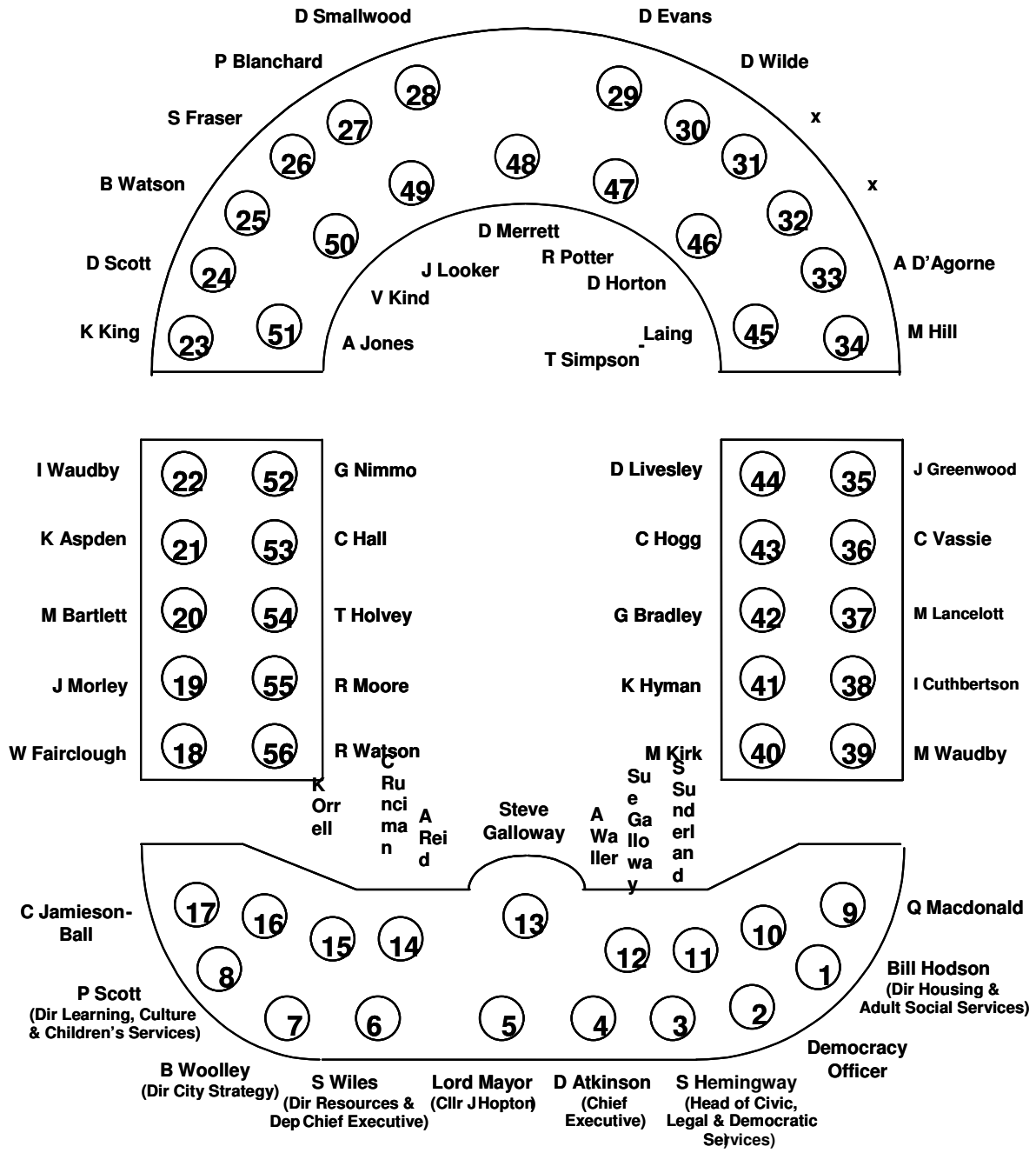


CITY OF YORK COUNCIL SUMMONS

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, 12 April 2007 at 6.30 pm

COUNCIL CHAMBER PLAN



A G E N D A

1. Declarations of Interest

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

2. Minutes (Pages 1 - 40)

To approve and sign the minutes of the ordinary Council meeting held on 25 January 2007 and Budget Council meeting held on 21 February 2007.

3. Civic Announcements

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

4. Nomination of Sheriff

To invite the Lord Mayor Elect to nominate her Sheriff for the 2007/2008 Municipal Year.

5. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the remit of Council may do so. Anyone who wishes to register, or requires further information, is requested to contact the Democracy Officer for this meeting. Contact details are listed at the foot of this agenda. The deadline for registering is **5:00 pm on Wednesday, 11th April 2007**.

