plan, if required, and keep relevant Member updated on progress. MD
- 2. Schedule item on the Forward Plan, if required, and keep relevant Member updated on progress. AL
- 4. Schedule item on the Forward Plan, if required, and keep relevant Member updated on progress. SS
- 6. Schedule item on the Forward Plan, if required, and keep relevant Member updated on progress. GB

39. Report of Cabinet Leader and Cabinet Recommendations

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

A Questions

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

(i) From Cllr Steward

“Does the leader share my view that zero hours contracts are a problem when people are restricted to one employer and welcome the Prime Minister clamping down on that, or does he oppose all zero hours contracts per se?”

The Leader replied:

Yes, I welcome any action against exclusivity clauses in zero hour contracts. I think there is at times a place for zero hour contracts, but they should not be exploited by some employers.

(ii) From Cllr Aspden

“What specific positive steps will the Leader be taking to address concerns about the growth in part time work?”

The Leader replied:

I will continue to help existing businesses to grow, support new start up employers and attract businesses to York. This will help increase the employment market for full-time work.

(iii) From Cllr Barton

“In future could the Council Leader allocate more of his report to the addressing of local front line issues rather than national and local economic statistics unlikely to be considered by residents in York as burning issues. In short, could we have ‘more meat on the bone in future please?’”

The Leader replied:

I focus on the big issues and those pertaining to my portfolio, primarily economic development. Details on front line service performance is reported to both the cabinet and to scrutiny committees. That is not what the leader's report is for.

(iv) From Cllr Steward

“With the leader’s report objecting to two further call-ins as inappropriate in his eyes can he detail any call-ins this term he has not felt were wrong to be done or does he genuinely believe no decision of his administration has been worth further scrutiny?”

The Leader replied:

It is up to members of scrutiny to decide where scrutiny is required. Sometimes I feel this misses the point, for example the recent waste scrutiny report. I believe all too often in this council, including under Labour, the call-in process has been abused to delay decision making or to generate headlines over decisions. When I became leader of the opposition I tried to ensure this happened less frequently.

(v) From Cllr Orrell

“Does the Leader think it is unreasonable to request consultation with local residents on the closure of Waterworld?”

The Leader replied:

I do not think it is unreasonable to request consultation on any matter. Whether that consultation proceeds or in what form is another matter.

(vi) From Cllr Reid

“Could the Leader breakdown those affected by the council's living wage policy by department?”

The Leader replied:

The table below represents the number of employees receiving the Living Wage (£7.65 since April 2014).

<u>Directorate</u>	Recipients
Children’s Services, Education & Skills	6
City & Environmental Services	3
Communities & Neighbourhoods	15
Customer & Business Support Services	165
Health & Wellbeing	32
Office of the Chief Executive	0
Directorates Total	221
Schools	584
TOTAL	805

(vii) From Cllr Aspden

“As five wards account for 55.45% of JSA claimants, what will the Council be doing to work towards further reducing those needing to claim?”

The Leader replied:

We have a strong record in this council of influencing one of the best performing reductions in JSA claimants in the country. When you left office it was 2.6% (3,440 people) and now it stands at

1.1%, (1,441) a reduction of some 2000 people. We will continue on York's path to prosperity through policies of jobs and growth which will help reduce JSA claimants across the city.

(viii) From Cllr Steward

“Given criticisms of the lack of openness on the Community Stadium can the leader give residents the bottom line year on year revenue effect (taking account of the capital borrowing and ongoing profit/subsidy) of having the stadium as proposed?”

The Leader replied:

The total amount of Council borrowing would be £8m, which would result in revenue costs of approximately £700k per annum. The revenue costs of operating the Stadium and Leisure facilities are anticipated to be within the current revenue budget of £323k per annum. The Councils £8m investment will realise £47m of investment to the city that will deliver high quality leisure, health and community facilities, deliver significant additional economic benefits, and realise an increased level of business rates.

The proposals show that a number of new businesses will be located at the Stadium, Hub and Development that will give rise to new business rates of which the Council will retain the 25p share of each business rate pound raised.

This retained amount will be new income for the Council that can be used to help offset the cost of borrowing used in bringing this development forward. It is estimated that this will be in the region of £400k per year.

(ix) From Cllr Cuthbertson

“Does the Leader think it is unreasonable for elected councillors to want further details about a business case involving a further £4million of public spending?”

The Leader replied:

I think it is unnecessary to ask for further details on the community stadium project when the details are already available to councillors. I also think councillors of all parties need to recognise the correct process when undergoing a procurement process.

All Members have been offered a detailed briefing to help understand the business case and some Members have chosen to accept.

(x) From Cllr Aspden

“Whilst welcoming the Tour de Yorkshire, could the Leader outline any potential costs for City of York Council?”

Reply:

Unfortunately not at this stage, however I know officers are working through the detail of what the costs would be should the race come to York, and that these will be discussed in public when they are available.

(xi) From Cllr Steward

“Can the leader give details of areas of the city or residents’ bodies or community groups who agree with him that the latest local plan looks like one that ‘has taken into account public feedback’?”

Reply:

I think if you look at the draft plan in its current form it is obvious that changes have been made based on the feedback received. This is why the latest iteration of the draft plan is different from its previous versions.

I accept that some groups may remain unhappy with the plan for various reasons, but it has changed in a way that I think many of those groups would welcome.

(xii) From Cllr Aspden

“Does the Leader think it is unreasonable to request a commitment, on behalf of swimming groups and users, to keep Yearsley Pool open?”

Reply:

I think it is hard to give any assurances on any public services with the current funding reductions from the Conservative Liberal Democrat Government - even if this is something I would like to support.

(xiii) From Cllr Steward

“What examples can the leader give of when opposition councillors have influenced the planning for the crucial long-term issues of the Community Stadium and Local Plan?”

Reply:

The cross-party Local Plan Working Group seems the obvious example on the Local Plan, and the Community Stadium Advisory Group on the planning for the stadium before the council went to Labour control in 2011.

The input of Members on the LPWG has led to amendments and consideration of those amendments by officers and ultimately Cabinet in recommending the final draft Plan for public consultation.

(xiv) From Cllr Orrell

“Following the massive public opposition to the use of green belt sites for housing development in the 2013 Draft Local Plan consultation, how many green belt sites have been withdrawn from the subsequent draft plan proposals and how many new green belt sites have been added?”

Reply:

I think you mean draft green belt, as York has never defined the inner boundaries of the green belt. The local plan seeks to achieve this through satisfying government tests for a credible local plan - including ensuring adequate provision for homes. This will protect green land against uncontrolled development from the National Planning Policy Framework.

The following sites that are within the general extent of the draft green belt (as defined in RSS) have been deleted as housing allocations since the Preferred Options Draft Plan:

ST6 Land East of Grimston Bar (154 dwellings) – deleted as housing allocation and moved to safeguarded land

ST10 Land at Moor Lane, Woodthorpe (511 dwellings) – deleted as housing allocation and moved to safeguarded land

The following sites that are within the general extent of the green belt (as defined in RSS) have been added as housing allocations since the Preferred Options Draft Plan:

H46 Land North of Willow Bank and East of Haxby Road (118 dwellings)

H49 Station Yard, Wheldrake (109 dwellings)

H50 Land at Malton Road (70 dwellings)

ST29 Land at Boroughbridge Road (135 dwellings)

ST30 land North of Stockton Lane (165 dwellings)

In addition there are a number of sites where estimated housing numbers have been amended due to further masterplanning work which has been undertaken since Preferred Options.

I think some will take exception to some people arguing against homes in draft green belt whilst living in homes themselves that were built not too long ago on draft green belt. I understand you live in such a property.

(xv) From Steward

“Given the Preferred Options to Final Draft moves from a less than 10% reduction of just under 1,100 houses to just under 1,000 does the leader share my view it is misleading to talk about a move from 22,000 to 17,000 which is a more than 20% reduction?”

Reply:

I'm afraid that's something of a simplification of the position.

The Preferred Options Draft Local Plan included a housing demand target of 1,090 dwellings per annum over the Local Plan period from 1st October 2012 to 2030 (17.5 years). This equates to 19,075 dwellings in total. In addition a 15% buffer was included across the full Plan period to provide flexibility in the supply and to deal with persistent under-delivery in previous years. This 15% buffer equates to an additional 2,861 dwellings over the Plan period. In total therefore the Preferred Options Draft included a housing target of 21,936 dwellings.

The Publication Plan supplies enough land allocations (in addition to existing planning commitments) to provide for the construction of 1,170 homes per annum in years 1-6 of the Plan (7,020 dwellings in total) and 996 homes per annum for years 7-16 of the Plan (9,960 dwellings). This gives a total housing requirement for the Plan period (16 years) of 16,980 dwellings, a significant reduction of the amount highlighted in your question.

(xvi) From Cllr Steward

“When the leader says housing demand ‘cannot be addressed through brownfield developments alone’ can he detail any councillor currently saying it can and evidence that claim?”

Reply:

The 575 homes stance a year supported by the Liberal Democrats will not lead to a plan that will satisfy Government requirements. Liberal Democrats oppose all draft green belt development. Since voting down 800 homes a year in June 2011, the Conservatives now support 800 homes a year. This level would require more land than the previous draft local development framework. Almost certainly the Whinthorpe proposals would be required at the very least. Conservatives have so far not supported any new land site. In fact Conservatives have opposed all such development proposals. Those arguing to protect the draft green belt in its entirety are by definition saying development should only occur on brownfield land. Below are some examples of councillors making the point I raised in my report.

“and concentrate on building townships in the city (that’s brownfield sites to you and me)”.

Councillor George Barton, Conservative Group Deputy Leader, 19th July 2014, The Press

"This is green belt land and development is totally inappropriate."

Councillor Nigel Ayre, Liberal Democrat, 11th April 2014, The Press

"I will also step up our campaign to save York’s Green Belt."

Councillor Keith Aspden, Liberal Democrat, 13th May 2013, The Press

“In that poll, 83 per cent of parishioners voted against further greenfield land development in this area, and I would question why the council needs to be expanding a small, historic city like York.”

Councillor Mark Warters, Independent, 15th April 2013, The Press

However, I give credit to Councillor Paul Firth who gives an accurate position on number of homes.

"There aren’t enough available brownfield sites in the city to accommodate such high house-building numbers”.

Councillor Paul Firth, Liberal Democrat, 25th April 2011.”

B Cabinet Recommendations

Capital Programme – Monitor One 2014/15

Cllr Alexander moved, and Cllr Simpson-Laing seconded the following recommendation contained in Minute 34 of the Cabinet meeting held on 9 September 2014:

Recommended: That Council agree to:

- (i) The adjustments in the Capital programme of a decrease of £6.912m in 2014/15 as detailed in the report and contained in Annex A.*
- (ii) The use of £75k Contingency for works in relation to the War Memorial sites as set out at paragraph 16 of the report.*

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

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

Resolved: That the above recommendation in respect of the Capital Programme – Monitor One be approved.¹

Community Stadium and Leisure Facilities

Cllr Alexander moved, and Cllr Simpson-Laing seconded the following recommendations contained in Minute 35 of the Cabinet meeting held on 9 September 2014:

Recommended: That Council approve £4m Prudential Borrowing for the capital investment in the replacement leisure facilities (as shown in the tables at paragraph 22 of the report). The associated revenue costs of the borrowing will be c£360k per annum and will be shown as growth in the treasury management budget from 2016/17.

Reason: To update Members on the procurement of the New Stadium Leisure Complex and in order to progress the

scheme to provide a landmark leisure destination for the City.

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

Addition of the following additional resolution:

"The Council guarantees not to close Yearsley Pool during the next Council (2015-2020). As such, Council requests a detailed report for submission to Cabinet which examines ways to reduce any subsidy whilst guaranteeing not to close Yearsley Pool. "

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

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

Resolved: That the above recommendation in respect of the prudential borrowing for the Community Stadium and Leisure facilities be approved.²

Long Term Waste Management Contract

Cllr Alexander moved, and Cllr Simpson-Laing seconded the following recommendations contained in Minute 36 of the Cabinet meeting held on 9 September 2014:

Recommended: That Council be asked to confirm:

- (i) *The City Council is supportive of the County Councils recommendation to proceed to Financial Close for the Long Term Waste Treatment Service contract given the revised environmental and financial assessments carried out and detailed in this report given the positive long term benefits; subject to the final terms within the Value for Money Envelope set out at paragraph 146 of the report.*³
- (ii) *That delegated authority be given to the Director of Customer and Business*

Support Services (acting in consultation with the Director of City and Environmental Services and the Assistant Director (Governance & ICT) to amend the Joint Waste Management Agreement and to agree any other documents necessary to give effect to this project. ⁴

- (iii) *That the Director of Customer and Business Support Services, is authorised to issue the certificates under the Local Government (Contracts) Act 1997 to confirm the City Council's powers to enter into the contracts referred to above;*
- (iv) *That an indemnity be given by the City Council to the Director of Customer and Business Support Services, against any claim that may arise out of or in connection with the issue of the certificates under the Local Government (Contracts) Act 1997.*
- (v) *That all the Executive Decisions recommended above will not be implemented unless and until Full City Council agrees to the recommendation to proceed to Financial Close and Financial Close can be delivered within the Value for Money Envelope set out at paragraph 146 of the report.*

Reason: In order for Full Council to determine whether to enter into a long term waste management contract.

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

Resolved: That the above recommendations in respect of the long term waste management contract be approved.

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

Action Required

- | | |
|---|-------------|
| 1. Amend capital programme and allocate contingency accordingly. | RB, DM |
| 2. Proceed with scheme following approval of project costs. | TA |
| 3. Proceed to financial close for the scheme, subject to requirements detailed in report. | NF, PL |
| 4. Agree any amendments/documentation necessary to implement the project. | IF, AD, SCT |

40. Notice of Motion - Organisational Development Plan

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

(i) Organisational Development Plan (proposed by Cllr Steward)

“Council notes with concern the results of the Organisational Development Action Plan, in particular the Leadership section and the current position re ‘Concern about the Behaviour of some Members’. This follows last year’s Peer Challenge review which also expressed concern regarding members’ understanding of council priorities and the lack of clarity within the council.

Council requests that an independent body be appointed to report back to the Audit and Governance Committee no later than its meeting of 10 December 2014 and that the report is delivered directly to this committee, investigating these concerns and whether Members have acted in a manner which falls below that which staff and residents expect.”

An amendment was proposed by Councillor Alexander as follows:

The **addition** of the following final paragraph:

This report should take into account the personalised politics being exhibited within York by elected members and their supporters – most notably on social media.

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

The original motion, as amended on being put to the vote, was also declared CARRIED.

Resolved: That the motion, as amended, be approved. ¹.

Action Required

1. Make arrangements for an independent body to report to the A&G Committee in relation to the concerns raised in the motion.

