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MEETING	LEARNING & CULTURE OVERVIEW & SCRUTINY COMMITTEE
DATE	20 MARCH 2013
PRESENT	COUNCILLORS REID (CHAIR), FITZPATRICK (VICE-CHAIR), SCOTT, CUNNINGHAM-CROSS, BROOKS, BURTON, TAYLOR AND BOYCE. MRS R BARBER (CO-OPTED STATUTORY MEMBER) AND MR A PENNINGTON (CO-OPTED STATUTORY MEMBER)
IN ATTENDANCE	COUCILLORS ASPDEN (MINUTE 41) AND COUNCILLOR N BARNES

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

At this point in the meeting, Members were asked to declare any personal interests not included on the register of interests, any prejudicial interests or disclosable pecuniary interests which they might have in respect of the business on the agenda. No interests were declared.

#### **40. MINUTES**

RESOLVED: That the minutes of the last meeting of the Learning and Culture Overview and Scrutiny Committee held on 23 January 2013 be approved and signed by the Chair as a correct record.

#### **41. PUBLIC PARTICIPATION**

It was reported that there had been one registration to speak under the Council's Public Participation Scheme from Mr Carl Shilleto in objection to the planned removal of 200m of hedgerow along Alcuin Avenue in York. Mr Shilleto circulated a copy of his statement and read this for the benefit of the Committee. This asked Members to consider certain issues and

the potential consequences of removing the hedgerow along the boundary of Hull Road park and Alcuin Avenue before continuing with the work. He expressed dismay that local residents had not been consulted on the work prior to its commencement. He raised the following concerns about the removal of the hedge which he stated would:

- have a negative impact on biodiversity and lead to loss of cover for wildlife
- spoil the appearance and ambience of the park,
- allow litter to blow in and out of the park
- remove the natural “soundproofing” for park visitors against traffic noise and local residents against noise from park users.
- allow children’s balls and young wildfowl through the railings causing potential distractions to motorists and cyclists
- allow soil, leaves and pine needles to be blown onto the pavement and road.

He asked the council to provide a reasoned and logical argument as to why the work should go ahead to prevent money from being spent on a project which was neither required nor presented any benefits.

Councillor Aspden had registered to speak in relation to a new scrutiny topic he had submitted which was to be considered by the Committee under agenda item 10 (Workplan). Due to a prior commitment, he was unable to stay at the meeting until this agenda item was discussed therefore the Chair agreed that he could speak at this point in the meeting. The proposed scrutiny topic asked the Committee to investigate the impact of the removal of the Educational Maintenance Allowance (EMA). He stressed that post 16 education was a key priority but there were fears that there would be a decline in participation. He acknowledged that participation in post 16 education in York had continued to rise despite the removal of the EMA but noted there had been fewer applications for bursary funding than expected. He expressed the view that it was important that the council was seen to be doing everything it could to encourage participation of 16-19 year olds in education.

**42. ATTENDANCE OF CABINET MEMBER FOR LEISURE, CULTURE & TOURISM - UPDATE ON PRIORITIES AND CHALLENGES**

The Cabinet Member for Leisure, Culture and Tourism was in attendance at the meeting to provide a progress update on her priorities and challenges for the current municipal year and to discuss her priorities and challenges for 2013-14.

Prior to the meeting, she had circulated a document to Committee Members which listed the key areas of activity that she had progressed over the last year in relation to the following areas within her remit: Sport and Active Leisure; Arts Culture and Heritage; Tourism; Libraries; and Parks and Open Spaces. (A copy of this update has been published online with the agenda)

Members raised concerns that many people had been disappointed by parts of last year's Illuminating York display, particularly the Vic Reeves Wonderland in the Museum Gardens. The Cabinet Member accepted that some complaints had been received but noted that was the case every year as art was very subjective. She confirmed it had been a financially successful event, enjoyed by many, and advised that the event had raised enough income to support next year's celebrations.

Members accepted that the proposal for the library service to be run by a social enterprise was a possible way forward but expressed fears that the large budget cut would lead to a reduction in services and redundancies, with paid staff being replaced by volunteers. The Cabinet Member advised it was the only way forward to ensure no deterioration of the current excellent service provided in York. She confirmed that the work of volunteers was valued, that staff were being consulted on future plans, and that a business plan was being prepared which would be considered by Cabinet in due course.