6. Petitions

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

- i) Cllr Scott, on behalf of the residents of Horner Street, Wilberforce Avenue and Cromer Street, regarding traffic problems in these streets.
- ii) Cllr Vassie, on behalf of residents of Elvington village, calling for a bus service between Elvington and Monks Cross.
- iii) Cllr Bartlett, on behalf of local residents and parents of pupils at St Paul's Primary School, seeking traffic safety

- measures near the school.
- iv) Cllr Moore, on behalf of Clifton Moor Residents' Association, calling on the Council to investigate and address speeding on two roads near the local primary school.
 - v) Cllr Reid, on behalf of residents asking for the snicket between Chantry Close and Carrfield to be closed at night.
 - vi) Cllr Jamieson-Ball, on behalf of some residents of Main Street, Heslington, calling for the introduction of a Respark scheme.

7. Notices of Motion (Pages 41 - 48)

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

A – Motions referred from the Executive in accordance with Standing Order 11(a)(i) *(copies of the relevant report to the Executive and extract from the Executive minutes are attached):*

(i) From Cllr Bartlett:

“This Council:

- Supports the Press campaign to ‘Let your Doctor decide’ which calls on North Yorkshire and York Primary Care Trust (NYYPCT) to scrap the Prior Approval Panel;
- Records its thanks to those MPs and North Yorkshire Councils who have recorded their support for the ‘ditch the debt’ motion passed by the York Council at its meeting on 25th January;
- Remains concerned that reductions, restrictions and delays in NHS treatment in York could have a negative impact upon Council services and budgets.”

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

(ii) From Cllr Merrett:

“This City of York Council places on record its belief that the ruling Liberal Democrat Executive has failed miserably to honour many of its 2003 Election pledges to the residents of York. In particular, the ruling Group has been guilty of:

- Failure to honour their pledge of £100 cashback off Council Tax
- Failure to extend full recycling to all properties, particularly terraced streets and flatted dwellings
- Failure to properly consult residents over the introduction of fortnightly alternate bin collections
- Failure to secure a larger supply of affordable housing for use by York's residents
- Failure to provide proper and effective management – losing millions on the Barbican fiasco
- Failure to expand sufficiently Park and Ride schemes.

In addition to these failures, Council is also mindful of the self-inflicted catastrophes which have befallen this ill-directed administration, recalling in particular:

- The introduction of evening car parking charges, which had a detrimental effect on many areas of York's night time economy
- The flawed consultation process associated with the relocation of a new swimming pool
- On-street car parking charges
- The fireworks day fiasco
- Cllr Reid's 'Green Wave'
- Misleading statements on the re-provision of a Barbican pool
- Several wasted years sorting out street cleaning in terraced areas.

Council awaits with interest the outcome of York residents' opinions following the elections on 3rd May."

(iii) From Cllr Potter:

"This Council regrets the lack of commitment from the Liberal Democrat administration to tackling community safety issues in the City. This is evidenced by:

- Cutbacks to the Safer York Partnership budget
- Long term delays in resolving the issues over the future Chair of the SYP Board management of the senior staff, and effective integration of the Drugs Advisory Team
- Repeatedly rejecting the advice of the Chief Executive to fund a Safe City Co-ordinator within the

Council

- Failure of the CYC chaired Anti-Social Behaviour task group to function properly for nearly two years
- CYC Neighbourhood Pride Unit not supporting facilitation of the roll out of the joint Ward working with the police after the initial support of the pilots
- The long delays in first repairing and then modernizing the City Centre CCTV system, and consistent voting against extra CCTV in the City Centre to cover the violence and disorder hotspots, and for extra staff to provide adequate weekend night time monitoring and resilience
- Inadequate funding of the Youth Offending Team and lack of focus on reparational and restorative justice
- Inadequate funding arrangements for the Alleygating initiative, so that very few gates have been installed over the last four years.

This Council asks for urgent action to ensure that all departments of the Council are focused on their contribution to increasing community safety and reducing the fear of crime.”

(iv) From Cllr Waller:

“Council notes;

1. the substantial sums in Landfill Tax that have been avoided due to the dramatic increase in recycling rates in the last four years, and successful waste minimisation campaigns run by City of York Council.

2. the £8 per tonne annual increments in Landfill Tax that will start from 1st April 2008

3. the establishment of the Landfill Tax was not intended to be a net revenue raiser for HM Treasury but York Council Tax payers have paid considerably more in Landfill Tax than has been received back in assistance for recycling services.

Council supports;

1. the Local Government Association policy to have Landfill Tax rises returned to local government in full.

2. the Retail Packaging Bill before Parliament as presented on 6th March 2007.”

(v) From Cllr D'Agorne:

“This Council confirms its opposition to any form of incineration of York's municipal waste. Key concerns include:

1. the effect of emissions on human health and the environment;

2. the fact that incineration contracts with private companies create a demand for waste

This detracts from the objective to reduce the amount of waste that is produced, and the secondary objective to recycle as large a proportion of the remainder as is possible and efficient in terms of environmental impact.

The Council also opposes any other form of treatment involving burning (such as forms of Mechanical Biological Treatment that produce Refuse Derived Fuel for burning), as the concerns expressed above apply in each case.