AD, DS, KE

41. Recommendations of the Audit and Governance Committee

As Chair of the Audit and Governance Committee, Councillor Potter firstly moved the following recommendation, in respect of new Council Procedure Rules contained in minute 34 of the Audit and Governance Committee meeting held on 29 September 2014 (circulated at the meeting):

Recommend: [That Council agree]

- (i) That the rules set out in the attached annex be adopted in place of the existing constitutional provisions.*
- (ii) That the rules set out in paragraph 19 of the report apply to Committees, Cabinet and other groups referred to in the Constitution.*
- (iii) That the recommendations in respect of paragraphs 11.1, 15 and 24.3 (as detailed above) be approved.*

Reason: To ensure that the Council meetings operate effectively."

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

Resolved: That the above recommendations of the Audit and Governance Committee meeting held on 29 September 2014 be approved. ¹.

Secondly, Councillor Potter, as Chair of the Audit and Governance Committee moved the following recommendations, in respect of new arrangements for dealing with petitions to the Council contained in minute 35 of the reconvened meeting held on 2 October 2014 (circulated at the meeting):

- Recommend:*
- (i) That Council amends the terms of reference for the Corporate and Scrutiny Management Committee by adding:
“7. To receive details of petitions received by the Council in line with the Council’s published arrangements and responses or proposed responses to those petitions. To consider using its powers as a scrutiny committee to support the Council in responding appropriately to issues raised by such petitions and, in doing so, to promote public engagement”*

 - (ii) That, as part of the updating of the petitions scheme to reflect the changes detailed in the report, consideration be given to the inclusion of:*
 - A requirement for the petitioner to be notified, within five working days, of how the petition was being handled.*
 - A requirement for a report to be presented to Full Council detailing the petitions that had been considered by the committee and the action that had been taken in response.*

Reason: To ensure that the Council responds appropriately to petitions.

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

Resolved: That the above recommendations of the Audit and Governance Committee meeting held on 2 October 2014 be approved. ²

It was noted that the item on the agenda relating to a recommendations from the Audit and Governance Committee's meeting on 2 October 2014, in relation to the enhancement of scrutiny in York, were not presented at the meeting as the Committee had deferred the item for further consideration.

Action Required

1. Implement the new procedure rules, following Annual Council in 2015 and update the Constitution.

JC, DS

2. Implement the new petitions scheme, with immediate effect.

DS

42. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee

Council received the report of the Chair of the Corporate and Scrutiny Management Committee at pages 89 to 92, on the work of the Committee.

Councillor Galvin then moved receipt of the report and it was

Resolved: That the scrutiny report be received and noted.

43. Report of Cabinet Member

Council received a written report from Councillor Cunningham-Cross, Cabinet Member for Health and Community Engagement.

Notice had been received of fourteen questions on the report submitted by Members in accordance with Standing Orders. As the guillotine had now fallen, Councillor Cunningham-Cross undertook to provide Members with written answers to the questions.

(i) From Cllr Douglas

“The Cabinet Member gives an interesting overview of the potential impact of the Care Act 2014. Given its imminent enactment, when does she envisage having more detailed information to share- what will change, when and at what cost?”

Reply:

I am slightly surprised by this question as Cllr Douglas attended my most recent cross-party ASC briefing during which we were

given a comprehensive briefing of the implications of the Care Act by senior officers. In terms of presenting further information as it becomes available, I am happy to continue doing this through the cross-party meetings now established. This item will also be covered at the meeting of the HWBB on 22nd October, which you would be most welcome to attend – or watch the webcast.

Briefly:

What will change

- a shift in focus to early intervention/prevention e.g. community navigators and re-ablement*
- better information and advice (enabling people to make better decisions)*
- integration: better coordinated care including work to provide personal health and social care budgets for those with long term conditions*
- enhanced provision of support for carers*
- £72,000 cap on care costs*
- statutory safeguarding board*
- improving market oversight to enable us to manage risk better*

When

- Some changes come into effect April 2015; these include safeguarding board becoming a statutory body*
- The rest of the provisions (most that relate to money, including the care cost cap) come into effect April 2016.*

What cost?

- At this time we have estimated an additional £3.352m cost pressures in 2015/16 to deliver the Care Act.*

(ii) From Cllr Ayre

“Does the Cabinet Member agree with the conclusions drawn by external auditors that her predecessor's EPH project saw £600,000 of planned savings not delivered because "assumptions were flawed", "savings were double counted", "there was no effective challenge of assumptions" and the project suffered as "members made changes"?”

Reply:

I don't believe Cllr's Ayre's question offers an accurate reading of the auditor's report nor is it a true reflection of the service as it stands today.

(iii) From Cllr Richardson

“Could the Cabinet Member confirm whether Her Majesty’s Government? (HMG) is making additional funding available to contribute towards the additional costs of the Cheshire West Deprivation of Liberty Safeguard (DOLs) ruling and if so what impact this will have on the predicted year-end deficit?”

Reply:

No, I am not able to confirm that at this time.

Currently the Dept of Health have surveyed all LA’s about the additional costs and we anticipate some recognition of the additional burdens to Councils however there is nothing firmed up on this a this stage. In 2013/14 there were 22 cases assessed with DoLs in CYC, to date this year there have been 90 and we expect to receive over 240. Latest estimated costs are £433k – cabinet has agreed a release of contingency funds up to £500k to cover this additional burden. Whilst of course any additional funding from government would be most welcome, I am not holding my breath.

(iv) From Cllr Aspden

“What help is the Cabinet Member putting in place to help the York Coronary Support Group Trust run their fitness exercise classes following the decision to end the funding of Burton Stone Lane Community Centre?”

Reply:

Plans for the future of BSCC are in the very early stages and were shared with residents and community groups at a drop-in session on 22nd September. At this session I, and council officers, met with representatives of the Coronary Support Group (amongst others) and will be continuing that dialogue with them. If it transpires that the group will no longer be able to use the centre to run their sessions, the council will ensure the group is relocated to a suitable alternative venue, as we recognise the importance of the sessions they provide.

The council has supported the group in the past and intends to continue that support, but difficult decisions are having to be made in light of Tory-LD cuts.

(v) From Cllr Douglas

“The Cabinet Member reminds us that the city achieved White Ribbon status in May. This is a commendable achievement. Could she report on what specific action has been taken to eradicate violence against women and children since that time?”

Reply:

Since the Council received White Ribbon accreditation, work has been ongoing to develop a Domestic Violence Strategy with North Yorkshire, which concentrates on the issues most relevant to York. This work is being led by the Domestic Violence Board, which is chaired by my colleague Cllr Simpson-Laing.

The Council is in the process of organising staff awareness sessions, including promoting the “White Ribbon Day” (24th November 2014) and is also working with the University of York to bring together the 2014 “Reclaim the Night March” in November.

Relationships have continued with the key partners and the work they are undertaking to promote the issues within their organisations particularly North Yorkshire Police, York Hospital, Aviva and International Service.

(vi) From Cllr Runciman

“Will the Cabinet Member join me in welcoming Liberal Democrat Care Minister Norman Lamb's introduction of the first national waiting time targets for people with mental health problems, including a target for young people with psychosis to be seen within 14 days - the same target as cancer patients?”

Reply:

No.

Mental health services, in York and across the country, have suffered from decades of underfunding and I don't believe a waiting time target will solve this. The ability of the health service and the Council to respond to emerging mental health needs is seriously undermined by your government's cuts to local government and the wider health economy. This is an issue that requires investment, joined up thinking and strong leadership (which this current government is seriously lacking). As with all Liberal Democrat pledges, it's not worth the paper it is written on.

(vii) From Cllr Richardson

“Could the Cabinet Member tell us the lessons learned from the inadequate audit report and whether the failing had occurred under her own watch or under that of her predecessor, Cllr. Simpson-Laing?”

Reply:

I believe the report to which you are referring covers the financial year April 2013 to April 2014 and, as I mention in my report, our auditors are satisfied that the work that has been undertaken since April 2014 “addresses the areas requiring improvement”.

A comprehensive list of these findings was presented to the Audit and Governance Committee on the 30th July and is included in the papers for that meeting.

(viii) From Cllr Ayre

“What plans does the Cabinet Member have in place to reduce the city’s consumption of sugar?”

Reply:

This is an area that has been identified during discussions with colleagues on the Health and Wellbeing Board (HWBB) as one where we can make significant gains in terms of improving the health of the city with relatively low levels of investment. It is one of the perverse effects of the promotion of low fat diets and low fat foods in recent years that many people attempting to make healthy choices are now eating far larger quantities of hidden (refined) sugars than they otherwise might have and so it is an area where giving people a better understanding of the health implications of excess sugar can make a big difference. The HWBB will discuss this issue at a future meeting and develop a strategy going forward – this work is still in very early stages.

(ix) From Cllr Douglas

“Given the Cabinet Member’s commitment to community consultation could she confirm she is satisfied with the level and quality of consultation regarding cutting lunch time meals with elderly persons’ homes and the reduction and relocation of the young peoples’ counselling services at Castlegate?”

Reply:

We have not cut lunchtime meals in any elderly persons' homes.

On the relocation of the Castlegate service, yes I am. The Council consulted with 80 people who use the services at Castlegate, 70% (56) of whom were content with the move to WO, this figure rises to nearer 90% when factoring in those who responded "don't know". The Youth Council and Looked After Children (show me that I matter) panel were also positive about moving to WO.

(x) From Cllr Aspden

"Is the recent consultation on children's services a good example of engagement given that the 'transformation' of children's centres will be doing the opposite of what the parents and carers wanted?"

Reply:

I would urge Cllr Aspden to actually read the papers that came to Cabinet earlier this week that set out in some detail the responses to the consultation on children's services. These quite clearly demonstrate that we are doing exactly what parents and carers asked us to do – in fact we have altered the direction of the transformation of children's centres in response to the results of the consultation which engaged with 1700 parents, carers and childcare professionals. I'm not quite sure what the Liberal Democrat leader's definition of engagement is but I'd be interested to hear why he thinks this was inadequate.

(xi) From Cllr Richardson

"It is reassuring to hear the Health and Wellbeing Board is reviewing its workings. Could the Cabinet Member share with us what she feels the major successes of the HWBB has been over the past 12 months?"

Reply:

Whilst much of the work of the HWBB is focused on developing long-term strategies for improving the health and wellbeing of the city that may take some years to bear fruit, the board has made a number of significant achievements in its first year. These include:

- *the opening of the Section 136 (under the Mental Health Act) "Place of Safety" at Bootham Hospital*

- *undertaking case reviews for people who have been in hospital for more than 100 days*
- *a review of the use of medication and how it is assessed in residential and nursing care, especially psychotropic drugs and medication for people with dementia*
- *launching an online “living and breathing” JSNA*
- *completion of the JSNA “deep dive” on mental health*
- *raising the profile of the role of carers and strengthening links (carers attended the meeting in July 2013 to address the board)*

(xii) From Cllr Firth

“If the cabinet member is building links with the voluntary sector, could she outline if and how she worked with York Playspace to prevent their closure?”

Reply:

The Council had a long standing relationship with Playspace for many years, which spans the lifetime of the organisation. We have supported them financially – through a range of funding programmes including Shine, Better Play and Early Intervention – and provided ongoing practical support from officers in the Communities & Equalities team, Business Support team in CSES and CVS through our SLA as well as more recently Your Consortium (funding which they returned following their decision to fold). They have also worked on our Lottery and Playbuilder programmes.

My colleague Cllr Looker has also met personally with trustees of the organisation and worked hard with them to offer support to continue.

They are a stand alone constituted organisation and have not reached this decision lightly – first carrying out a consultation exercise to look at there future objectives and position. Regrettably the current climate for voluntary and community organisations is impossibly tough as local government is no longer able to offer the same levels of financial support as it once was. We remain committed to supporting our voluntary and community sector to thrive in York but this is never an easy task.

(xiii) From Cllr Richardson

“Given the unexpected departure of the Director of Public Health, could the Cabinet Member assure members that the local authority has a suitably qualified Director now leading this critical function?”

Reply:

Yes

(xiv) From Cllr Richardson

“The Cabinet Member reports on a number of consultation events that have taken place in recent weeks. Could the Cabinet Member share the summarised qualitative data she received from the Local Plan consultation and show how this was reflected in the ongoing drafting process?”

Reply:

This data was received by the planning department (rather than myself) and so I recommend Cllr Richardson refer his question to the Cabinet Member for environment, planning and sustainability.

44. Activities of Outside Bodies

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

- Yorkshire Purchasing Association - 30 June 2014
- Without Walls Partnership – 25 June and 17 September 2014
- NHS Foundation Trust – 12 March 2014
- York Quality Bus Partnership – 14 July 2014
- Local Government Yorkshire and Humber – Draft minutes of AGM, 14 July 2014
- Local Government Yorkshire and Humber – Employers’ Committee - 17 July 2014
- Local Government Yorkshire and Humber - Member Improvement & European Board – Minutes 17 July 2014
- North Yorkshire Fire & Rescue Authority – 25 June 2014

No questions had been submitted to representatives on outside bodies

45. **Notices of Motion**

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

- (ii) Electrification of the Leeds-Harrogate-York railway line
(proposed by Cllr Levene)

“City of York Council:

- (i) notes the economic, social and environmental benefits that would be delivered by electrification of the Leeds-Harrogate-York line, as set out in the Leeds-Harrogate-York Rail line Improvements Outline Transport Business Case, and calls upon the Department for Transport and Network Rail to make this a priority;
- (ii) invites the Chief Executive to continue to work with Harrogate Borough Council and other interested stakeholders such as local Members of Parliament, North Yorkshire County Council and local Chambers of Commerce in order to make representations to the Department of Transport, Network Rail and others, particularly the Electrification Task Force, to secure these benefits for the people of York and Harrogate;
- (iii) notes that Harrogate Borough Council will be considering a similar motion lobbying relevant parties to support electrification of this line.”

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

Resolved: That the above motion be approved. ².

- (iii) Local Plan (proposed by Cllr Reid)

“Council notes that in order to pass the National Planning Policy Framework (NPPF) ‘Test of Soundness’ the Local Plan must be:

- Positively Prepared - based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

- Justified - the plan should be the most appropriate strategy, when considered against the reasonable alternatives.
- Effective - the plan should be deliverable over its period and based on effective joint working on cross-border strategic priorities.

Council believes that the current draft plan approved by Cabinet on the 25th September:

- does not accurately reflect the evidence base and is therefore not based on objectively assessed requirements.
- is not the most appropriate strategy and has ignored reasonable alternatives rather than test the approach against them.
- is not deliverable over the plan period and is contrary to the combined methodological approach of the Leeds City Region.

Council believes that the current proposals also fail to adequately reflect the results of the citywide consultations undertaken in July 2013 and July 2014.

Council believes that the current proposals will result in the plan being found unsound by the planning inspector leaving the city vulnerable.

Council instructs that planned consultation on the current proposals is halted.

In order to accurately reflect objectively assessed requirements, Council instructs officers to produce a report on housing trajectory to be brought to the next meeting of the Local Plan Working Group (LPWG) along with the relevant background reports.

The LPWG will then agree an accurate analysis of housing trajectory that is objective, evidence based and deliverable. This analysis will then be used to inform housing allocations and a new proposed Local Plan will be brought to the next LPWG for discussion and recommendation to Cabinet in November.”