The Cabinet Member stated that the Reading Cafe in Rowntree Park was proving very successful and was used by many community groups.

Members raised concerns that no consultation had taken place with local residents before work commenced on the removal of the hedge in Hull Road Park. The Cabinet Member explained that officers were responsible for deciding on the programme of

works needed and explained that it was council practice to replace inappropriate planting with more appropriate species. Officers confirmed that the decision to remove the hedge had been made as part of a programme to improve the environment. Members also queried the use of volunteers to support York's parks and open spaces, and were advised that meetings with friends and community groups were being arranged to look at ways in which the council could support them to take more ownership of their local parks and open spaces.

Members queried the giving of a grant to the Arts Barge, without a Service Level Agreement (SLA), and the reduction in grant to York Theatre Royal where the council had an SLA. Officers explained that the grant to the Arts Barge was from the Economic Infrastructure fund, and was about providing jobs and opportunities, rather than increasing the city's cultural diversity.

Members raised concerns about an article which had been published in the York Press regarding the suspension of a York Busker's permit following a dispute about the sale of CDs, and suggested it may be worth looking at the issue of street trading again. The Cabinet Member advised that was a licensing issue and the busker in question had received a warning letter from the licensing unit.

In view of issues last Christmas around the Christmas lights in Stonegate, Members asked what plans had been made for this year's display. The Cabinet Member advised that she had talked to traders in Stonegate and they had agreed to the replacement of the yellow lights with a similar type of lights to those in Parliament Street. For 2013, it was also hoped that the Christmas lights display would be extended to include Lendal, Blake Street and possibly Micklegate.

**RESOLVED:** That the update from the Cabinet Member for Leisure, Culture and Tourism be noted.

**REASON:** To ensure that Members are kept informed of work within the remit of the Committee.

**43. YORK MUSEUMS TRUST (YMT) - PARTNERSHIP DELIVERY PLAN BI-ANNUAL UPDATE REPORT**

Members considered a report which updated them on the current progress of the York Museums Trust (YMT) towards meeting the targets agreed in the partnership delivery plan.

The report set out the ways in which YMT had addressed the key issues (stabilising visitor figures, delivering new income streams, creating new exhibitions and interpretative services, creating an education strategy, increasing use and involvement by residents, achieving high visitor satisfaction and cataloguing the collection) between April and December 2012 and gave an outline of what they would be developing moving forward.

The Chief Executive of the York Museums Trust was in attendance at the meeting in order to present the report and answer any questions from Members. She drew Members attention to the following issues:

- Mystery plays last year were a huge commitment and effort but had been a fantastic success – 33,000 people saw the performances.
- The Castle Museum and Art Gallery saw a drop in visitors during the Olympics – this reflects what many visitor attractions experienced during that period.
- Fall in visitor numbers at Art Gallery is due to exceptionally high figures the previous year due to successful David Hockney and William Etty exhibitions.
- YMT has received Major Partner Museum Status and is one of only 16 museum services in England to receive Renaissance Major Partner Museum funding. This funding comes from the Arts Council England and amounts to £3.5m over 3 years.
- Between new year and end February we have seen 16% increase in visitor numbers at Castle Museum and Yorkshire Museum. These are signs of recovery which we hope will continue.
- Volunteer Scheme – started 5 years ago – now approx 270 volunteers at any one time – this includes some established teams. We now have a second member of staff to help manage volunteers and our intention is to increase the number of volunteers to 400.

Members raised concerns about the decrease in the number of visits from York Schools. They noted that York schools receive free entry, which should be an incentive, and only have to pay for workshops and agreed it would be useful to have a better understanding as to why York schools were deciding not to visit. They requested the previous year's figures for school visits so they could compare them. <sup>1</sup>

Members asked what measures had been taken to protect the exhibits while work was being carried out at the Art Gallery. They were advised that all the exhibits have been removed from the Art Gallery and the majority put in a secure store which is used by national museums, with the remainder being loaned to and displayed in other museums.

RESOLVED: That the update on the performance of the York Museum's Trust be noted.

REASON: To fulfil the Council's role under the partnership delivery plan.