This Council notes the significant achievements of the city in increasing recycling, through the work of the Council and community groups such as the Friends of St. Nicholas Fields and the York Recycling Network. The Council will support the work of such groups wherever possible.

The Council notes that measures on waste reduction are almost always more financially efficient than the construction of large treatment facilities, and that recycling creates more jobs than incineration.

The Council further notes that as recycling rates increase around the country, incineration is falling further out of favour. Norwich City Council has recently confirmed its opposition to incineration, joining the councils of Essex, Lancashire, Bath and Milton Keynes, among others.

Furthermore, this Council calls upon the Government to introduce legislation to reduce waste at source by strict regulation and taxes on packaging.”

8. Report of Executive Leader and Executive Recommendations (Pages 49 - 56)

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

Meeting	Date	Recommendations
Executive	27 February 2007	Minute 174 – Children and Young People’s Plan.

9. Report of Executive Member (Pages 57 - 58)

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

10. Executive Key Decisions taken under Formal Urgency Procedures (Pages 59 - 62)

To receive details of key decisions which have been taken by the Executive and Executive Members between 1 March 2006 and 1 March 2007 under formal urgency procedures, in accordance with Section 5 of the Council’s Access to Information Protocol.

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

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

(i) To the Executive Member for City Strategy, from Cllr Vassie:

“Can the Executive member report on the success of the relaunched Yozone Card?”

(ii) To the Executive Member for Adult Social Services, from Cllr Fraser:

“In the light of continuing failures to maintain services to customers reliant on Home Care, and the recent decision to re-tender part of the contract in the West locality, will the Executive Member for Adult Social Services take responsibility for the inadequate implementation of her decision to reorganise the service?”

12. Standards Committee - Annual Report (Pages 63 - 70)
To receive the Annual Report of the Standards Committee, which was approved by the Committee at its meeting on 9 March 2007.

13. Scrutiny - Report of the Chair of SMC (Pages 71 - 74)
To receive a report from Cllr Kirk, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC.

14. Activities of Outside Bodies
Minutes of the following meetings of outside bodies, received since the last meeting of Council, have been made available for Members to view via the Council's website at <http://sql003.york.gov.uk/mgListOutsideBodies.asp?bcr=1>
Copies may also be obtained by contacting Democracy Support Group at the Guildhall, York (tel. 01904 551088).

- Yorkshire and Humber Assembly (minutes of meeting on 19 October 2006)
- Pension Fund Committee (minutes of meeting on 23 November 2006)
- North Yorkshire Fire and Rescue Authority (minutes of meeting on 18 December 2006)
- North Yorkshire Police Authority (minutes of meeting on 5 February 2007)
- Safer York Partnership (minutes of meeting on 7 March 2007)

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

15. Appointments and Changes to Membership (Pages 75 - 76)
To consider the appointments and changes to membership of committees and outside bodies set out on the list attached to this summons.

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

Democracy Officer for this meeting:

Name: Simon Copley

Contact details:

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

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

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

Contact details are set out above.

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in on Thursday, 25th January, 2007, starting at 6.30 pm

Present: The Lord Mayor (Councillor Janet Hopton) in the Chair, and the following Councillors:

ACOMB WARD	BISHOPTHORPE WARD
Horton Simpson-Laing	Livesley
CLIFTON WARD	DERWENT WARD
King Scott	Greenwood
DRINGHOUSES & WOODTHORPE WARD	FISHERGATE WARD
Reid	D'Agorne Hill
FULFORD WARD	GUILDHALL WARD
	Looker B Watson
HAXBY & WIGGINTON WARD	HESLINGTON WARD
Hall Hogg R Watson	Jamieson-Ball
HEWORTH WARD	HEWORTH WITHOUT WARD
Blanchard Kind Potter	Lancelott
HOLGATE WARD	HULL ROAD WARD
Bartlett Fairclough Nimmo	Smallwood Wilde
HUNTINGTON & NEW EARSWICK WARD	MICKLEGATE WARD

Hyman
Orrell
Runciman

Evans
Fraser
Merrett

OSBALDWICK WARD

RURAL WEST YORK WARD

Morley

Bradley
Macdonald

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

STRENSALL WARD

Moore
I Waudby

Cuthbertson
Kirk

WESTFIELD WARD

WHELDRAKE WARD

Steve Galloway
Sue Galloway
Waller

Vassie

Apologies for absence were received from Councillors Holvey, Jones, Sunderland and M Waudby

DECLARATIONS OF INTEREST

44. The Chair invited Members to declare at this point any personal or prejudicial interests they might have in the business on the agenda. The following interests were declared:
- Cllr Fraser – a personal, non prejudicial interest in agenda item 6(iv) (Notices of Motion – North Yorkshire and York Primary Care Trust), as a retired member of UNISON;
 - Cllr Kind - a personal, non prejudicial interest in agenda item 7 (Report of Executive Leader and Executive Recommendations), in relation to Executive Minute 131, as a beneficiary of the Local Government Pension Scheme;
 - Cllr Evans - a personal, non prejudicial interest in agenda item 7 (Report of Executive Leader and Executive Recommendations), in relation to Executive Minute 131, as a beneficiary of the Local Government Pension Scheme.