An amendment was proposed by Councillor D’Agorne as follows:

Delete final two paragraphs.

Replace with

‘In order to enable a decision to be made on full and clear evidence and to take into account the strongly held view of many York residents that green spaces in the city and York’s Green Belt should be protected, Council instructs officers to produce a report detailing options for the Local Plan based on land allocations to accommodate 640 dwelling per annum and 800 dwellings per annum, the lower scenario being based on population projections alone and reflecting natural levels of growth in York (as detailed by Arup in the Preferred Options documents). The report should be as brief as possible, making clear the changes required to the current proposal for each scenario. It should include comparison with a trajectory of housing completions based on past years. The report to be brought to the next meeting of the Local Plan Working Group (LPWG) with an objective of achieving a plan which will pass the test of soundness but meet the aspirations of York citizens and opposition parties for a more gradual growth, in line with the capacity of the industry and the city’s transport and drainage infrastructure. The LPWG will then agree an accurate analysis of housing trajectory that is objective, evidence based and deliverable. This analysis will then be used to inform housing allocations and an amended Local Plan for approval by Cabinet and public consultation early in 2015.’

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

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

Resolved: That the original motion be approved. ³.

(iv) Hydraulic Fracking in the York area (proposed by Cllr Semlyen)

“This council believes that:

Climate change is real and is resulting in deaths and cross border migration;

That fracking (hydraulic fracturing for shale gas) contributes to climate change.

This council recognises the over 2,100 name petition submitted by Frack Free York requesting a City of York Council decision on fracking. The petition asks that Councillors’ vote that York should, where possible, publicly state their resistance to planning

applications for drilling for shale gas as it is believed that this could deter applications from drilling companies.

We believe that it would be better to reduce the need for extra energy supplies and will seek to promote an increase in energy efficiency, sustainability and self-sufficiency.

Council asks the Leader to send a copy of this motion to the Secretary of State for Energy and Climate Change and the Minister of State for the Department for Energy and Climate Change and to all York's MPs."

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

Resolved: That the motion be approved. ⁴.

Action Required

- | | |
|---|-----|
| 2. Write to the Department for Transport and Network Rail to request that priority is given to electrification of the line. | TE |
| 2. CX to continue to work with Harrogate BC and other stakeholders to secure electrification of the line. | KE |
| 3. Prepare a report on housing trajectory to the next meeting of the LPWG. | SCT |
| 4. Forward a copy of the fracking motion to those listed in the motion. | NW |

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

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

(i) To the Cabinet Leader from Cllr Steward:

"Can the Leader outline what specific powers he would like devolved to Yorkshire / Yorkshire & Humber?"

Yes.

1. *Ability to set business rates*

2. *Power to introduce differential business rates*
3. *Fair funding and fair powers over transport schemes*
4. *Fair funding and fair powers over publicly funded housing schemes*
5. *Functions from Department of Works and Pensions*
6. *Functions previously carried out by Government Offices, Regional Assemblies and Regional Development Agencies*
7. *Ability to administer European funds*
8. *Ability to keep taxes raised locally*
9. *Skills funding*
10. *The power to raise levies to support investment in growth promoting infrastructure and improvements to transport.*

(ii) To the Cabinet Leader from Cllr Steward:

“What tangible spending commitments has York benefitted from to date from the West Yorkshire Combined Authority?”

The Leeds City Region Local Growth Fund City Deal announced in the summer was the largest in the country. York will benefit significantly by being part of the West Yorkshire Plus Transport Fund funding stream. £83.5m has been identified in the fund for York schemes which represents a step change in infrastructure funding for the city. The funding profile is subject to review to align with the settlement figure and is due to be confirmed in December 2014. This is because the Government agreement has led to £1bn over 20 years as opposed to the 10 years negotiated. Early stage development work has commenced for upgrading the Outer Ring Road and access to the York Central development. The aim is to commence delivery of the first schemes by the end of 2015/16.

(iii) To the Cabinet Leader from Cllr Steward:

“Can the Leader reassure members that residents will always come first in the focus of the transformation agenda and allay fears that some in the Labour group are more concerned about the methods of service delivery (for example the level of private

sector involvement) rather than the quality of service to residents?”

Yes.

(iv) To the Cabinet Leader from Cllr Doughty:

“Given the Labour administration's supposed inability to help fund the main meal of the day for vulnerable and elderly people at a cost of £50,000 per year at sheltered housing complexes at Barstow House, Gale Farm Court, Glen Lodge and Marjorie Waite Court, could the Cabinet Leader please confirm how much taxpayer's money has been spent on art work in and around West Offices since it opened?”

Yes. The amount was £308k and this was in line with the scheme agreed cross-party before my time as council leader. This included a contribution of £220k from the private sector. Council policies set before my time say 1% of such developments should be spent on public art. I attempted to divert some of these funds to other schemes, including trying to avert an increase in school meal costs in 2011/12. However, the £220k capital funding from the West Offices developers was contractually reserved for use on public art in West Offices and could not be spent on unrelated revenue schemes. Furthermore to divert the council's contribution to this public art would have meant losing the entire contribution from the private sector. I therefore reluctantly accepted the agreement made cross-party before Labour was elected to office.

(v) To the Cabinet Leader from Cllr Doughty:

“Given the threat of withdrawal of financial support to Community Centres around the city with his groups tired excuse of Government cuts rather than careful choice decisions, does the Cabinet Leader still believe his Labour administration's decision to give £100,000 towards the 'arts barge' project to be a good use of public funds?”

I know Councillor Doughty would happily gloss over his party's attempts to decimate public services the length and breadth of the country but having lost such a significant percentage of the council's revenue budget as a result of his Government's actions, he cannot pretend this will have no impact on York residents. The arts barge has become a tired argument from a Tory Group struggling for anything new to say.

But yes, £9,000 in revenue repayment for a capital scheme that helps a community group, the cultural sector and the economy is appropriate.

The way local government finance is going there will be an increasing need to work with the voluntary sector to deliver local priorities.

(vi) To the Cabinet Member for Environmental Services, Planning and Sustainability from Cllr D'Agorne:

“What action is being taken to secure prosecution of bus operators running defective engine vehicles polluting our streets with black smoke and what action is planned to stop unnecessary vehicle idling by buses in Rougier St and other Air Quality blackspots?”

We have a voluntary agreement with all bus operators in York, including the tour bus operators, that vehicles should not stand in the centre of York (or anywhere else) with their engines running. The issue is regularly raised with bus operators through the York Quality Bus Partnership, most recently at the meeting of the 15th September.

Operators are committed to addressing the issues caused by idling and, through continuous professional development, work with their drivers to instil the need to switch engines off when buses are stationary for more than a couple of minutes. Drivers are also regularly reminded of the importance of switching off.

A study into the extent of idling emissions in York and the options for reducing them was commissioned in 2013. The study provided evidence of many incidences of vehicle idling currently taking place across the city and has indicated that, by adopting basic anti-idling policies, a significant reduction in emissions could be achieved, along with even greater fuel cost savings for operators. The framework for AQAP3 suggests a partnership and awareness raising approach to anti-idling in the first instance with a focus on a number of clearly defined ‘anti-idling zones’. These are locations where unnecessary idling is currently known to occur, both on the roadside and at coach parks. Further consultation will be required on the levels of signage (if any) to be provided and the most effective way to engage with transport operators on this issue.

The AQAP3 will retain an option to adopt anti-idling legislation and issue fixed penalty notices at a later date should the partnership approach be unsuccessful.

We are committed to introducing more electric buses, including the recent launch by Transdev of an electrically powered tour bus in York - the first double deck electric bus in the World. We are now working on a project with Transdev which would see the other 5 buses in the Tour Bus fleet converted to electric power so the whole fleet would become zero emission at point of use. More generally, CYC aspire to convert the York "urban" (as opposed to longer distance) bus fleet to electric power to reduce emissions in the city centre. One park and ride route (A59) is already converted, with work in hand to convert a second route soon. A further electric bus is in use between the University and York city centre, and it is also intended that the new service to Germany Beck is also operated using electric buses. First have also recently introduced 5 diesel-electric hybrid buses on service 4 between Acomb and the University, and are upgrading the sub-station at their depot so that it can charge up to 90 fully electric buses per night in the future.

(vii) To the Cabinet Member for Environmental Services, Planning and Sustainability from Cllr D'Agorne:

“Can he explain how Labour’s claimed reduction of 5000 houses in the Local Plan actually equates to less than half that number being removed from site lists and no reduction in the area of land allocated for development?”

The Preferred Options Draft Local Plan included a housing demand target of 1,090 dwellings per annum over the Local Plan period from 1st October 2012 to 2030 (17.5 years). This equates to 19,075 dwellings in total. In addition a 15% buffer was included across the full Plan period to provide flexibility in the supply and to deal with persistent under-delivery in previous years. This 15% buffer equates to an additional 2,861 dwellings over the Plan period. In total therefore the Preferred Options Draft included a housing target inclusive of the buffer of 21,936 dwellings.

The housing demand target in the Publication Draft Plan is made up of the trend based assessment of household growth to support the Plan’s economic ambition of 870 per annum (undertaken by Arup) and a further provision to address the inherited shortfall

from previous years under delivery of 126 per annum¹. This equates to an annual demand target of 996 (870+126) or 15,936 dwellings (996 x 16) over the 16 years of the Plan (1 April 2014 to 31st March 2030).

In addition Local Planning Authorities, as set out in NPPF, are expected to demonstrate that they have a rolling five year supply of deliverable sites, measured against the housing target with an additional 5% or 20% buffer (for five years) depending on past delivery rates to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land. In clear agreement with the requirements of the National Planning Policy Framework, the draft Local Plan housing requirement includes a 20% buffer on supply bought forward from the total requirement in the first five years (i.e. 6 years' worth of supply rather than 5 years). This equates to rolling forward sites and land which could accommodate an additional 174 dwellings per annum for years 1-6 of the Plan (174 x 174 = 1,044 in total). This means that the supply for years 1-6 of the Plan is equivalent to 1,170 dwellings per annum (made up of existing planning permissions and allocations).

In summary therefore the Publication draft Plan supplies enough land allocations (in addition to existing planning commitments) to provide for the construction of 1,170 homes per annum for years 1-6 of the Plan (7,020 dwellings in total) and 996 homes per annum for years 7-16 of the Plan (9,960 dwellings). This gives a housing target inclusive of the buffer for the plan period (16 years) of 16,980 dwellings. This is set out in Table 5.2 within the Publication Draft Plan in the Housing Trajectory. I calculate this as 4,956 less than the previous equivalent figure.

In terms of sites a number of sites or part sites have been deallocated if you look at the map, and equally significantly the developable area on a number of the strategic sites has been reduced so that strategic green spaces can be provided as part of the overall site development. These green spaces will help us to meet a number of environmental, conservation and heritage / green belt objectives and opportunities – preserving and enhancing existing natural features like becks, enhancing green corridors, giving protection to nearby sites of conservation interest, avoiding building up to the ring road and thereby helping to preserve the cities setting, ensuring good amenity space provision, etc. It should also be noted that some of the largest strategic housing allocations include areas that will be developed

well after the plan period. It is important that they are included in the allocations to give certainty to the developers and allow the financing of the physical and community infrastructure measures that will ensure these are genuine new communities, and not soulless suburbs.

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

“Can the Cabinet Member evidence just exactly how the views of thousands of residents have been considered and reflected (at all) in the Draft Local Plan consultation?”

There have been two key consultations in relation to the draft Local Plan, the Preferred Options Consultation which took place in Summer 2013 and the Further Sites Consultation which was carried out in Summer 2014. The Preferred Options Draft Local Plan was subject to consultation between June and July 2013. Approximately 5,000 individual responses were received including around 17,000 comments and a further 9,000 individuals signed petitions.

The Further Sites consultation was undertaken in June and July 2014 on potential new sites and boundary changes on some of the sites originally identified. The aim of this consultation was to help inform future recommendations on the portfolio of sites for inclusion in the publication draft Local Plan. The Council received around 4,500 responses.

A considerable amount of information has been made available relating to the number and content of comments received as part of both previous stages of consultation on the Local Plan. In the main these comprise three pieces of information:

- (i) the number of objections, supports or comments received in relation to each policy and site;*
- (ii) a summary of the comments received (at both previous stages of consultation on the Local Plan, officers summarised the comments received by section, policy and site); and*
- (iii) full copies of the responses received (redacted to remove personal information).*

Annex B to the Local Plan Working Group Report 22nd September 2014 and Cabinet Report 25th September 2014 provides a summary of the previous stages of consultation on the Local Plan

consultations, to enable the reader of the Publication Draft Local Plan to consider what views have previously been expressed on a given policy issue or site.

The comments received through both consultations have been taken into account by officers and ourselves when considering the Publication Draft Plan, and their has been significant reductions in the jobs and housing targets, plus a lot of more detailed changes. I should also remind members of what our professional officers keep trying to remind us of, and that is that the Coalition Governments National Planning framework is a very defined process, and there is very limited room for local political and resident choice in terms of key issues like the housing targets.

The Publication Draft Local Plan will be subject to a six week consultation period beginning in October 2014. Consultation will be carried out in conformity with the Councils adopted Statement of Community Involvement and the requirements of the 2012 Regulations. Comments received as part of the consultation will then be considered by officers to help assess the 'soundness' of the plan and be reported to Full Council.

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

"The Draft Local Plan continues to plan for 'safeguarded' land (reserving for future development) beyond the life of the plan when there is no requirement under the National Planning Policy Framework. A prime example of this in my own ward, amongst others, is site '810' on crucial greenbelt at Earswick. Why is this?"

The NPPF sets out the national policy on green belt. In drawing up the Green belt in the City of York Local Plan we need to consider how to address the following points (shown in italics) from paragraph 85 of NPPF

- The first is that the Council needs to satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period*

This requires consideration of the longer term development pressures on the city. In the Plan we make clear that it is reasonable to expect a continued need for housing at broadly the same scale as in the Plan period. We need to consider the

implications for the permanence of the green belt of that continued requirement.

- *Secondly where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period*

The general extent of the York green belt takes in the lands surrounding York and the larger freestanding settlements in the district and extends to the district boundary and in some cases beyond that boundary.

In defining the inner edge of that boundary, for the first time in the Local Plan, we need to consider how we ensure the boundary endures well beyond the Plan period.

The only way to do this effectively is to identify a reserve of land that can help to meet some of the city's development requirements beyond the Plan period, that land is the safeguarded land identified in the Plan. We have also assumed that some development needs will be met within the existing built up area e.g. through a continued 'windfall' of small sites for housing. However officers views are that it is not credible to assume that all development needs will be met in the built up area therefore it is necessary to identify safeguarded land in the circumstance here in York.

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

"Because of Council's commitment to reducing carbon emissions, Council installed a rain water harvesting system to reduce costs for cleaning commercial vehicles at Hazel Court. Will the Cabinet Member state how long the pumps on the system have remained non-operational to date and what the costs were of replacing the pumps at that centre?"