Action Required

1. Head of Culture, Tourism & City Centre to provide members with figures relating to school visits to museums during the previous year. GC

**44. BRIEFING ON COLLECTIONS DEVELOPMENT POLICY PRINCIPLES**

Members considered a report from York Museums Trust (YMT) on the principles behind their forthcoming update of their Collections Development Policy.

YMTs Director of Knowledge and Learning and their Head Curator were in attendance at the meeting to present the report. Members were informed that, as part of the Museum Accreditation cycle, YMT would be invited to re-apply for Museum Accreditation in October 2013 with a submission deadline of April 2014. As part of this process they would review their collections management and care policies to ensure they comply with the revised 2012 Accreditation Standard (ACE) and YMTs Collections Development Policy (which replaces earlier

acquisitions and disposals policies) would be reviewed and brought up to date as part of this cycle.

All new acquisitions and disposals proposed by YMT staff are measured against a number of principles (listed in the report) and the more detailed collections development policy. The resources required for all acquisitions are also carefully balanced against those needed for the long term improvements in knowledge, understanding, storage and care of YMTs existing collections which at times include collections disposal, which are similarly made in line with the same principles for disposal.

The Commercial Director and Head Curator responded to Members queries regarding the information contained in the report. Members noted that they would review YMTs full Collections Development Policy at their meeting in May.

RESOLVED: (i) That the report be noted.

(ii) That the committee will be given the opportunity to review the full Collections Development Policy at their meeting on 1 May 2013

REASON: To ensure the recommendations of the YMT Scrutiny review are adhered to in line with CYC Scrutiny procedures and protocols.

#### **45. THIRD QUARTER FINANCE & PERFORMANCE MONITORING REPORT**

Members received a report analysing the latest performance for 2012-13 and forecasting the outturn position by reference to the service plan and budgets for all of the relevant services falling under the responsibility of the Director of Adults, Children and Education and the Director of Communities and Neighbourhoods.

The Head of Finance advised Members that Communities and Neighbourhoods were currently predicting a small underspend within Leisure, Culture and Tourism budgets and an underspend within Children and Young Peoples' budgets, due in part to vacant posts being held within Libraries and Parks. He advised

that within Children and Young People's budgets, financial pressures were being projected.

Members expressed pleasure that, overall, child poverty had reduced but asked for clarification on the percentage referred to in the report. The Head of Finance agreed to find out and advise committee members.<sup>2</sup>

Members noted that the home to school transport budget was expected to overspend by £629k but accepted that the most significant pressures reflect the growth in the number of students attending the Danesgate Community and other educational settings and were advised that arrangements were being reviewed. Members noted also that a new taxi contract providing transport for all children with special needs has significantly improved the quality of provision and further negotiations were underway with the contractor to seek further efficiencies in route planning and cost reductions.

RESOLVED: That the report be noted.

REASON: To update the committee on the latest financial and performance position for 2012-13.

#### Action Required

2. Provide Members with clarification of the percentage relating to child poverty referred to in the report. RH

#### **46. PRESENTATION ON PARKS- RECENT DEVELOPMENTS & FUTURE PLANS**

Following their visit to Hull Road Park and Rowntree Park earlier in the year, Members received a presentation from the Head of Parks and Open Spaces on recent developments and future plans for parks across the city.

Members were briefed on the following developments/events which had taken place during the Autumn/Winter season:

- City wins Gold in Yorkshire in Bloom



- Rowntree Park flooded 3 times plus 2 high lake levels. However, the Reading Cafe had been able to remain open with revised safety arrangements in place
- Installation of 10 new self operating penstocks (non return valves) in Rowntree Park along Terry Avenue, which would save about two days pumping out after a flood.
- Rowntree, West Bank, Rawcliffe Country Park, Glen Gardens and Clarence Gardens entered for a Green Flag Award
- Hull Road Park and Glen Gardens food growing beds
- Rawcliffe Country Park hosts Kaboom and planning for Stage 2 off road bike track
- Scarcroft Green bowling / croquet facilities Development plan
- At Chapman's Pond, £12,000 of footpath works funded by YorVenture had created a new footpath. The next phase was to rationalise signage and remove some trees to open up views into the site

Information was provided on the investment programme supported by section 106 payments which was planned for the spring and would include work on:

- Hull Road Park footpath and access improvements
- Hull Road Park community pavilion
- Glen Gardens play area
- Clarence gardens play area
- Scarcroft Green bowling / croquet facilities
- Arran Place and Cornlands Road play areas
- Tower Gardens – improvements to river frontage

At Hull Road Park Members were advised that planned work included finding a new use for the old pavilion, work on a circular footpath, finding a new use for the former bowling green and work on Osbaldwick Beck.