MINUTES

45. The minutes of the Special and Ordinary meetings of Council held on 30th November 2006 were agreed as a correct record and signed by the Lord Mayor, subject to the addition of Cllr Scott's name to the list of Members present at the Ordinary meeting.

CIVIC ANNOUNCEMENTS AND LORD MAYOR ELECT

46. The Lord Mayor announced the receipt of a seal that had been presented to the Council as a gift from the Merchant Adventurers. She went on to provide details of events planned to celebrate the 50th Anniversary of York's twinning with Munster and of two fundraising events for the Lord Mayor's charities – a Valentine's Ball on the 10th February and a Fashion Show on the 29th March. She then announced the launch of the York Design Award, which was intended to promote excellence in contemporary architecture in the City. Further details of the criteria for the Award would be circulated to Members.

The Lord Mayor invited Cllr Steve Galloway to nominate the Lord Mayor Elect for the Municipal Year 2007/08. Cllr Galloway nominated, and Cllr Waller seconded, Cllr Irene Waudby as the Lord Mayor Elect and this nomination was unanimously agreed. Cllr Waudby replied that she would be honoured to accept this office for the second time and that she would nominate her Sheriff for the year at a future meeting of Council.

PUBLIC PARTICIPATION

47. The Lord Mayor reported that there had been no registrations to

speak at the meeting under the Council's Public Participation Scheme.

PETITIONS

48. The following petitions were presented by Members under Standing Order 7:
- (i) A petition presented by Cllr Simpson-Laing on behalf of local residents seeking improvements to the area around Plantation Shops, Boroughbridge Road.
 - (ii) A petition presented by Cllr Horton on behalf of residents living near 17 Almsford Road, Acomb, expressing concern about the derelict state of this empty property and vandalism on the site.
 - (iii) A petition presented by Cllr Potter on behalf of parents, governors and staff at Tang Hall Primary School, regarding the resurfacing of the pavement outside the school, on Sixth Avenue.
 - (iv) A petition presented by Cllr Bradley on behalf of parents of pupils at St Mary's School, Askham Richard, calling for seat belts to be fitted to the school bus.
 - (v) A petition presented by Cllr Jamieson-Ball on behalf of residents of Heslington and Badger Hill, regarding the impact of student housing on communities.

RESOLVED: That the above petitions be referred to the Executive or appropriate committee.

NOTICES OF MOTION

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

(i) The Housing Situation in York

It was moved by Cllr Horton and seconded by Cllr Simpson-Laing that:

"This Council notes that:

- There is a housing crisis in the City, as evidenced by the draft Fordham Housing Market Assessment, showing the vast majority of newly formed households unable to afford either house purchase with a mortgage or private sector rents (on the normal affordability criterion);
- The current Liberal Democrat support is for a lower regional

housing allocation for York that can only exacerbate the York house price premium, as supply will be reduced by a third compared to the house building rates in York over the last six years;

- Many families have been forced out of the City due to rising house prices;
- Those people that do stay in the City, particularly those on low incomes, often have to live in poorer quality, overcrowded housing;
- Living in overcrowded residences can lead to poor mental and physical health.

This Council welcomes the Government's Barker report, about providing new housing to meet projected need, and calls upon the Executive Member to work with the Government and the Regional Assembly to increase the supply of affordable family housing in York."

Cllr Reid then moved, and Cllr Greenwood, seconded, an amendment to the above motion, as follows:

"In the first paragraph:

- delete '*City, as evidenced by*' in the first line of the first bullet point and replace with '*UK, affecting many residents in York*'.
- delete all after "Assessment" in the second line of the first bullet point, replace with '*contains vital data on housing problems in York, which will be fully utilised to inform the development of the LDF*', and transfer this whole sentence into a new bullet point;
- delete all after '*The*' in the first line of the second (now third) bullet point and replace with '*housing target in the local plan is for 675 new homes per annum and the proposal in the draft RSS is for 640 homes per annum*';
- delete all after '*families*' in the third (now fourth) bullet point and replace with '*across the UK and in York struggle to afford housing*';
- delete the whole of the fourth (now fifth) bullet point and replace with '*The housing situation of residents, particularly those on low incomes, would be improved by a relaxation of government rules on spending the receipts from council house sales, and a fairer social housing grant for York*'.
- after '*health*' in the fifth (now sixth) bullet point, add '*and by being enabled by government to spend more of the income generated by York tenants on social housing in York, overcrowding could be better tackled, with the health benefits that would ensue*';
- insert the following additional bullet points (nos. 7, 8 and 9):
 - '- *York is a leader in the amount of affordable housing that it has provided without the use of housing subsidy*;
 - *The affordable homes requirement has been increased from 25% to 50% on all developments exceeding 15 homes, and an affordable homes policy for villages and rural areas has been introduced*;
 - *2,592 new homes, of which 518 were affordable, were built in York between 2003 and 2006*';
- replace all the bullet points with numbers.