The water for the drive through vehicle facility installed at Hazel Court was to be supplied from an underground harvest tank fed from the workshop roofs supplemented by the mains water during dry periods.

Early in 2011 it became apparent the underground harvest tank was failing to provide sufficient water supply to match demand. The supply was switched to mains feed supply.

The Fleet Management Team have now identified an appropriate amendments to the pump system to enable the drive through wash facility to be switched back to the original concept of harvested rainwater, but at this point the cost have not been determined.

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

“The results from the new electrical P&R bus have been very positive. Can the Cabinet Member assure this council that a plan has been agreed with First and other transport partners to introduce more electric buses as the old buses are retired, and how many sites measuring particulates across the City would change from red to green by implementing this plan?”

The Council is working closely with operators to deliver an ultra-low emission bus fleet for the City. In addition to the six fully electric vehicles already operating on the Park & Ride network, First York will be introducing six more fully electric vehicles early in 2015. Last month, the first retro-fitted, fully electric tour bus entered service. The Council continues to work with operators and with central government to seek opportunities to accelerate the introduction of an ultra low emission bus fleet.

The air quality objectives for the especially damaging small particulates are currently not being breached at any CYC monitoring locations, unlike those relating to Nitrogen Dioxides. The proposed Clean Air Zone (CAZ) will become the main delivery mechanism for achieving a rapid reduction in the number of diesel buses operating in the city centre. The most frequent services will be required to upgrade to ultra low emission buses by 2018. This will help York meet the health based annual mean nitrogen dioxide objective within its current Air Quality Management Areas.

Air quality modelling has shown that by rolling out AQAP3 to the extent that it delivers an equivalent of 90% electric buses and 5% electric cars, there is potential for the annual mean NO2 objective to be met in all the current AQMAs by 2021. The possible exception to this is Nunnery Lane for which modelling still shows a borderline outcome. Local and national emission reduction measures are expected to have less of an impact in this area due to the lower prevalence of buses and HGVs and the larger levels

of traffic growth predicted in this area compared to other AQMAs. CYC's electric bus feasibility project (2013) engaged the major local bus operators and CYC is currently discussing the proposed Clean Air Zone (CAZ) with operators through the Quality Bus Partnership

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

“Will the Cabinet Member state when the next round of weed spraying is to begin and will this Council apologise for the large number of weeds that have taken root around the city, some as high as 1 metre?”

The 3rd round of weed control commenced on the 29th September and is normally a 'mop up' of hot spot areas mainly comprising of the older paved areas of the city - Bishophill, Southbank, Acomb (part) etc, on this occasion all areas of the city will be walked and where weeds are visible they will be sprayed.

In general the first 2 applications went well taking into consideration the very wet and warm spring, however on our inspections one or two areas did appear to have untreated weeds, this has been drawn to the attention of our contractor and to compensate for this, they are funding the difference between a part and full spray for the 3rd application (above) and are also going to treat around all obstacles in grass verges.

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

“Could the Cabinet Member confirm that there are no plans to introduce further green bin charges and residents' first green bin will remain free?”

It's no secret that we face an increased demand for services and the council has to make significant savings across all services. Street based services are no different and savings of around £2million will have to be made. As residents would expect, every option will be reviewed carefully considered.

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

“What is the Council doing to recover the weed spraying situation

in the west of the city, what steps is it putting in place to ensure that there is not a repeat of the recent situation of overgrown weeds?”

Please see my answer to question (xii) above. The contract is due to be tendered during the winter and we are working with the procurement team and neighbouring authorities to look at possible joint contracts.

(xv) To the Cabinet Member for Transport from Cllr D’Agorne:

“Can he report on progress in measures to fix traffic signalling issues in York, notably unnecessary delays at Broadway/Fulford Rd, Hospital Fields/ Fulford Rd, Blossom St/ Queen St/Nunnery Lane/Micklegate on account of sub optimal phasing equipment or design?”

We have recently assigned £300k to refresh detection equipment at several signal junctions across the city. This work is already underway and when complete will result in an improvement in operation at those locations where performance has been reduced by normal wear and tear failure of signalling equipment.

Furthermore, the successful launch of the York Travel and Control Centre based at West Offices has allowed us to undertake constant reviews of signal timings to further improve operation around the city. This facility allows us to prioritise routes and to get the most out of our extremely limited capacity. Active traffic management is one of the most effective tools available for keeping congestion as low as possible and we are well equipped in this respect.

We continue to trial new and innovative traffic management techniques to address the specific challenges present here in York. The DfT have recently approved a technique that was trialled at Blossom St / Queen St, which can now be used across the country. We are at the forefront of traffic management innovation here in York and are making efforts to stay there.

(xvi) To the Cabinet Member for Transport from Cllr D’Agorne:

“What has the impact of the free city parking offer been on occupancy levels and income when compared to the same period in 2013? What has the impact been on average occupancy levels outside the ‘free parking’ period?”

Given the variety of initiatives we have undertaken, in order to balance the Council's budget in the face of massive cuts from the Conservative Lib-Dem Government while also trying to support the economy of the city centre, that will impact on the volume of parking in Council car parks – including new Park & Ride sites at Askham Bar and Poppleton Bar, Pay on Exit at Marygate car park, the closure of Haymarket car park, and the new Minster Card parking permit – it is not currently possible to disaggregate the specific impact of the free parking offer.

However, occupancy levels will be assessed using the car parking entry/exit counters. This information needs to be collated and will be analysed within the next few weeks.

(xvii) To the Cabinet Member for Transport from Cllr D'Agorne:

“What is the estimated cost of catching up with the backlog of highway/ gully clearing now and what is it estimated to be in a year's time if only reactive cleaning continues to be the policy in force?”

The Council currently carries out a programme of both proactive and reactive cleansing of highway gully assets across the network. Officers are not aware of any “backlog” in this programme, but it would require an estimated £250k of additional funding to proactively clear all highway gullies in the CYC area in any one year.

Recognising the challenging financial circumstances that the Council faces a review of gully cleansing policy is currently being undertaken to establish if a more proactive regime can be put in place in the next financial year within current budgets.

(xviii) To the Cabinet Member for Transport from Cllr Cuthbertson:

“How many motorists have applied for a Lendal Bridge fine refund since the process opened on September 8th and could the Cabinet Member breakdown the applications by postcode?”

To date, there are approximately 5500 unverified requests for repayment. This figure will be reviewed and any errors, duplicates etc have yet to be removed. A breakdown of the application by postcode cannot presently be done. More in-depth analysis will

be possible once the aforementioned reviewing and matching has been carried out.

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

“Could the Cabinet Member update council on legal developments regarding the Coppergate traffic restrictions?”

There have been no further legal developments for the Coppergate traffic restrictions since the Traffic Penalty Tribunal were asked to review their original decision in accordance with the standard appeal process. The Council is awaiting the response to this request.

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

“Could the Cabinet Member confirm that consultation will take place with the wider Fulford community and specifically the residents of Naburn Lane and Selby Road on the A19 ‘pinch-point’ works and when does he expect this consultation to begin?”

As with all transport schemes, we are committed to meaningful consultation with the public and especially local residents at an appropriate time.

We are still in the early process of identifying what is feasible in terms of engineering, and officers are undertaking traffic modelling to fully understand the impacts of several options alongside a more detailed consideration of the possible engineering aspects. Provisionally we hope to be commencing public consultation before the end of the year.

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

“How many vehicles have taken advantage of the Council's ‘free’ parking offer which started on 19th June at each car park and what impact has this had on the revenue derived by the Council from all car parks?”

Given the variety of initiatives we have undertaken, in order to balance the Council’s budget in the face of massive cuts from the Conservative Lib-Dem Government while also trying to support the economy of the city centre, that will impact on the volume of parking in Council car parks – including new Park & Ride sites at

Askham Bar and Poppleton Bar, Pay on Exit at Marygate car park, the closure of Haymarket car park, and the new Minster Card parking permit – it is not currently possible to disaggregate the specific impact of the free parking offer.

However, occupancy levels will be assessed using the car parking entry/exit counters. This information needs to be collated and will be analysed within the next few weeks.

(xxii) To the Cabinet Member for Transport from Cllr Firth:

“How many (new style) Minster Badges have now been sold and how does this compare to budget assumptions?”

To the end of September approximately 6,300 Minster Badges have been sold. The budget was not based on a specific number of sales but an assumed increased revenue from a combination of Minster Badge sales and additional income from those not purchasing the badge and paying the higher rate for parking; as such it is too early to determine the financial impact on parking income of this particular initiative.

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

“What compensation is the Council seeking from the Contractor for the major delays which arose in the completion of the A59 Park & Ride contract?”

The works were undertaken using a standard construction contract which includes liquidated damage clauses if the works over run beyond the contract completion date. These issues will be assessed during the preparation of the final account for the scheme.

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

“Why have no speed checks been undertaken by Council officials in west York since the introduction of the wide area 20 mph limit over 12 months ago?”

Speed surveys are not routinely undertaken across the city but are commissioned for the monitoring of before and after speeds (following a speed limit change) usually a full 12 months post-implementation, to give time for the new limit to ‘settle in’.

Cllr Reid is incorrect in her assertion that the speed limits have

been in place for 12 months. The west York area 20mph limits came into force on 27 January 2014 and thus surveys will not be repeated in this area until February 2015.

(xxv) To the Cabinet Member for Transport from Cllr Hyman:

“How does the income derived from the Marygate car park, since it had a barrier system installed, compare to the equivalent period last year?”

Income from Marygate Car Park in the 13 week period from 30th June to 28th September totalled £142k in 2014/15. The equivalent figure for 2013/14 was £177k.

There are a variety of initiatives we have undertaken, in order to balance the Council’s budget in the face of massive cuts from the Conservative Lib-Dem Government while also trying to support the economy of the city centre – including new Park & Ride sites at Askham Bar and Poppleton Bar, Pay on Exit at Marygate car park, closure of Haymarket car park, and the new Minster Card parking permit – that will have had an impact on parking income in any particular car park.

(xxvi) To the Cabinet Member for Transport from Cllr Hyman:

“How many faults have occurred on the new barrier/ticketing installation at Marygate car park and does the Cabinet Member judge the barrier system to have been a success?”

There have been some minor faults which, as with all newly introduced schemes, is to be expected whilst the system beds in. These have been dealt with expeditiously with minimal disruption to the fee-paying public.

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

“The ‘Programme of Highway Maintenance scheme 2014/15’ showed a number of schemes approved for work with dates TBC, could the Cabinet Member now provide dates for these schemes including Vesper Drive?”

See attached schedule of Programme of Highway Maintenance schemes for 2014/15.

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

“Could the Cabinet Member update Council on proposals for a city-wide cycle hire scheme which was originally due to be ready by “early 2014”?”

Initial proposals for a cycle hire scheme received in-principle approval from Cabinet, subject to developing a business case and establishing funding options.

A procurement exercise showed that a scheme would not be self-sustaining and would need an ongoing revenue subsidy from the council. In a period of massive cuts from the Conservative Lib Dem Government to the Council it was not considered possible to allocate funding to this item. Reports from other comparable cycle hire schemes around the UK showed that none of them had been proven to be revenue-generating or even neutral.

The feasibility report prepared for the scheme is still valid and a cycle hire scheme could form part of a package of measures in any future bids for transport grants from central government.

Although this particular scheme is not going forward for the time being, York remains the lead Local Authority for the region for the Tour de France legacy and continues to head the coordination of regional activities, including providing greater cycle training and access opportunities, improving cycling infrastructure and activities, and supporting the network of cycling businesses and social enterprises.

(xxix) To the Cabinet Member for Finance and Performance from Cllr Healey:

“Please can the Cabinet Member briefly articulate why the external auditor is unable to certify the completion of the accounts due to ‘The income relating to penalty charge notices is £1.8m, which is below the level of materiality of our opinion on the financial statements.’ when at the Call-In of the Cabinet decision regarding Lendal Bridge on the 27th of August the Director gave a categorical assurance that this was ample provision?”

*The question contains numerous errors, most important of which is that the Auditor **WAS NOT** unable to certify the completion “due to the income being below level of materiality”. The accounts*

*have received an unqualified opinion (effectively signed off). They are unable to formally complete (ie issue the certificate) merely because there is an objection that they have to review. It has not however stopped them issuing their **unqualified** opinion on the accounts.*

The auditors are entirely happy with how the item has been provided for in the accounts, and the full amount of income received from both Lendal and Coppergate is held in a reserve/provision, and has been fully discussed with the auditors.

The comment about scrutiny and the Director giving his categorical assurance is interesting given that the Director was in France on that day and was not at the scrutiny meeting in question! Aside from this fact, I can confirm that the Director of CBSS has, in discussion with me, put into a reserve/provision all of the Lendal Bridge/Coppergate income, that this was reported to Cabinet/Audit committee, and that the Auditors are content. The amount put into reserve/provision is £1.8m. The auditors "materiality" figure, which applies to their whole audit of accounts, and which is not related at all to Lendal Bridge/Coppergate, is £7m.

I would hope that further questions might be a little more accurate in the future.

(xxx) To the Cabinet Member for Finance and Performance from Cllr Healey:

"Has the Cabinet Member sought an opinion from the external auditor as to the cost-effectiveness of the Community Stadium and Leisure facilities, and if not why not?"

No. It is not part of external audits remit to do so.

In terms of the scheme itself, given the Council is currently looking at contributing just over 20% of the cost, I would consider that represents excellent value for money.

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

"As part of any contact with this Council, members of the public are given a reference or case number so residents are able to follow up the progress of a complaint or issue it has with the

council. Following the long delays for calls to be answered by the contact centre, the last thing residents need to be told is that they cannot have a reference or case number, because the contact centre has been unable to assign case numbers since the beginning of the year due to technical difficulties. Will the Cabinet member explain why this situation has been left dysfunctional for so long?"

I have previously answered a Council question on this matter.

There was a period of time when for customers/residents raising service requests, a reference number was not created/provided. This was due to earlier technical problems, which resulted in us not being able to correctly plot request locations due to the map facility being broken.

This problem has now been rectified and since mid August 2014 onwards reference numbers have been provided for any service request logged through the customer centre.

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

"How much has been paid by the Council during the last 12 months for the maintenance and other costs associated with Oliver House and why has the decision of the Cabinet taken last year - to sell the property - not been implemented?"