With regard to the removal of the hedgerow along Alcuin Avenue which had been raised under the Public Participation item, the Head of Parks and Open Spaces confirmed that dialogue had taken place between Mr Shilleto and the council.

A range of concerns and questions regarding the removal of the hedge were raised and Members asked that no further work be undertaken until local residents had been consulted.

The Head of Open Spaces provided the following response:

- Hedges have been removed for the last 13 years (normally privet) where it was believed the hedge detracted from the offer. Hull Road Park previously had privet hedges of head height.
- Where a hedge was considered too high the options were to remove it completely or reduce its height. In most cases reducing the height did not offer a benefit.
- Privet was not a great natural habitat so its benefit for wildlife was not significant.
- The rationale was to open up the site lines into the play area. There were multiple benefits of being able to see into the park e.g. at Clarence Gardens hedges were removed following reports of flashers.
- The Council had never consulted with residents regarding removal of hedges in the past.

It was confirmed that there were no plans to stop work on the hedge removal on Alcuin Avenue therefore this would continue. However Members were advised that Officers were working to re-engage the community with regard to the other works planned for Hull Road Park and landscaping would be an early topic for debate. The Assistant Director for Communities, Culture and Public Realm advised Members that as the officer with delegated responsibility, his decision to remove the hedge would stand unless otherwise instructed by the Cabinet Member.

Ward Councillors for Hull Road, who were at the meeting, confirmed they had received many representations from the public about the future of the park in general.

- RESOLVED:
- (i) That the presentation on the development of parks be noted.
  - (ii) That the concerns of Members regarding the removal of the hedgerow along Alcuin Avenue be noted.
  - (iii) That the appropriate officer be requested, in conjunction with the Cabinet Member, to reconsider the decision to continue with the removal of the hedge until

appropriate consultation had taken place with local residents.

REASON: To comply with their previous decision to monitor developments in York's parks.

**47. VERBAL UPDATES FROM THE CEIAG (CAREERS EDUCATION, INFORMATION, ADVICE, AND GUIDANCE) AND LIBRARIES SCRUTINY REVIEW TASK GROUPS**

The CEIAG Task Group confirmed they had agreed their lines of inquiry and a timetable of meetings to consult with parents, young people and network groups, with the intention of completing the review by the end of July 2013. It was suggested that the new Co-opted Member (parent governor representative), Mr Andrew Pennington, may be interested in participating in the work of the CEIAG Task Group.

In addition, members of the Libraries Task Group updated the committee on their ongoing Libraries Review. They confirmed they had met with the Head of Asset and Property Management to gather information on what other community facilities were available in the areas around the council's community libraries, and carried out site visits to a number of those libraries.

RESOLVED: That the update from the ongoing reviews be noted.

REASON: In accordance with scrutiny procedures and protocols.

**48. LEARNING AND CULTURE OVERVIEW AND SCRUTINY COMMITTEE WORKPLAN FOR 2012/13 AND NEW SCRUTINY TOPIC**

Members considered the workplan for the remainder of the current municipal year and noted the items listed for the meeting on 1 May.

It was agreed that the proposed new topic submitted by Councillor Aspden "To investigate the impact of the removal of the EMA (Educational Maintenance Allowance) should be noted by the scrutiny officer and added to the list of possible topics to

be considered during the next municipal year so it could be weighed up against other options.

The Chair asked Members to consider other possible topics for review in order that the Committee could consider them at their next meeting on 1 May prior to the scrutiny work planning event due to take place in mid May.

- RESOLVED:
- (i) That the workplan for the remainder of the 2012-13 municipal year be agreed.
  - (ii) That at the next meeting the Committee agree a list of possible topics to be proposed at the Scrutiny work planning event in May 2013
  - (iii) That the topic in relation to EMA, submitted by Cllr Aspden, be added to the committee's list of proposed topics for the scrutiny work planning event.

REASON: To keep the Committee's workplan up to date in accordance with scrutiny procedures and protocols.

Councillor Reid, Chair

[The meeting started at 5.00 pm and finished at 7.30 pm].