In the second paragraph:

Delete all after '*Barker report*' and replace with:

'as a basis for discussion, and calls upon the government to:

1. *Allow City of York Council to retain and invest in social housing the £27m the government intends to take from York tenants' payments over the next four years;*
2. *Increase York's social housing grant, so housing associations have more money to go into partnership with housing developers;*
3. *Relax the rule that allows councils to spend only a quarter of their receipts from council house sales in new housing investment;*
4. *Extend the homebuy-plus pilot in the York "golden triangle" into a permanent scheme for low cost house sales;*
5. *Introduce the fourth option for council housing, supported on three occasions by the Labour Party conference;*
6. *Give Local Authorities more powers to bring back into use empty (privately owned) homes and other property which could be converted into residential accommodation."*

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

The motion, as amended, now read as follows:

"This Council notes that:

1. There is a housing crisis in the UK, affecting many residents in York;
2. The Draft Fordham HMA contains much vital data about housing problems in York, which will be fully utilised to inform the development of the LDF;
3. The housing target in the Local Plan is currently for 675 new homes per annum and the proposal in the draft RSS is for 640 new homes per annum;
4. Many families across the UK and in York struggle to afford housing;
5. The housing situation of residents, particularly those on low incomes, would be improved by a relaxation of government rules on spending the receipts from council house sales, and a fairer social housing grant for York;
6. Living in over-crowded residences can lead to poor mental and physical health, and that by being enabled by government to spend more of the income generated by York tenants on social housing in York, overcrowding could be better tackled, with the health benefits that would ensue;
7. York is a leader in the amount of affordable housing that it has provided without the use of housing subsidy;
8. The affordable homes requirement has been increased from 25% to 50% on all developments exceeding 15 homes, and an affordable homes policy for villages and rural areas has been introduced;
9. 2,592 new homes, of which 518 were affordable, were built in York between 2003 and 2006.

This Council notes the Barker Report as a basis for discussion, and calls upon the government to:

1. Allow City of York Council to retain and invest in social housing the £27m the government intends to take from York tenants' payments over the next four years;
2. Increase York's social housing grant, so housing associations have more money to go into partnership with housing developers;
3. Relax the rule that allows councils to spend only a quarter of their receipts from council house sales in the new housing investment;
4. Extend the homebuy-plus pilot in the York 'golden triangle' into a permanent scheme for low cost house sales;
5. Introduce the fourth option for council housing, supported on three occasions by the Labour Party conference;
6. Give local authorities more powers to bring back into use empty (privately owned) homes and other property which could be converted into residential accommodation."

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

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

(ii) York Environment Forum

It was moved by Cllr Potter and seconded by Cllr Simpson-Laing that:

"Council notes with regret that the Environment Forum is no longer represented on the Local Strategic Partnership Board, leaving the large environmental voluntary sector with no direct input into the 'Without Walls' vision and forthcoming review of the community strategy.

Council believes that this situation does not properly reflect how important environmental issues are to the City and its residents.

Council requests the 'Without Walls' Board to ensure that the Environment Forum are allocated a formal place on the LSP Board and mandates the Council's nominees on the Board to support this."

Cllr D'Agorne then moved, and Cllr Hill seconded, an amendment to the above motion, as follows:

"Add at the end:

'Council recognises the continuing value of the Environment Forum in engaging a broad range of voluntary sector organisations in the Community Strategy and other local and regional consultations such as development of the LDF. Council further notes the intention of the Local Agenda 21 group to wind up in favour of an Environment Partnership that will contribute to the work of the Without Walls Partnership. Council urges officers to urgently move this process

forward to ensure that this new body has a central part to play alongside the work of the Environment Forum in keeping sustainability at the heart of implementation of the Local Area Agreement.”

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

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

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

(iii) Production of Foie Gras

It was moved by Cllr Blanchard and seconded by Cllr Hill that:

“Council notes that:

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

Council believes that:

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

Council resolves to:

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

Cllr Steve Galloway then moved, and Councillor Waller seconded,

under Standing Order 11, that the motion stand referred for the preparation of an Officer report and subsequent consideration by the Executive, without substantive debate at this meeting.

That was put to the vote and was declared CARRIED and it was

RESOLVED: That the above notice of motion be referred for the preparation of an Officer report and subsequent consideration by the Executive.

(iv) North Yorkshire and York Primary Care Trust

It was moved by Cllr Kirk and seconded by Cllr Sue Galloway that:

“City of York Council calls on the Secretary of State for Health to write off the historic debt that the new North Yorkshire and York Primary Care Trust inherited from its predecessor Trusts.”

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

RESOLVED: That the above notice of motion be approved.

(v) The Council's Achievements

It was moved by Cllr Steve Galloway and seconded by Cllr Waller that:

“Council notes the major achievements of Members and staff in providing good quality public services, and improved value for money, since May 2003.