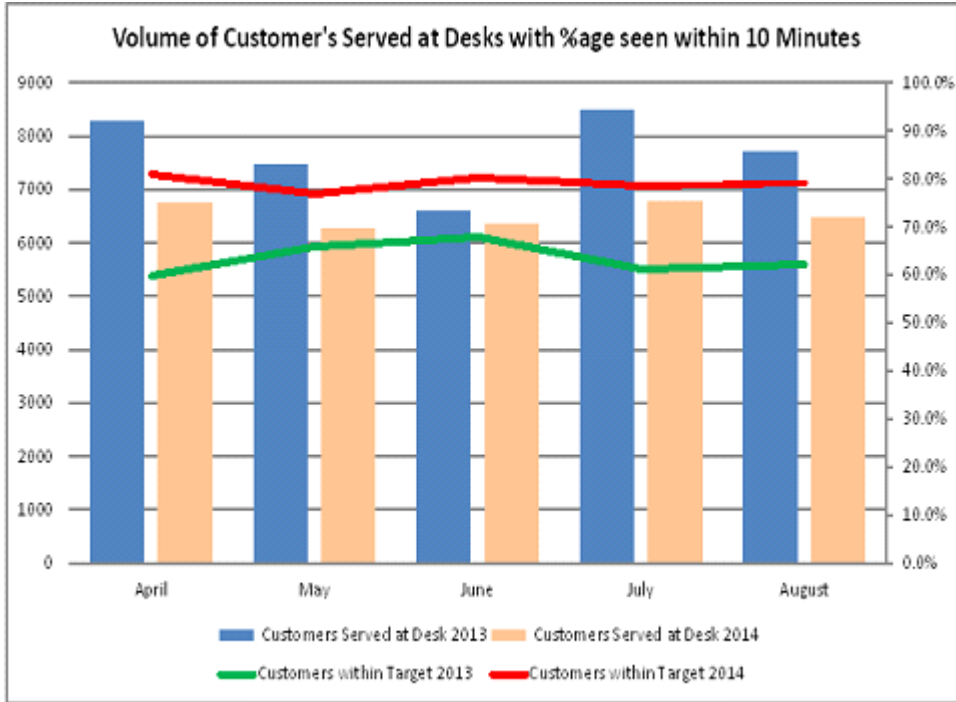
During the last 12 months the Council have spent £11,547.50 on Oliver House maintenance and upkeep costs. The property is occupied by an organisation called Ad Hoc Property Management, who provide short-term accommodation for a few individuals.

The property is now ready for sale and is being placed on the market in the next two weeks. The decision to sell was made in January 2014. Work has been ongoing with housing to explore future uses and jointly market the site with the adjoining garages to increase the value. Due to an unusually heavy workload for the Asset Management team in the spring and early summer and a decision not to market the property during the quiet summer period the sale has not been possible until now.

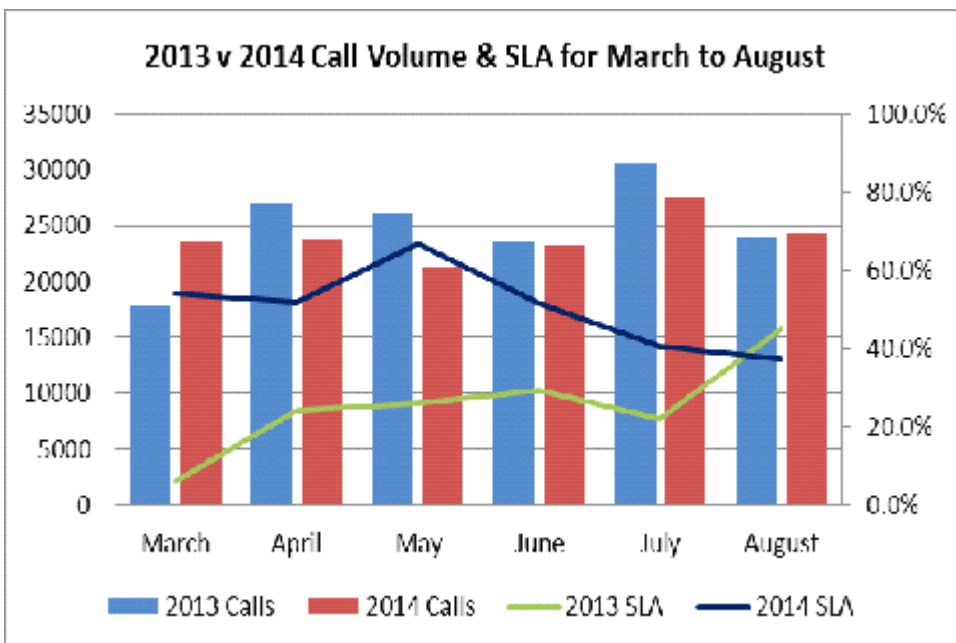
(xxxiii) To the Cabinet Member for Finance and Performance from Cllr Ayre:

“Will the Cabinet Member publish the latest quality of service statistics which he holds for Customer Services covering both "in person" presentations at West Offices together with time to answer telephone calls and respond to electronic communications?”

In person at West Offices – a reduction in customers this year has accompanied an improvement in seeing customers within 10 minutes of arrival.



Phones



Improvements were made last year on answering calls within 20 seconds (SLA), however volumes have recently peaked and introduction of additional work types/volumes for Electoral Register calls and the Lendal Bridge refund process has resulted in a wider spectrum of calls being presented at the same time.

With current training activity we hope to be in a much better position next month, with a further group of new fully trained resources available in January. Extra specialist resource is planned to help with elections calls, but this will not be in place for a few weeks yet.

Our service provision will be enhanced by the introduction of the new voice server in the new year which will seek to serve callers better than the current version does with improved accuracy, and better information giving facilities including call waiting times.

In April we will also have a new web site in place that will also help customers in providing information they have told us they want to see.. This will be followed by the implementation of a new customer system which will be easier for our residents to use on-line when, booking, applying or paying for services. All of this work as part of the Rewiring Programme will reduce pressures on our phone teams.

In this report electronic communications currently relates to emails only however going forward all channels including social media sit under this.

The current system does not currently provide data on the completed time for emails against service level, this would have to be a manual calculation on each case. The current service level is within 24hours however as a result of the uplift in contact as mentioned below and reduced resource availability we have not met this timescale for some.

Below are the Q2 results of current levels of customer satisfaction for those customers contacting us by telephone. The figures show that over 90% were Very Good or Excellent.

Telephone Survey Results for Q2 2014					
Telephone	Excellent	Good	OK	Poor	Very Poor
Responses	386	92	26	3	14
%age	74.09%	17.66%	4.99%	0.58%	2.69%

Below are satisfaction survey results taken from our new Kiosk which went live from 6th October as part of the National Customer Service Week.

Kiosk Survey Results for 6th October 6th 2014					
Kiosk	Excellent	Good	OK	Poor	Very Poor
Responses	10	3	0	0	0
%age	76.92%	23.08%	0.00%	0.00%	0.00%

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

“Could the Cabinet Member specifically say why it is it taking the Council up to 2 weeks to log for action some issues which have been e-mailed by residents?”

We have recently had a 23% increase in email contacts for the two week period of 15th – 26th September compared to the same period the month earlier – an additional 691 emails. We do not know why there has been such a sudden increase in email traffic but it has led to some delays.

We are looking at solutions to support us with instances of this nature going forward such as looking at opportunities to assimilate the activity into the business support function which would mean that the process would be joined up across all services, with a wider network of available resource to cover during holidays and busier times.

A further future improvement is that of the new technology and offering of an on line facility and web site which will be developed next year.

We have recently reviewed and improved the quality of our responses to email contacts which in turn has increased the processing times for the business but an improved outcome for the customer. Our current service level target is to provide a response in 24hrs however due to recent reduction in resource availability, a result of a combination of factors including absence throughout September and an uplift in contact we have being unable to respond to all within 24hrs and have currently prioritising a list of outstanding cases.

To mitigate any concerns regarding our high priority jobs e.g. 2hr

removal of needles, we have ensured that all cases of this nature have been identified and actioned within timescale.

Our current position as at today's date is:

- *Council Tax 533 with the oldest being the 29th Sept*
- *Benefits 21 emails. Oldest 6th October – on track*
- *Frontline 195 emails. Oldest 27th September*

The above remains a high priority for the teams to reduce back to within 24hrs by deploying any available resource from across Customer Service teams/areas as available. We are working towards being up to date by w/c 13/10 at the latest.

(xxxv) To the Cabinet Member for Health & Community Engagement from Cllr Ayre:

“Following her answer to the last Council meeting could the Cabinet Member provide an update on the EPH Modernisation Project and specifically the planned Lowfields Care Village?”

This decision is still subject to an ongoing procurement exercise.

(xxxvi) To the Cabinet Member for Health & Community Engagement from Cllr Ayre:

“When and where were competitive tenders for the provision of Lowfields published and how long will the delays in starting work on this important facility continue?”

The OJEU notice was published on 7 June 2013 (Reference number 2013/S 109-186734).

The OJEU notice also referred to a Memorandum Of Information which was published alongside the Pre Qualification Questionnaire on 11 June 2013 through CYC's e-tendering system which, at that time, was Supplierforce.

This project is still subject to an ongoing procurement exercise.

(xxxvii) To the Cabinet Member for Health & Community Engagement from Cllr Aspden:

“What has been the total cost and total attendance (broken down

by ward) of the Community Conversations?”

The total cost as of Monday 6th October was £2457 - The total attendance as of Monday 6th October is 309

(See attached spreadsheet for cost of venue and printing broken down by ward)



COUNCIL
QUESTIONS Response C

(xxxviii) To the Cabinet Member for Health & Community Engagement from Cllr Ayre:

“Why did the Cabinet Member fail to agree to a proposal, put to her on the 25th September, to delay the ending of the lunchtime meals service in sheltered homes so that alternatives could be developed, chosen by residents, and properly tendered?”

In terms of tendering, the council cannot commission a meals service for one group of York residents and not another – i.e. the provision of meals for tenants in some sheltered schemes and not for any other resident.

Alternatives have and are being developed, all residents who have a care plan and accessed the meals service have had their care packages reviewed and altered, all residents who have a care plan have been reviewed or offered a review. Tenants are being given control and choice to make decisions across a wide range of providers in line with the wider personalisation agenda.

(xxxix) To the Cabinet Member for Health & Community Engagement from Cllr Orrell:

“Could the Cabinet Member update Council on the latest “delayed transfer of care” figures and outline what plans are in place to improve performance in this area in York?”

Below are the acute figures for City of York local authority and NHS. These are recorded as:-

Snapshot of customers delaying on the last Thursday of the month/total number of days for all customers for the whole month

	CYC	Health
April	2/70	7/193
May	1/98	7/143
June	4/182	9/186
July	5/323	10/295
August	7/152	5/286
September	6/293	8/186

*Of these figures, all bar 5 days related to resource availability i.e. delays for residential or nursing placements, home care or reablement - **there were no delays for Adult Social Care assessment during this period.***

Work to improve performance continues in this particular area and across the service as a whole. This work is focused on a number of areas: for example, through early intervention/prevention work to help reduce hospital admissions in the first place. An element of the Better Care Fund (BCF) work will focus on this area building on previous successes. In addition work is ongoing to streamline processes for assessment and referrals and to potentially increase the number of available step-down beds. Another area that is being looked at as part of the BCF work is greatly increasing the penetration of assistive technology (AT) to save care hours, particularly around avoidable medication prompting visits. This has been tried before, and further work will take place to increase use of AT moving forward. Other possibilities to reduce domiciliary care demand include reviewing practice around double-handed care packages that could be single-handed with a suitable hoist installed (and much better for the person and their carer because they can use the equipment at any time).

The underlying reason for the vast majority of delayed transfers of care is a delay in available care packages – mostly in home care but also in nursing or residential care settings. On residential waits, the hospital team follows these up and most people are moved into suitable residential accommodation as soon as that can be arranged. There is sometimes a mismatch when customers want to move to a particular home and there are no vacancies, and this delay relates to choice rather than a lack of spaces. Delays in providing home care are largely due to the fact that there is a serious shortage of care workers in the city and therefore the system is not able to deal with peaks and troughs in demand that other areas cope with better. It is the reality of having technical full employment in the city that people are

choosing not to stay in or to enter the care profession. Having identified this issue we are looking to implement a number of policies, building on the Labour administration's Living Wage policy, to help attract and retain high quality staff in the care sector.

(xl) To the Cabinet Member for Health & Community Engagement from Cllr Reid:

“In February 2012 Labour promised that the same services which were offered at the Acomb Office would be offered in new sessions, including housing, council tax, and housing benefits advice at Sanderson House. Why has there now been a change in policy and why have these advice sessions at Sanderson House ended?”

I would refer Cllr Reid to the cabinet member for Homes and Safer Communities who will be able to answer this question.

(xli) To the Cabinet Member for Health & Community Engagement from Cllr Barton:

“What was the average attendance at the recent Community Conversation Meetings?”

21

(xlii) To the Cabinet Member for Health & Community Engagement from Cllr Barton:

“What were the major concerns expressed by residents at the recent Community Conversation Meetings?”

A very wide range of issues both local and citywide – please see previously attached spreadsheet which breaks down topics/residents issues raised, by ward.

(xliii) To the Cabinet Member for Health & Community Engagement from Cllr Barton:

“What lessons were learned from the recent Community Conversation Meetings?”

These events have enabled residents to raise a range of issues that are important to them and for the council to respond quickly

and flexibly. They have complemented the work of local members in engaging with their communities.

It is clear where that where local members are providing good leadership, that communities are better able to articulate the issues that they face. Local members will be able to build on the momentum created by these events.

We have also learnt that those who attended the meetings tend to be those who are already actively involved in their community and we need to continue to find creative ways of engaging with those that don't traditionally attend council-led meetings.

(xlv) To the Cabinet Member for Health & Community Engagement from Cllr Barton:

“Of the monies to date distributed on CYC’s behalf by Your Consortium, what percentage was distributed to Wards represented by Labour Councillors?”

The money is distributed to city-wide organisations and not on a ward basis.

(xlv) To the Cabinet Member for Leisure, Culture & Tourism from Cllr Cuthbertson:

“Could the Cabinet Member confirm that there are no plans to close or re-locate Bishopthorpe Library?”

I can absolutely confirm that there are no plans to close Bishopthorpe or any other library.

This administration has been in the business of opening libraries not closing them, and that remains the case.

Not only that but we have worked hard to improve our existing libraries. I am pleased to say that our state of the art new archive facility will open on 5 January at York Explore. Explore libraries and archives will continue to accelerate the pace of improvement, examining every library to see what potential there is provide better facilities and services for the community.

Bishopthorpe is no exception, and if opportunities are created for a bigger and more modern facility as part of any plans that the community are developing, then I have no doubt that Explore will

want to be part of them if at all possible.

(xlvi) To the Cabinet Member for Leisure, Culture & Tourism from Cllr Runciman:

“Could the Cabinet Member confirm that users of Waterworld and residents of Huntington will be kept informed of the Community Stadium development going forward, particularly any further changes and/or extra development?”

The Council are finalising a joint communications plan with GLL (the anticipated new stadium and leisure operator) which will keep users and residents up-to-date with all the relevant information regarding the transitional arrangements.

Customer notices and display boards are in both receptions at Waterworld and Huntington Stadium. All swimming lesson customers have already been written to and it is proposed to write to all gym members shortly.

A comprehensive community consultation process will soon begin, providing full details regarding the proposals prior to the planning submission. This will have a particular focus on issues relating to local residents and community groups.

GLL are also keeping their website up to date.

(xlvi) To the Cabinet Member for Leisure, Culture & Tourism from Cllr Ayre:

“How much did the “Grand Depart”, held at Huntington Stadium on 4th July 2014, cost and what income was raised from ticket sales?”

