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MEETING	LEARNING & CULTURE OVERVIEW & SCRUTINY COMMITTEE
DATE	11 MARCH 2010
PRESENT	COUNCILLORS LOOKER (CHAIR), BROOKS (VICE-CHAIR), CRISP, DOUGLAS, HOGG, TAYLOR, WAUDBY AND FIRTH (SUBSTITUTE)
APOLOGIES	COUNCILLOR ASPDEN AND MR W SCHOFIELD
IN ATTENDANCE	COUNCILLOR B WATSON

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### **39. DECLARATIONS OF INTEREST**

At this point in the meeting Members were asked to declare any personal or prejudicial interests they might have in the business on the agenda or any general interests they might have within the remit of the Committee other than those listed in the agenda.

Councillor Firth declared a personal interest in business generally as a Governor of Wigginton Primary School.

### **40. MINUTES**

That the minutes of the meetings of the Learning and Culture Overview and Scrutiny Committee held on 30 November 2009 and 28 January 2010 be approved as a correct record and signed by the Chair.

### **41. PUBLIC PARTICIPATION/OTHER SPEAKERS**

Representations were made by Councillor Moore in relation to Agenda Item 5 (Parks and Open Spaces Protocol) (Minute 42 refers). He raised concerns that the draft protocol stated that premises licences would be reviewed with the appropriate community groups and partners when the premises licence was renewed and at least every 5 years, whereas previously reviews had taken place on an annual basis. He advised that other licences must be reviewed every 3 years and recommended that the maximum period between reviews should be reduced accordingly.

In relation to Part B of the protocol, which set out site specific considerations with relation to the types of event, he noted that Rawcliffe Bar Country Park had been classified under "larger unlocked open spaces" along with the Knavesmire, and Monk Stray. He explained that Rawcliffe Bar Country Park was very different in nature to the Knavesmire and that vehicular access to the site was controlled by gates which were locked when the Park and Ride site was closed. He reminded Members of issues which had arisen when a circus had used the site the previous year and

raised concerns that if the gates were moved, as had been suggested, this would cause security to be relaxed and could allow travellers and others open access to the Park.

#### **42. 2009/10 THIRD QUARTER MONITORING REPORT - FINANCE AND PERFORMANCE**

Members considered a report which analysed the latest performance for 2009-10 and forecasts the outturn position by reference to the service plan, the budget and the performance indicators for all of the services falling under the responsibility of the Director of Learning, Culture and Children's Services.

The Head of Finance updated Members on the financial position within the directorate for the third quarter of 2009-10. He reported that there was no significant change in respect of the existing overspend and confirmed that there would be no change in the projections.

The Director of Learning, Culture and Children's Services updated Members in relation to performance issues and responded to specific issues raised.

Members queried how data was collected for NPI 57 (Local LAA) (percentage of children and young people (aged 5 –16) participating in at least 2 hours of high quality PE in school) and officers agreed to provide details of the survey methodology to the Committee.<sup>1</sup>

In response to concerns raised by Members about possible delays with the organisation of the Young People's Festival, the Assistant Director (Leisure and Culture) confirmed that this was on track to take place in June 2010 and offered to provide Members with an update on this.<sup>2</sup>

The Chair congratulated officers on the examples of excellent performance listed on page 25 of the report which included the new Joseph Rowntree School. The Director of Learning, Culture and Children's Services suggested that the Committee may like to hold a meeting in the school or arrange a visit so that Committee Members could see for themselves the new type of learning environment it has to offer.<sup>3</sup>

RESOLVED: That the report be noted.

REASON: To update the Committee on the latest finance and performance position for 2009-10.

#### Action Required

1. Head of Finance to provide Members with details of the survey methodology used in respect of NPI 57. RH  
CC
2. Assistant Director (Leisure and Culture) to provide Members with update on Young People's Festival MC
3. Scrutiny Officer to investigate possibility of holding a future meeting at or visit to Joseph Rowntrees School.

#### **43. PARKS AND OPEN SPACES EVENTS PROTOCOL**

Members considered a report which informed them of the review of the current Events Protocol for the Parks and Open Spaces in York and presented them with the suggested updates and amendments to the current policy.

The Head of Parks and Open Spaces advised Members this was this was an internal document aimed at providing guidance to officers. In response to comments made by Councillor Moore under Agenda Item 3 (Public Participation/Other Speakers) regarding renewal of premises licences, he advised that he would seek clarification from the licensing department regarding the renewal of other licenses and was happy to fit in with this. He also agreed to amend the draft protocol to identify Rawcliffe Bar Country Park as a different category of site.

The Head of Parks and Open Spaces and Head of Arts and Culture responded to specific queries raised by Members and the following comments and amendments were proposed.

- Parking need for events and parking plans – important to liaise with police and Ward Councillors re traffic management
- Site details would be updated every 3 years or annually if something significant happens
- Part A – Sec 1 Events Management – e) latest time for clear up after events to be added for benefit of local residents
- Concern over definition in policy of Amplified Music (defined by use of a mixing desk) and Non Amplified Music (defined by absence of mixing desk). Statement to be added to state that relationship with the Environmental Protection Unit (EPU) must be maintained and that EPU be given advance notice of any events.
- Nature of events and festivals is changing - a policy that is too strict and stringent will not work. Protocol should not be too descriptive on where specific events are held as this would be limiting but allow the Council to look at individual applications for events on an individual basis.
- York is a small city with not much available space for events. Need to look at how to address conflicts so as to fit in as much as practical.
- Need to recognise the importance of finding spaces that not only the Council determines to be suitable but also the commercial operator.

- RESOLVED:
- (i) That the draft Events Protocol for Parks and Open Spaces be noted.
  - (ii) That Members comments and suggested amendments be taken into account in producing the new Events Protocol.

REASON: To ensure that the views of Members have been considered in the production of the new Events Protocol.

#### **44. WORKPLAN & EXTRACT FROM EXECUTIVE FORWARD PLAN**

Members considered the draft work plan for the remainder of the 2009-10 civic year, a provisional workplan for the 2010 -11 civic year and a summary of items which were listed on the Executive Forward Plan for decision by the Executive and the Executive Member for Children and Young People's Services.

With regard to the current workplan, the Scrutiny Officer advised that an information gathering session would be arranged in respect of the ongoing review of "Casual Play Opportunities" in order to meet with the Council's Head of Play and a representative from York Playspace, a local charity which provides and promotes play opportunities for children and young people in an around York. She suggested that this would take place when the results of the TellUs 4 survey were available (expected Mid March) in order that these could be discussed at the same time. The Chair requested that this be held as an informal meeting and followed up with a formal meeting 2-3 weeks later.

With regard to the provisional workplan for 2010-11, the Scrutiny Officer advised Members that the meeting provisionally arranged for 29 September 2010 had been rescheduled to take place on 30 September 2010.

- RESOLVED:
- (i) That the workplan for 2009-10 and provisional workplan for 2010 -11 be noted
  - (ii) That the summary of items listed on the Executive Forward Plan for decision by the Executive and the Executive Member for Children and Young People's Services be noted.
  - (iii) That an additional informal and formal meeting be arranged in liaison with Members of the Committee.<sup>1</sup>

REASON: In order to progress the work of the Committee.

#### Action Required

1. Democracy Officer to arrange additional formal and informal meetings.

CC

Councillor J Looker, Chair

[The meeting started at 5.00 pm and finished at 6.35 pm].

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