In particular, Council highlights:

1. The success of the York Pride and the Safe City campaigns, which have resulted in a cleaner and greener City and reducing crime levels;
2. Continuing low Council Tax levels, with York residents now paying an average of £112 per annum less for services than similar councils elsewhere, while the number of public service quality indicators, achieving above the national performance, has increased to 63%;
3. The opening of the excellent household waste recycling centre at Hazel Court and the dramatic increase in recycling rates in the City;
4. The opening of the Eco Depot and the contribution that it and other initiatives are making to establishing a truly sustainable City;
5. The opening of several new schools and the sustained improvement in exam results seen since 2003;
6. The record numbers using teenagers' leisure facilities, including the innovative “Schools Out” programme and the new mobile play and sport buses;
7. That social services customers in York continue to enjoy much

easier access to Council care services than in neighbouring areas and that many Social Services buildings have been modernised during the last 4 years;

8. The reduction in the housing waiting list and the success of the housing modernisation programme, which is on schedule to reach 'decent homes' standards by central government deadlines;
9. The best performing Park and Ride service in the country, with 3 million passengers expected to use the service this year and – against national trends – the substantial growth in the use of public transport in the City;
10. The impact of what has been the largest ever footpath and road resurfacing programme ever seen in the City.

Council remains confident that the City will be an increasingly attractive place in which to live, work and play during the forthcoming decades and looks forward to working with residents and partners to sustain and build on the successes of recent years."

After extensive debate, a motion to move to the vote was put, seconded and carried. On then being put to the vote, the motion was declared CARRIED and it was

RESOLVED: That the above notice of motion be approved.

REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS

50. A written report was received from the Leader, Cllr Steve Galloway, on the work of the Executive. He then moved, and Cllr Waller seconded, those minutes requiring confirmation from:

- a) the Executive meetings held on 19 December 2006 and 16 January 2007, namely:
 - Minute 131 – Local Government Scheme: Scheme Changes and Local Discretions
 - Minute 143 – Amendments to the Council Constitution

and

- b) the meeting of the Executive Member for Leisure and Culture and Advisory Panel held on 16 January 2007, namely:
 - Minute 29 – Library Service Restructure.

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

RESOLVED: That the above minutes, and the recommendations of the Executive and the Executive Member for Leisure and Culture, be approved.

REPORT OF EXECUTIVE MEMBER

51. A written report was received from Cllr Sue Galloway, the Executive Member for Adult Social Services. Cllr Galloway then responded to a series of registered and relevant supplementary questions put by Members in accordance with Standing Orders, as follows and in accordance with the list circulated around the Council Chamber, as follows:
- (i) **From Cllr Fraser:**
“In the light of the various changes to the Homecare Service agreed by the Executive Member for Adult Social Services and implemented over recent months, namely:
- The more rigorous application of the current eligibility criteria
 - The introduction of a waiting list for those assessed as requiring the service
 - The withdrawal of the two week waiver of charges for the service following hospital discharge
 - The transfer of long-term users of the service to the recently established locality based private sector provision
- can she outline the impact of these changes on the services provided, including the take-up of the service by users ?”
- (ii) **From Cllr Scott:**
“What effect has the changeover from Meals on Wheels to the current frozen meals provision, resulting from the implementation of the reorganised services referred to in the Executive Member’ s report, had on the take-up of meals by customers?”
- (iii) **From Cllr Horton:**
“Could the Executive Member for Adult Social Services account for the difficulties which arose for customers of the Homecare Service on the transition of long-term users of the Service to the recently established locality based private sector provision and how was adequate consultation with service users and their carers and the necessary sensitivity in implementing the transfer ensured ?”
- (iv) **From Cllr Potter:**
“Does the Executive Member for Adult Social Services accept that the reported statement by the Council Leader last August 2006 in The Press, that his administration was considering restricting access to care (as a result of the implementation of the reorganised services referred to in the Executive Member’ s report), caused widespread concern amongst users of these services and can she outline her policy in this respect and guarantee to maintain the existing level of application of eligibility criteria for access to care ?”

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

52. In accordance with Standing Order 10(c)(i), the following questions were put and responses given:

(i) To the Executive Leader, from Cllr Hyman:

“Would the Executive Leader confirm the % increase in Council implemented between 1999 and 2003 and contrast that with present administration’s performance?”