I refer the member to my answer to a very similar question posed by Cllr Aspden at the council meeting on 17 July 2014.

I can only add this time around that final costs and income on the Grand De Party are currently being worked on with the operator.

However, in the interests of clarity, the Tour de France and the cultural and community events leading up to the day of the 2nd stage depart should be looked at collectively.

Like any major event of many parts, some segments of the Tour

de France York will have made a profit and others may not, some events were held to promote the race and others simply to engage with our communities.

The Tour de France was a phenomenal success and no matter how much opposition members try to pick off parts of the whole, it will always go down in the history of events in this city as a resounding success and one that this Labour Administration promised to deliver and was seen to deliver.

Finally, although I decided to answer this question first time around on 17 July, and have taken the time to respond again and further expand on the benefits of the Tour de France, the question should have been addressed to another member of Cabinet.

Should members wish to ask the question again, then I respectfully suggest they ask it of the correct member of Cabinet.

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

“Could the Cabinet Member outline what local community use she expects from the newly announced £7m plans at Fulford School (specifically the sports hall) and what additional consultation will take place with local sports groups and residents in the drawing up of these plans?”

I do not think it would be in any way proper for me to draw up plans for the use by the Fulford community of the proposed Sports Hall. This is entirely a matter for the school to discuss with the local groups described. Much I can do, but tell schools how to arrange the use of their buildings is not within my competence nor should it be. The school has a good track record of opening itself up to community use, and I am confident this good relationship will continue. I would suggest that these discussions take place with the school directly.

Programme of Highway Maintenance schemes 2014/15
(relates to Q. xxvii above, From Cllr Reid to the Cabinet Member for Transport)

Carriageway scheme commencement dates

Moor Lane – 14th Oct

Elvington Lane – 16th Oct

Windsor Drive – 18th Oct

Middlecroft Drive – 20th Oct
Whenby Grove – 21st Oct
Brentwood Crescent – 22nd Oct
Harlow Road – 27th Oct
Rawcliffe Drive – 27th-31st Oct
Holly Tree Lane – 27th Oct
Fulford Cross – 27th Oct
Woodlea Avenue – 27th Oct
Chalfonts – 27th Oct
Union Terrace – 27th Oct
Hamilton Drive – early-Nov
Front Street (Acomb shops) – early-Nov
Mattison Way – early-Nov
Burlington Avenue – early-Nov
High Field – early-Nov
Burdyke Avenue – early-Nov
Fulford Park – early-Nov
Vesper Drive – mid-Nov
Osbaldwick Village – mid-Nov
Back Lane, Copmanthorpe – mid-Nov
Brecksfield – mid-Nov
North Lane – late-Nov
Nelson's Lane – mid-Feb
Redeness Street – mid-Feb
White Rose Avenue – late-Feb

Footway schemes commencement dates

Oakdale Road – ongoing
Redeness Street – ongoing
East Parade – ongoing
Osbaldwick Village – ongoing
New Lane, Holtby Road – ongoing
Newgate Market – ongoing
Old Orchard – 13th Oct
Windermere – 13th Oct
Forest Close – 23rd Oct
Tang Hall Lane – 27th Oct
Green Lane Trading Estate – 27th Oct
Bowyers Close – mid-Nov
Muncastergate – mid-Nov
St Marys Close – mid-Nov
Malton Road – mid-Nov
Back lanes Knavesmire – mid-Nov
Tudor Road – late-Nov
Mount Vale Drive – late-Nov

St Martins Lane – late-Nov
Arthur Street – late-Nov
A1237 Haxby-Cliftonmoor – late-Nov
Wetherby Road – early-Dec
Mill Lane, Hessay Road – early-Dec
Paddock Way – mid-Dec
New Road Hessay – mid-Dec
Hull Road – early-Jan
Garfield Terrace – early-Jan
Carrick Gardens – mid-Jan
Burril Avenue – mid-Jan
Coppice Close – mid-Jan
Cleveland Way – mid-Jan
Goodramgate – mid-Jan
Brockfield Road – mid-Jan
Coney Street – mid-Jan
Wains Road – early-Feb
High Ousegate – early-Feb
Cinder Lane – early-Feb
Juniper Close – early-Feb
Plantation Way – early-Feb
Middlethorpe Drive – mid-Feb
Wheldrake Lane – mid-Feb
Alder Way – late-Feb
Middle Banks – late-Feb
Moor Lane, Strensall Road – late-Feb
Galtres Grove – early-March
Pike Hills Mount – early-March
Garthway – early-March
Fir Heath Close – mid-March

Cllr Ian Gillies

LORD MAYOR OF YORK

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

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City of York Council

Resolutions and proceedings of the Extraordinary Meeting of the City of York Council held in Guildhall, York on Thursday, 23rd October, 2014, starting at 7.00 pm

Present: The Lord Mayor Councillor Ian Gillies 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
Hodgson Semlyen	D'Agorne
Fulford Ward	Guildhall Ward
Aspden	Looker Watson
Haxby & Wigginton Ward	Heslington Ward
Firth Richardson	Levene
Heworth Ward	Heworth Without Ward
Boyce Funnell Potter	Ayre

Holgate Ward	Hull Road Ward
Alexander Crisp Riches	Barnes Fitzpatrick
Huntington & New Earswick Ward	Micklegate Ward
Hyman Orrell	Fraser Gunnell Merrett
Osbaldwick Ward	Rural West York Ward
Warters	Gillies Healey Steward
Skelton, Rawcliffe & Clifton Without Ward	Strensall Ward
Cunningham-Cross McIlveen Watt	Doughty Wiseman
Westfield Ward	Wheldrake Ward
Burton Williams Waller	Barton

Apologies for absence were received from Councillors Taylor,
Cuthbertson and Runciman

47. Lord Mayor's Opening Comments

Councillor Waller was welcomed back to the Council after his election for Westfield Ward at the recent by-election.

Members' attention was drawn to the fact that history had been made at the meeting, as Anne Platt had been the first female mace bearer for a Council meeting.

48. Declarations of Interest

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

49. Public Participation

It was reported that there were no registrations to speak at the meeting under the Council's Public Participation Scheme.

50. Allocation to Seats and Appointments to the Council Structure and Outside Bodies for 2014/15

With the agreement of the Lord Mayor, Councillor Alexander made a personal statement. Referring to the changes in the political balance of the Council, Councillor Alexander stated that he was intending to postpone the forthcoming Cabinet meeting to enable consideration to be given to establishing a cross-party executive to inform the decisions of Cabinet.

Council received a report on the allocation of seats and Councillors to committees and other bodies for the remainder of 2014/15, following the recent by-election and changes in political group memberships. Copies of revised annexes had been published and circulated. These set out the revised allocations to seats and nominations to committees, as well as outside or partnership bodies, together with appointments to Chairs and Vice-Chairs.

Councillor Alexander moved and Councillor Aspden seconded the revised allocation of seats, adjusted in accordance with Section 15 of Local Government and Housing Act 1989, as set out in the revised Annex A and revised Annex B1 to the papers.

Councillor Watson, referring to an error in the paperwork, proposed the following amendment to revised Annex A:

“Area Planning Sub-Committee to include one Independent seat and remove the place allocated for a Labour Independent”.

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

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

Resolved: That the revised allocation of seats set out in revised Annex A and revised Annex B1 be approved subject to an amendment to revised Annex A to include one Independent place and the deletion of the place allocated to Labour Independent on the Area Planning Sub-Committee.

Consideration was given to the nomination of Chairs and Vice-Chairs to committees.

Councillor Alexander moved and Councillor Simpson-Laing seconded the nominations of the Labour Group, as set out in revised Annex B2, subject to Councillor Fraser being the Labour nomination for Chair of Community Safety Overview and Scrutiny Committee.

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

Councillor Steward then moved and Councillor D’Agorne seconded the nominations of the combined opposition, as set out in revised Annex B2.

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

Resolved: That the nomination of Chairs and Vice-Chairs as set out in Revised Annex B2 – combined opposition nominations be approved.

Consideration was given to the nomination of appointees to outside and partnership bodies for the remainder of the Municipal Year.

Councillor Alexander moved and Councillor Simpson-Laing seconded the nominations in the revised Annex B3, together with the nominations from the Labour Group set out in Annex B3 (a) and (b).

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

Councillor Aspden then moved and Councillor Reid seconded the nominations in the revised Annex B3, together with the nominations from the combined opposition set out in Annex B3 (a) and (b).

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

Resolved: That the nominations in the revised Annex B3, together with the nominations from the combined opposition set out in annex B3 (a) and B3 (b) be approved.

Cllr Ian Gillies

Lord Mayor of York

[The meeting started at 7.00 pm and concluded at 8.15 pm]

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Report of the Deputy Council Leader, Cabinet Member for Homes & Safer Communities (including Democratic Services)

This report gives an overview of work within my portfolio areas.

Civic Services

Mansion House – Upon taking on the responsibility for the Mansion House, in 2012, I discussed with Officers how the House could be more accessible through longer opening hours and used more as a venue for events which would raise income towards running costs. The last year has been one of considerable success:

- Increased visitor numbers, 6000 in 2013/14 (from under 1000 in 2006) due to extended opening
- ‘Aero Girls’. First curated exhibition - over 1000 visitors in a week.
- First ever use for theatre productions, *Blood and Chocolate* and *The Importance of Being Earnest*.
- Increased use of the Mansion House (tours, talks, wedding, dinners etc)
- In partnership with the Centre for Life Long Learning (University of York), the Mansion House developed the first civic history course.

Mansion House & Heritage Lottery Fund Bid - Earlier this year the Council named De Matos Ryan as the architects for the next stage of the restoration programme of the Mansion House, funded by the Heritage Lottery Fund.

The ‘*Opening Doors*’ project involves restoring the 18th century kitchens; improving displays, conservation and access to the civic collection of gold and silver ware; developing an integrated environmental and conservation plan for the structure; and preparing an oral history project, involving people past and present with a connection to the building. Other aims include improved interpretation, education, conservation and access to the gold and silver collections incorporating displays about the people behind the objects and installing an effective conservation heating system to minimise long-term damage to the contents and fabric of the building and reduce its carbon foot print. The bid was submitted on the 21st November and if successful the House would close in autumn 2015 with works taking up to a year.

Democratic Services

The Council Chamber was brought into the 21st Century during the last Civic year. Work included the installation of an electronic voting system and renewal of the Hearing Loop which, like the audio system, was at the end of its life. Other work included working with Policy and ICT to secure webcasting/recording of meetings and making progress on a modern and,

understandable Constitution

This year's work plan includes planning to meet the training and other needs of new Members in 2015.

Webcasting - Labour first proposed webcasting over 6 years ago, now public meetings are either webcasted or audio recorded. The figures for on-demand viewing between 1st June 2014 and 12th November 2014 are (N.B. YouTube figures do not include live views only on-demand).

1 June 2014 to 12 November 2014

- Total views: **6,793**
- Estimated minutes watched: **57,365 (956 hrs)**
- Number of videos: **79**
- Average number of views per video: **86**

Constitution - Our Constitution follows a model developed in 2000. Regular amendments have been made to reflect changes in practice and law but the document has never been comprehensively revised and is showing its age.

In late 2012 I requested a full review and that the document should be clearer and easier for the public and for Councillors to refer to with regard to the law and procedures. Work is still underway. An easy read summary of the Constitution has been approved by Council and other proposed changes are still to come forward. I hope the new chair of Audit & Governance ensures that the new Constitution is not delayed by politics

Electoral Services

Annual Canvass – In summer 2013 the Electoral Services Team undertook preparation for the 2014 European Parliamentary Election. Due to changes from the Conservative Liberal Democrat Government the *Annual Canvass for the Register of Electors* was carried out later than normal and presented a challenge of ensuring the register was up to date for the election. Unfortunately the later timing did impact responses with 88% of properties replying compared to 90% the previous year.

Individual Electoral Registration (IER) – the transitional phase of IER was entered in to in June 2014 and will fully replace the current Household registration system, dating from 1918, after the 2015 General Election.

The new system requires electors to register individually and provide identification to verify their application; date of birth and National Insurance number. For the forthcoming year transitional arrangements allow data matching against the records held by the *Department for Work and Pensions*.

A data matching trial conducted last year showed around a 70% match of electors. Electors who pass the data match will be automatically transferred to the new Register of Electors, those who do not will need to provide additional identification to remain registered to vote after the transitional period. The latest information for York is that the electorate is 155,923 which is down from the last register by 1265

Safer Communities

River Safety - I would like to start by addressing the issue of River Safety and will go in to some detail as I believe all accept the importance of the work due to tragic incidents that have taken place this year. A River Safety Working Group has been set up and held its first meeting on 27th May 2014. Group membership is:

North Yorkshire Police, North Yorkshire Fire and Rescue Service, City of York Council CCTV, University of York, University of York St. John, APEX Radio Systems Ltd and the Police and Crime Commissioner.

In September a joint media briefing was held prior to which I spent some time with Jackie Roberts and Steve Pearson, the parents of Megan and Tyler. The briefing contained three powerful films made by the families; these were funded by Julia Mulligan, the Police and Crime Commissioner.

I outlined what has, is and will be done along the river banks based on recommendations from RoSPA (Royal Society for the Prevention of Accidents) who the Council commissioned to produce a report around river safety.

Provision of rescue equipment

- 35 lifebelts on the Ouse and 14 on the Foss have been replaced with new belts with floating ropes, and information on the use of life rings and raising the alarm was due to be completed by November 2014.
- Programme of inspections will be updated and implemented

Physical improvements

- The upgrading of Post & Chain fencing and edge protection along the Ouse at Wellington Row, the Blue Bridge area and Queen Staith by the end of December 2014. New fencing near Navigation Road, on the Foss, was scheduled, weather permitting by late November 2014.
- Council will survey and update existing grab rails/install new – especially on canalised sections between Lendal and Ouse Bridge and sections of the Foss. Survey work began in October and it is hoped work will be completed by Spring 2015 – dependent on the weather/river levels.
- Minor renovation works on handrails and painting will be reviewed and refreshed as part of our ongoing work programme.

- The Council is discussing with the Emergency Services the possible use of 'emergency-only' lighting near to and under Ouse Bridge.

Education and Campaigns

- From September York schools, as part of the National Curriculum, will include water safety and aquatic skills in their curriculum.
- During Drowning Prevention Week (21–29 June 2014) the Council funded water safety lessons and awareness sessions at Energise
- The national campaign *Don't Drink and Drown* was launched by the Royal Lifesaving Society at the University of York during Fresher's Week.
- Training is being given to Door Staff, Street Angels and others working/volunteering near river banks, in how to deploy life belts, to ask for Fire and Rescue when dialling 999 and how to raise alarm
- Developed by York St John University Students' Union the excellent Plan ***Safe, Drink Safe, Home Safe*** campaign was launched in the Spring. This has been adopted by the *City's River Safety Group*. The campaign aims to give clear, practical advice on planning a great, safe night out and journey home.
- Council has advised University of York Student Union on its NightSafe Service. Launched during Freshers Week its trained Volunteer Students patrol the City Centre and river side areas on Student Club nights.

Safer York Partnership – Crime statistics for year end 2013-14 show reported crime fell by 550, a 5% reduction in total crime on the previous year. This is the eighth year in a row that overall crime has fallen within the City. All reduction targets were met in 2013/14 except shoplifting which has seen a 5% rise – reflecting the national increase in shoplifting of food.

Anti Social Behavioural (ASB) The Hub - The Council committed £115k from the Delivery and Innovation Fund towards the Hub and was successful in bidding to the *Police Innovation Fund*, for £58k.

Launched in May 2014 *The Hub* consists of North Yorkshire Police Force Officers and several Council departments. Situated at West Offices the Hub holds daily meetings to discuss ASB incidents and to decide which is the most relevant agency to deal with them.

AVANTE - I asked Officers to refresh group membership as I felt some key players were missing. Representatives from the Taxi Associations have joined and we are recruiting a member from the Licensed Victuallers Association.

Work has included the *Cumulative Impact Zone* - dealing with issues around noise and premises selling off sales alcohol in the City Centre, and the *Alcohol*

Restriction Zone - launched in April which deals with the problem of those drinking cheap alcohol from off licenses before/between bars.

Domestic Abuse Strategy Board - In the summer of 2013 I asked Officers to set up a *York Domestic Violence Strategy Board* due to a view that York's issues were becoming lost in the North Yorkshire Board's work. A decision was taken in July 2014 that whilst the York Board would sign up to the refreshed North Yorkshire Strategy, due to cross boundary issues, York would have its own strategy as many issues were not either historically or currently recognised or addressed.

Two successful campaigns have been run during the last year. The pre Christmas (2013) campaign and the World Cup Campaign 'Give Violence the Red Card' - both led to rises in referrals. The Christmas 2014 campaign has been launched and York City Football Club will be including it in their programmes over Christmas. The Board is working on a campaign plan for the next year centred around major sporting events and Christmas, and a *Reclaim the Night March* will be held annually (late February 2015)

The 25th November was the '*United Nations International Day for the Elimination of Violence Against Women*'. On that day I sent a letter to all male Councillors, Directors and Assistant Directors and asked that they consider signing up to White Ribbon. The Board is aiming to roll the 'pledge' out to partners and major employers during the next year. For more on White Ribbon:

<http://www.whiteribboncampaign.co.uk/node/302>

During the next year we will be looking at the continuing challenge of funding, the complexities of 'need', and will look at issues such as Forced Marriages, Sexual Assaults, Female Genital Mutilation (FGM) and new legislation.

Section 136 Suite & Triage Service – The North Yorkshire Police Force area was the last in the country to have a Section 136 Suite. Over 100 people have used the 'Suite' since its launch in February 2014.

In October I signed the Memorandum of Understanding for the new *Street Triage Scheme* set up by the Leeds & York Partnership NHS Foundation Trust, North Yorkshire Police and the NHS Vale of York Clinical Commissioning Group, with funding from City of York and North Yorkshire County Council. The service will cost £200,000 a year and will see York-based mental health professionals join officers at incidents where they can be of use.

Food Safety Unit - Officers monitor and enforce food safety and standards in over 1,800 food premises. In the last year nine premises received a hygiene

rating of zero and were required to make improvements. During the year, 757 inspections have taken place with 875 food complaints.

Environmental Protection Unit (EPU) - During 2013/14 the EPU received 1609 complaints about noise including loud music, parties, shouting, domestic noise, noise from pubs/clubs and dog barking. 22 noise abatement notices were served, there were 6 breaches of abatement notices and 2 seizures of noise generating equipment.

Housing.

Work continues in a challenging climate due to benefit changes, lower incomes and the rising cost of living.

Homeless applications 2014/15 - Staff have worked to stop residents becoming homeless by focusing on early intervention.

- 45 presentations, 23 acceptances (13/14 - 57 presentations, 31 accepted)
- 69 in temporary accommodation (13/14 - 90 in temporary)

Waiting List - Last year all members of the scheme took part in a refresh of applications which resulted in those not replying being removed from the Waiting List. Others, due to changes in circumstances (based on new government criteria) were removed from the list. The current Waiting List position at year end and Q2 end is:

Register by Local Authority & Band @ 01.10.14					
	Emergency	Gold	Silver	Bronze	Total of Band
Craven	0	28	168	340	536
Hambleton	6	70	319	482	877
Richmondshire	0	44	173	201	418
Ryedale	0	55	272	338	665
Scarborough	2	232	581	1102	1917
Selby	2	38	249	277	566
York	2	178	763	404	1348
Total of Local Authority	12	645	2525	3144	6327

There have been significant reductions in Bronze Band across the region. During consultation many in *Bronze* reported that the previous policy gave unrealistic expectation of being allocated a home. There is a view that, whilst numbers are down actual need is not, as many are not registering/re-registering due to the idea that there is no possibility of obtaining a home.

Arrears – Each year officers are asked to reduce rent arrears. It was felt that this year it would be difficult due to the Bedroom Tax and other Benefit changes. However, early intervention work that I set in motion last year seems

to be working with the Council having the lowest rent arrears for 12 years. Last year saw a collection rate of 98.04% which is a 5 year high.

- Current arrears £771,812 (£911,943 at the same point last year)
- Former arrears £309,496 (£342,185 last year)

Discretionary Housing Payments (DHP)– Changes by the Conservative Liberal Democrat Government to benefits have resulted in a 350% increase in DHP applications compared to same period (Mar-Sep) in 12/13. Below includes the full year 13/14 and this year up to 30/09/14:

	Apps made	Apps paid
12/13	268	201
13/14	876	587
14/15 (to 30/9/14)	425	350

Capital Works Programme 2013/14 & 2014/15 –The Housing Revenue Account (HRA) funds the repair and maintenance costs of our homes. The HRA Business Plan, approved in September 2014, sets out that over 5 years £74.5m will be spent on responsive repairs/maintenance and improvements to the Council's housing stock.

Capital Works Done 13/14	No of Homes
Doors fitted on external painting & repairs	78
External Painting Programme	1022
Heating Referrals - Npower	410
Loft Conversions	7
Roofing	60
Sound proofing	67
Tenants Choice - Main Programme	218
Tenants Choice - Rewires Only	33
Tenants Choice - Voids by Forrest	48
Window Replacements	700

Capital Works 14/15	Planned No of Homes	28/10/14 completed
Airey Houses - non traditional	16	0
Doors fitted on external painting & repairs	30	19
External Painting Programme	1200	1180
Heating Referrals - Npower	400	168
Loft Conversions	16	10
Roofing	60	0
Soundproofing	60	14
Tenants Choice - Main Programme	230	218
Tenants Choice - Voids by Forrest/Gentoo		25
Window Replacements	300	187

Housing & Building Services Customer Service Excellence Award – I am delighted to report that the Housing and Building Services Teams have received this recognition and thank them for their work which has been recognised through this award. The team received the award after inspection in September 2014 which certifies the service as giving customer service excellence, commitment to help the harder-to-reach and vulnerable customers and for providing a seamless service for highly vulnerable younger residents.

The Glebe - The Glebe was a winner in the *National Housing for Older People Awards 2014*. I would like to thank all staff at The Glebe and to those residents who voted for their service.

Council House building programme

Beckfield Lane - Work on Beckfield Lane is under way and on target for completion in February 2015, providing 18 council homes and 9 family houses for market sale. The scheme is being built by Gentoo, and Hudson Moody is marketing the for sale houses. 9 of the 18 council homes will be apartments, aimed at over-55s who are down-sizing.

The Pack of Cards, Lindsey Avenue has been demolished and the site cleared so that work can begin and the *White Swan*, Piccadilly handover is scheduled next month. Planning permission has been granted for Fenwick Street, Hewley Avenue, Chaloners Road and Newbury Avenue.

Housing Week 2014 - City of York Council's third Housing Week ran from 3-7 November 2014. This year's focus was on the increasing need for more and better housing solutions in York. It included workshops and information sessions on 'Older Peoples Housing Options, Homelessness, Social Care, the first *Student Good Landlord Awards*, and Tenants and Residents events.

Empty Homes – the dedicated Officer working on empty homes brought forward our first Compulsory Purchase Order (CPO) in Bradley Drive. This was an action that the Council felt necessary after years of owner inaction and of the Council not having relevant policies to bring the house back in to use

Interestingly, owners of other properties suitable for CPO have, since the Bradley Drive action, been more proactive. Officers are ensuring that where an owner has agreed certain actions they keep to the agreed programme and will take action if they do not.

- 102 Empty Homes were brought back in to use at the end of 2013/14
- Long Term Empties in 2013 were 194. Of these 141 had been empty 6mths-2yrs. 106 owners have confirmed their properties as being empty with 72 giving reasons.

Housing Accreditation in the Private Rented Sector (PRS) – YorProperty is a voluntary accreditation scheme for private landlords and agents, which

recognises and promotes good quality, well-managed private sector accommodation and provides recognition to landlords and agents who take a responsible approach to letting their properties. It helps tenants identify properties which meet the standards set out in the Scheme.

The Scheme, developed in consultation with and supported by the University of York, York St. John and individual landlords and letting agents has so far attracted 100 landlords/letting agents with a portfolio of 420 properties.

Cllr Tracey Simpson-Laing Council 2014

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

Unemployment

Last month saw the number of job seekers allowance claimants decrease by a further 57 to 1318.

York's rate now stands at just 1.0% of the working age population - outperforming the country at 2.1% and the region at 2.8%.

This time last year the number of claimants was 2195. In October 2011 it was 3439. Over the course I have been leader I have ensured the council has played its part in this reduction by around 60%. This is a Labour achievement I am particularly proud of. Work is the only sustainable route out of poverty.

However, York has a growing problem of low wages which has been increasingly the focus of my attention. York needs better paid jobs created to provide opportunities for progression to those living in poverty in the city. This cannot happen in isolation and has to sit alongside up-skilling as a key part of the council's economic strategy going forward.

Youth Unemployment

The number of job seekers allowance claimants aged 18-24 decreased by 25 last month. This time last year the count was 530. It has decreased by 44% over the past year to 295.

The council's work in creating and encouraging others to take on apprentices has helped. We have also worked with partners to set up an apprenticeship brokerage service across the Leeds City Region. This helps businesses by taking on board the red tape functions required to be carried out to recruit an apprentice.

York's current focus now concerning apprenticeships is no longer the availability of these opportunities but ensuring these vacancies are taken up by York residents. Work needs to be carried out to further promote apprenticeships to young people and a look at the wage levels may be required.

UNESCO Creative City of Media Arts

My congratulations to Stuart Goulden and those in the media arts industry in York. I am proud the council successfully supported the sector to bid to become a UNESCO Creative City of Media Arts.

York is now the only UK city to receive this designation. It puts York in the same league as Beijing, Sydney, Buenos Aires, Berlin, Lyon, Sapporo, Bogota, Brazzaville and Shanghai as being part of the UNESCO Creative Cities Network.

The designation will help the sector grow in York and with Gigabit internet connections will help encourage more such businesses to be set up in York or relocated. The designation will have a significant impact on jobs and growth.

Community Conversations

I have now attended a community conversation in every ward in the York. I would like to thank residents for attending, asking questions and engaging. I have provided the feedback from these meetings to the Labour Group and to the new Leader for a response.

Parsons Brinckerhoff

I attended the opening of their new office at Clifton Park Avenue. It was interesting seeing the rail and road projects that are being supported. The company is also working on some of the infrastructure plans associated with both the Local Plan and Leeds City Region ring road investment.

Omnicom

Omnicom has also set up an office in the same location as Parsons Brinckerhoff off Shipton Road. Omnicom has recruited more staff and have developed better links with the University of York for programmers. They now take graduates and employ students during their courses.

I was pleased to see Omnicom is now carrying out work on the Australian railways. It is good to see export success.

York Central

The council has entered a memorandum of understanding with Network Rail securing the first access route into York Central for construction. This comes on the back of the council announcing investment for this route a year ago.

The move is so significant that it is expected work on new homes will begin by the end of 2016.

Ring Road

In my last external meeting as Leader I helped secure an agreement at the West Yorkshire Combined Authority for funds towards initial design work for ring road improvements. This paves the way for £38m of investment. This is the single biggest transport investment the council will have received.

This comes in the wake of national roads spending announcements today which, despite the Prime Minister saying York's outer ring road upgrade should happen and Julian Sturdy making it an election pledge back in 2011, have yielded nothing for the outer ring road.

People are acutely aware of the need for improvements to the ring road and this is why I have backed the York, North Yorkshire and East Riding Local Enterprise Partnership's campaign calling on the Prime Minister for action.

I hope these calls are heeded soon given York has been overlooked by the Government on this occasion. In the meantime, Labour will work with any partners to secure as much investment in transport as possible.

Local Plan

I have left the most important item to last.

The council and others with the power to influence an outcome on the Local Plan are at a crossroads. We all know the city has waited 60 years to get an adopted Plan which is a reflection on all parties, one I'm sure none of us would care to dwell on. But there is now an opportunity to address this shortcoming and do the right thing for the city.

Yes, we disagree on the housing numbers in particular but I know my Labour colleagues are prepared to get around the table and discuss this. The question is: are other parties? Who will come first, the city and its residents or opposition parties?

Professional advice on housing numbers and their response to this shows the Liberal Democrats want no Local Plan or one that would fail Government requirements, so it is only the Conservatives that can deliver a Plan with Labour to define and protect our Green Belt for the first time.

The irony is that the longer they procrastinate, the longer developers have to get their applications together and submitted before a Local Plan is adopted, leaving the draft Green Belt open to potentially inappropriate development. The opportunity to do what's right for York and its residents must be taken now.

Time is running out.

Leaving Message

It has been an honour to serve York as the Leader of City of York Council for the past four years. I wish the city, its residents and those who serve York all the best for the future. York's best days are ahead, not in the past.

Councillor James Alexander
Labour Leader of City of York Council,
1st December, 2014

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City of York Council

Committee Minutes

Meeting	Staffing Matters & Urgency Committee
Date	24 November 2014
Present	Councillors Aspden, Fraser, Watson, Simpson-Laing (Chair and Substitute for Councillor Alexander) and Healey (Substitute for Councillor Steward)
Apologies	Councillors Alexander and Steward
In Attendance	Councillors Crisp and Warters

Part B- Matters Referred to Full Council

53. Director of Adult Services and Assistant Director of Adult Services-Appointment Process and Remuneration

[See under Part A minute]

Members considered a report outlining and seeking approval to a proposed recruitment and appointment process for the both the Director of Adult Services and Assistant Director of Adult Services, including proposals for temporarily filling the Assistant Director post. The report set out proposals for remuneration, involving a Recruitment Agency, and for establishing Appointments Panels.

Recommend: That Council agree that a remuneration package for the Director of Adult Services be set at £88,000-£102,000.

Reason: To progress the appointment for this critical role.

Councillor T Simpson-Laing, Chair

[The meeting started at 1.00 pm and finished at 2.15 pm].