The Executive Leader replied:

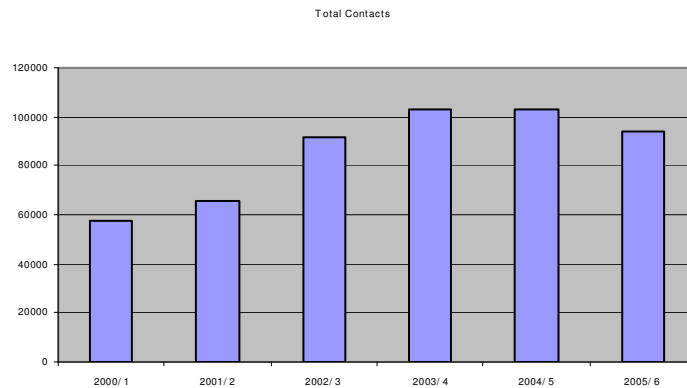
	<u>Band D</u>	<u>£ Rise</u>	<u>% Rise</u>
	£ pa		
1996/97 First year of Unitary Council	528.90		
1997/98	552.44		4.5%
1998/99	620.91		12.4%
1999/00	639.23		3.0%
2000/01	687.16	47.93	7.50%
2001/02	728.06	40.90	5.95%
2002/03	778.16	50.10	6.88%
2003/04	824.62	46.46	5.97%
Increase over Period =	824.62 -	639.23 =	£185.39 (29.00%)
2003/04 Indicative~	782.12		
2004/05	848.75	66.63	8.52%
2005/06	890.81	42.06	4.96%
2006/07	939.77	48.96	5.50%
2007/08 *	982.06	42.29	4.50%
Increase over Period =	982.06 -	782.12 =	£199.94 (25.56%)
* Provisional			
~Figures adjusted for introduction of separate Fire precept			

“Thus the increase in Council Tax has slowed during the course of the present administration compared to the last.”

(ii) To the Executive Leader, from Cllr Hyman:

“Would the Executive Leader comment on the adequacy of job advisory services in the City and in particular detail the work undertaken by Future Prospects during the year?”

The Executive Leader replied:



“For adults, the main statutory provider of job advice is JobCentre Plus, and I cannot comment on the adequacy of their service. However, they are also the provider of various unemployment benefits and are often charged with moving people off benefits rather than providing impartial advice on employment. Future Prospects provides advice which is free and impartial with the addition of extra support in the form of benefits advice and what are called “better off calculations” to enable clients to understand the connection between benefits and wages. As the graph demonstrates, the total number of cases addressed by Future Prospects over the last 3 years represents an increase compared to previous years. Future Prospects has been particularly successful in supplementing its council grant with additional earned income which has allowed it to expand its activities to meet demand.”

(iii) To the Executive Leader, from Cllr Holvey:

“Would the Leader agree to ask – now that capacity problems at the monitoring suite at the police station have been resolved – for a report on the options for modernisation and extension of CCTV coverage in the City to be prepared and would he say what obstacles there could be to the extension of the service into suburban shopping areas?”

The Executive Leader replied:

“I have asked officers to look into the possibility of extending and modernising the City centre CCTV network taking advantage of new technologies (the so called WiFi/Mesh system). It is possible that this would prove to be a project which could be resourced from the Venture Fund. Provision has been made in the draft Council budget for a trial extension of the CCTV system to one of the suburbs – probably to a shopping area with a proven record of anti social behaviour. Although use of hi definition technologies would be very

able to provide at least a basic system which will assist Police operations in the area.”

(iv) To the Executive Leader, from Cllr Holvey:

“Would the Executive Leader indicate what options for funding the government backed Waste and Highways PFI projects he is considering? Would he say what the consequences would be if either of these projects did not go ahead?”

The Executive Leader replied:

“The Council's estimated costs are very dependant upon the amount of biodegradable municipal waste (BMW) which is landfilled. Because of recent highly successful recycling initiatives the difference between budgets and likely costs is expected to decrease (officers are currently revising costs) compared to the last published figures.

If the Council does not undertake the Waste PFI procurement the estimated costs to the Council would be much higher - £195M - over the life of the project (as shown in the Executive report to September 06). Members would therefore need to set aside additional amounts in the budget to fund this way forward.

The level of Landfill Tax that has been paid to the central government:

<i>2006/07 (£21 per tonne)</i>	<i>£1,365k (est)</i>
<i>2005/05 (£18 per tonne)</i>	<i>£1,333k</i>
<i>2004/05 (£15 per tonne)</i>	<i>£1,241k</i>

These exclude Commercial Waste tonnages which are funded from income (£200k to £240k per annum)

We have received some grants from government to relieve spending pressures on Waste these have totaled:

<i>2006/07</i>	<i>£407k</i>
<i>2005/06</i>	<i>£260k</i>
<i>2004/05</i>	<i>£437k (included £350k for Hazel Court)</i>

To fund the Waste PFI project my expectation is that we will need to have rebated all of the Landfill Tax which we currently pay to central government.

As far as the Highways PFI is concerned, we have submitted an Expression of Interest to the Government in September of last year to become a pathfinder authority for highway maintenance PFI project.

That project would see an additional £500m of investment being made in the council's roads, footways, street lights, drainage and bridges over a 25 year period. This would fund a dramatic improvement in highways standards raising them to amongst the best in the world.

The majority of the funding would come from the government in the form of "credits" that are, in effect, an annual grant to the council.

The remaining funding would be met from the £8m revenue and capital funding the council already spends each year on its roads and footways.