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Scrutiny Report to Council

11 December 2014

Report of the Chair of Corporate & Scrutiny Management Committee

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

Finance & Performance Monitoring

2. The Second Quarter Finance & Performance Monitoring reports which had been scheduled to go to CSMC and the four standing scrutiny committees in November will now be presented during the round of meetings in January.

Attendance of Cabinet Members

3. The Cabinet Member for Homes and Safer Communities attended a meeting of Community Safety OSC on 5 November 2014 and Economic and City OSC on 12 November 2014 to provide Members with an update on the priorities and challenges within her portfolio area during the municipal year.

Corporate & Scrutiny Management Committee

Call-ins

4. Since the last report to Council in October there has been just one call-in – Rewiring of Public Services: Business Case for Children's Services in relation to the Castlegate service.
5. The decisions of Cabinet were referred back for further consideration at a Cabinet Call-In meeting on 25 November 2014. This included a recommendation that Cabinet should withdraw the proposal and delay the closure of Castlegate in order to allow time for Officer's to bring forward a report detailing all options.
6. As Chair of CSMC I attended the Cabinet (Call-In) meeting to present the above recommendation and to answer questions in relation to the Committee's decision. Cabinet subsequently agreed to ask Officers to

re-examine the Castlegate proposals. This included agreement to undertake further consultation with services users and partners, consideration of options (including possible alternative delivery methods by the Castlegate team) by a cross party group and the YorOk Board, with a report back to Cabinet in February 2015.

Petitions

7. CSMC received a report on Council Petitions which provided details of the new arrangements agreed by Council in October 2014 for dealing with petitions received by the Authority. It set out CSMC's role in those new arrangements and provided a list of all the petitions received by the Council since the new arrangements were put in place. CSMC will receive such a report at each of its future meetings and will be asked to consider an appropriate course of action for each petition.

Overview & Review Work

8. Since the full Council meeting in October 2014 CSMC has met once. In November they received the Draft Equalities Plan: A Fairer York which identified four priorities to improve outcomes for York's Communities of Identity. As part of their management role CSMC agreed each of the overview and scrutiny committees would receive quarterly updates as part of their future quarterly finance and performance monitoring reports. At the same meeting CSMC signed off the Draft Final Report of its Equalities Review. The Committee received a third update report on the implementation of recommendations from the previously completed Engaging Communities Scrutiny Review. As a result of information from the standing overview and scrutiny committees, CSMC reluctantly agreed to abandon the corporate scrutiny review around Supporting Older People.

Community Safety Overview & Scrutiny Committee

9. The Committee has met once since the last report to Council. In early November the Committee was given a presentation about Changes in the Probation Service which provided an update on transforming rehabilitation. It considered the status of the implementation of the recommendations from the previously completed Community Resilience Scrutiny Review and a report reviewing the first six months of the Horse Bailiff Scheme. The Committee also received a verbal update on the progress of the A-Boards Scrutiny Review.

Learning & Culture Overview & Scrutiny Committee

10. Learning & Culture OSC has met once since the last report to Council. In November the Committee received a Performance Update 2014/15 of the York Museums Trust Delivery Plan which provided members with information on the progress towards meeting the targets agreed in the Partnership Delivery Plan and an update on the implementation of the approved recommendations arising from the previously completed York Museums Trust Scrutiny Review. The Committee received its first update report on the performance of Explore York Libraries and Archives Mutual Ltd (Explore) for the first six months of 2014/15 and a report providing information about school performances in 2014 and the position of schools according to Ofsted judgements as of 4 November 2014. The Committee agreed to carry out two further reviews during the current municipal year, one around narrowing the gap in attainment in York and the other on the Tour de France. Finally they considered an update report on the membership of the Entrepreneurship Scrutiny Review Task Group in light of changes to the composition of the Learning and Culture OSC made at an Extraordinary Council meeting on 23 October 2014.

Health Overview & Scrutiny Committee

11. The Health OSC has met twice since the last report to the Council. On 15 October the Committee received the annual report of the Chief Executive of Leeds and York Partnership NHS Foundation Trust which set out the key areas of service development in the last year and the areas for focus on further improvements in the coming months. There was a report on the merger between York Medical Group and the surgery at 32 Clifton practices which provided Members with background and an outline of the consultation process around the merger. In addition there were update reports on the implications of Deprivation of Liberties Safeguards highlighting the financial impact on City of York Council as a result of new legislative requirements and on the budgetary decision to remove the lunchtime meal service for sheltered housing residents. The Committee also heard a verbal update of the progress of the Supporting Older People Scrutiny review.
12. On 26 November the Committee received the six-monthly Residential, Nursing and Homecare Services Quality Standards monitoring report which included details of the Care Quality Commission's new approach to the regulation and inspection of care homes. Members received a report informing them of the decision by Monitor to close

the investigation into breaches of the four-hour emergency access and cancer targets at York Teaching Hospital NHS Foundation Trust and an update report by the Chair of the Health and Wellbeing Board as part of the working protocol between Health OSC and the Board. The Committee also received an update report on the situation regarding the Castlegate Centre and a report from NHS England providing details of proposals to merge Jorvik Medical Practice with Gillygate Surgery. In addition the Committee considered a report updating Members on the progress of Healthwatch York in delivering the services set out in the contract with the Council and an update report on the membership of the Supporting Older People Task Group.

Economic & City Development Overview & Scrutiny Committee (ECDOSC)

13. ECDOSC has met once since the last report to Council. In November the Committee discussed a scoping report on a proposal for a scrutiny review of the Lendal Bridge closure but voted not to progress the review. Members also discussed an update report on the membership of Supporting Older People Task Group and also voted not to progress this review. A draft final report into the Higher Value Jobs Scrutiny Review was sent back to the Task Group for clarification of one of the recommendations and for additional information regarding Science City York. The Committee also considered an update report on the work of YorCity Construction including the implementation of recommendations from the previously completed Construction Skills Scrutiny Review, an update report on the ongoing work across CYC and the city to help mitigate against climate change, fuel poverty and rising fuel bills and the regular update report on York's Economic Dashboard which provides information on job creation and economic growth in the city.

Councillor John Galvin,

Chair of Corporate & Scrutiny Management Committee



Council**11 December 2014**

Report of the Assistant Director, Governance and ICT

Appointments to Committees and Outside Bodies**Summary**

1. Following the Westfield By-Election, a number of changes within Groups and the number of Independent Members, an Extraordinary meeting of Council was held on 23 October 2014. The meeting was held in order to review the allocation of seats, appointments to the Council structure and outside bodies for the remainder of the municipal year, in accordance with the political balance requirements under the Local Government and Housing Act 1989.

Background

2. The Council makes appointments at its Annual Meeting, to Committees for the coming year and following the above Extraordinary meeting a number of additional changes and have now been requested to the Health and Wellbeing Board (HWBB).
3. Although the Staffing Matters & Urgency Committee has authority to deal with any changes or appointments to Committees and bodies within year, the requested changes require amendments to the Boards terms of reference which can only be agreed by Council. The following changes are now put forward for consideration:

4. **Membership of the Health and Wellbeing Board**

- (a) There is a statutory requirement for the Directors of Adult Social Care and Public Health to be members of the Board as well as the Director of Children's Services . At the Board's last meeting on 22 October 2014, Guy van Dichele (currently 'Acting', pending formal appointment of Director) and Julie Hotchkiss (currently 'Acting', pending formal appointment of Director) were added to the Board's membership.
- (b) At that time the Council's Chief Executive Kersten England, also a Board Member, suggested as there were now three

City of York Directors on the Board, that in order to avoid the perception of over dominance by Council Officers that she wished to step down as a Board Member.

- (c) Following the meeting, the Chair, Councillor Cunningham-Cross has made a request for the Portfolio Holder for Children's Services to be added to the Board's Membership and for the Cabinet Member with the portfolio for Adult Social Care to be a named member of the Board, to ensure full coverage of the health and wellbeing service.

In accordance with the HWBB's terms of reference consultation has been undertaken with Board Members to gain their agreement to the addition of a further elected representative, nominated by the Council (Cabinet Member for Education, Children and Young People), to the Board's membership.

With the Board's agreement Council are now asked to approve the amendment of the HWBB's terms of reference to reflect the above changes in the Board's membership as set out in Annex A.

5. **Mental Health and Learning Disabilities Partnership Board**

A request has been received from the Mental Health and Learning Disabilities Partnership Board, a sub board of the Health and Wellbeing Board, for a member nomination on to the Board's membership. Councillor Douglas had previously been the nominated Board Member; however this had not been confirmed at the Annual Council meeting. Nominations have now been requested from the Groups for this place. Any nominations received will be reported at the meeting.

Consultation

6. In accordance with the usual process for gathering nominations to available places, the relevant Groups and individuals have been consulted, as appropriate, and provided with the necessary information.

Options

7. The Council has the option either to approve or propose alternatives to the nominations proposed in this report.

Council Plan 2011-15

8. The changes to the terms of reference and membership of the Board will ensure statutory requirements are met. Whilst they related primarily to the “Protect Vulnerable People” strand of the Council Plan, they will ensure the Board’s work can continue smoothly.

Implications

9. There are no known implications in relation to the following in terms of dealing with the specific matters before Members:
 - Financial
 - Human Resources (HR)
 - Equalities
 - Crime and Disorder
 - Property
 - Other

Legal Implications

10. Under the Health and Social Care Act 2012, the Council was required to establish a Health & Wellbeing Board to work with its health partners to consider strategic matter relating to the health and wellbeing of the city. Health & Wellbeing Boards are formally appointed as a ‘Committee’ of the Council. As such, Council needs to approve its terms of reference, including any amendments proposed to those.

Risk Management

11. In compliance with the Council’s risk management strategy, there are no known risks associated with the recommendations in this report, other than the Council failing to make appointments to meet the statutory requirements referred to above.

Recommendations

12. Council is asked to agree:
 - (i) The changes to the Terms of Reference of the Health and Wellbeing Board, with the removal of the Chief Executive, the addition of a further elected representative, nominated by the Council (Cabinet Member for Education, Children and Young People) and for the Cabinet Member with the portfolio for

Adult Social Care to be a named member of the Board, as set out in the Board's revised membership at Annex A.

- (ii) To appoint a member to the Mental Health and Learning Disabilities Partnership Board (nomination/s to be confirmed).

Reason: To fulfil statutory requirements and in order to respond to a request for a nomination to the Mental Health and Learning Disabilities Partnership Board for the remainder of the current municipal year.

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Chief Officer Responsible for the report:

Andy Docherty
Assistant Director, Governance and ICT

Report Approved

Date 1 December 2014

Specialist Implications Officers

Not applicable

Wards Affected: Not applicable

All

For further information please contact the author of the report

Background Papers

None

Annexes

Annex 1- Terms of Reference of the Health and Wellbeing Board

York Health and Wellbeing Board Terms of Reference

The York Health and Wellbeing Board has a key strategic role in carrying out assessments of the health and wellbeing needs of the people of York and in developing strategies to meet those needs. It also has a role in encouraging health and social care providers to work together to meet those needs.

1. Name

- 1.1 The Board will be known as the York Health and Wellbeing Board ('the Board')

2. Membership

- 2.1 Board members will be required to represent their organisation with sufficient seniority and influence for decision making. The membership of the Board will consist of:
- i. The Leader of City of York Council ("the Council") or a Councillor nominated by him and ~~two~~ three elected representatives nominated by the Council (*to include the Cabinet Members with the portfolio's for Children's Services and Adult Social Care*)
 - ii. ~~The Chief Executive of City of York Council~~
 - iii. Two representatives of the Vale of York Clinical Commissioning Group appointed by them
 - iv. A representative of HealthWatch York appointed by them
 - v. The Director of Public Health
 - vi. The Director of Adults, Children and Education
 - vii. A representative for the York Voluntary and Community Sector
 - viii. A representative of the York Teaching Hospital NHS Foundation Trust
 - ix. A representative of Leeds Partnership NHS Foundation Trust
 - x. A representative of the Independent Care sector
 - xi. A representative of the NHS Commissioning Board
 - xii. A representative of North Yorkshire Police
 - xiii. Other members appointed by the Board or the Leader of the Council after consultation with the Board.

3. Legal Status

- 3.1 The Health and Wellbeing Board is a committee of the Council and will adhere to the Constitutional requirements of the Council affecting

committees unless alternative provision is made within these terms of reference or the law.

4. Disqualification from Membership

4.1 The following are disqualified from being a Board Member

- a. Any person who is the subject of a bankruptcy restrictions order or interim order
- b. Any person who has within five years before the day of being appointed or since his or her appointment been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine.

5. Quorum

5.1 The quorum shall be 7 members including as a minimum a representative of the City of York Council and a representative of the Vale of York Commissioning Group.

6. Chair

6.1 The Chair of the Board shall be the Leader of the Council or his or her nominated representative. In the absence of the Chair the Board shall elect a Chair for that meeting from the members present.

6.2 The Chair of the Health and Wellbeing Board will be required to hold a named delegate list for board representatives including deputies.

7. Frequency of Meetings

7.1 The Board shall schedule meetings at least four times a year.

8. Delegation of Powers

8.1 The Board may establish sub-committees to discharge any function of the Board or to advise the Board in respect of its functions.

8.2 If the Council delegates any of its public health functions to the Board in accordance with section 196(2) of the Health and Social Care Act 2012 then the Board may arrange for those functions to be discharged by an officer. Other functions of the Board may not be delegated to officers.

9. Functions of the Board

- 9.1 In order to advance the health and wellbeing of the patients and residents in York, encourage persons who arrange for the provision of any health or social care services to work in an integrated manner.
- 9.2 To provide such assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 between the Council and NHS bodies in relation to the exercise of NHS functions or health related functions of the Council.
- 9.3 To exercise the functions of a local authority and its partner clinical commissioning groups under sections 116 and 116A of the Local Government and Public Involvement in Health Act 2007 relating to joint strategic needs assessments, and health and wellbeing strategy.
- 9.4 To exercise the statutory functions of a Health and Wellbeing Board in relation to the carrying out and publication of pharmaceutical needs assessments.
- 9.5 To exercise any other functions of the Council which the Council has determined should be exercised by the Board on its behalf in accordance with section 196(2) of the Health and Social Care Act 2012 including:
 - Overseeing the development of local commissioning plans and, where necessary, initiating discussions with the NHS Commissioning Board if an agreed concern exists
 - Leading cultural and behavioural change to support a joint approach to meeting local need
 - Holding all partners to account for their role in the delivery of joint commissioning and overall stewardship of the health and wellbeing outcomes for patients and residents
 - Working alongside local strategic partnership arrangements to ensure the coordination of city wide ambitions, all of which impact on the health and wellbeing of patients and residents.
- 9.6 Where it considers it appropriate to do so, or when so requested by the Council, to give the Council its opinion on whether the Council is discharging its duty under section 116B of the 2007 Act to have regard

to the joint strategic needs assessment and joint health and wellbeing strategy.

- 9.7 To periodically review the York Health and Wellbeing Board constitution.
- 9.8 Board members will be bound by the same rules as Councillors