There is a requirement for a further £0.5m/annum of additional funding that was identified in the report to the Urgency committee. My expectation is that this funding will come from the economies we will see as the pay protection for job evaluation unwinds and/or from the benefits of the reduced costs that we will incur when we move to the New City Hall offices.

Despite repeated requests DfT have yet to come to a decision about which local authorities they will invite to prepare an outline business case."

(v) To the Executive Member for Corporate Services, from Cllr Moore:

"Would the Executive Member comment on claims that the costs of the new City Hall offices which are to be built for the Council are 'spiralling' and would he detail what the financial implications for the project are expected to be for Council Taxpayers over the next 20 years?"

The Executive Member replied:

"Costs are not spiraling despite Labour claims. A full due diligence check of the estimated cost and available funding was carried out in the summer of 2006 and the capital cost of the project was reported to the Executive on 10th October 2006 as £35.71M. Over the 30 year project life, the cash saving generated by the project will be in excess of £30M. The Net Present Value of that saving is £3.7M at today's prices when compared to the existing budget."

(vi) To the Executive Member for Corporate Services, from Cllr Moore:

"Would the Executive Member indicate how Council Tax collection rates are progressing and contrast this with performance in previous years and with other authorities?"

The Executive Member replied:

"When the new administration took office in 2003, the "in year" collection rate for council tax for the year 2002/03 had been 97.4% making York 171 out of 354 councils in the country and a top quartile unitary at number 11. This performance can only be achieved by following up everyone who doesn't pay regularly. Members will recall that in the summer of 2003 the SX3 system which is used to manage Council Tax collection was commissioned and thanks to the lack of project

management by the previous administration the result was very disruptive to the services.

The collection rate in York for 2003/04 fell to 93.5% putting us at number 327 in the country and 41st Unitary out of 47. With a significant amount of hard work by a dedicated band of staff we have slowly climbed back:

- 2004/05 95.1% collected, position 308 in the country and 34th unitary;*
- 2005/06 96.1% collected, position 284 in the country and 32nd unitary;*

Projected position this year end:

- 2006/07 97.1% collected, position 222 in the country and 18th unitary.*

I look forward to further improvement over the next few years adding at least another 1% to our figure. It must be remembered that collection of earlier years continues after year end with only a small amount finally having to be written off as uncollectible.”

(vii) To the Executive Member for Corporate Services, from Cllr Hill:

“In view of the tight restrictions to be placed upon the use of alternative commercial accommodation at Clifton Moor, what does the future hold for the Parkside Centre’s commercial tenants?”

The Executive Member replied:

“There are currently 12 tenants at Parkside. The York Eco Business Centre at Clifton Moor is planned for completion in December this year. Six of the existing tenants run businesses which are suitable to relocate at Clifton Moor, but six can not go there because their operations generate noise, fumes and dust. Some of the latter six will be able to move to premises at 35 Hospital Fields Road but some will not.

The council has encouraged those tenants who can not be accommodated at either of the above sites, to register with the Inward Investment Board, york-england.com. The Inward Investment Board keeps an up to date register of all available sites and, if asked, will assist firms to find suitable premises when they are facing relocation.”

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

“Can the Executive Member explain the present situation regarding the inadequate ticket machines on the ftr?”

The Executive Member replied:

“First have already acknowledged the problems regarding the ticket machines. They are introducing more customer hosts

board while they decide what steps to take in the longer term.”

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

“Can the Executive Member inform Members when the Council plans to draw up planning guidelines to stop or reduce the sub-division of family and terraced houses?”

The Executive Member replied:

“The issue of the conversion of terraces houses and other properties into flats will be considered as part of the on going work on the Local Development Framework. More specifically it is proposed this will be considered as part of the production of the Development Control Development Plan Document. The inclusion of suitable policy approach within a development plan document will clearly have considerably more weight than a draft SPG.”

***(x) To the Executive Member for City Strategy, from Cllr Potter:**

“Can the Executive Member for City Strategy confirm how many existing residential streets have been adopted since 2003, and how many have been requested for adoption by residents?”

The Executive Member replied:

“Members will no doubt be aware that prior to 2003 there was no policy or budget funding to respond to the requests from residents who wished to have their roads adopted. We have therefore had to spend time in developing a policy and have only recently been in a position to write to residents seeking their views on a way forward.

Officers have so far written to residents in 12 roads outlining the policy and asking for expressions of interest. There is no street, so far, where a majority of residents have expressed interest in seeking adoption at the present time.”

*Note: Cllr Merrett declared a personal and prejudicial interest in the above question at this stage, as a resident of a private street, and left the room whilst the question was under discussion.

(xi) To the Executive Member for City Strategy, from Cllr Vassie:

“Would the Executive Member compare – in real terms – car parking charges, which are proposed to apply for the forthcoming year, with those approved by the previous administration? Would she detail the increase in car parking charges applied during the period 1999-2003

with those that have been made during the course of the present administration?"

The Executive Member replied:

"I am pleased to remind Council of the actual car park charges that have applied since 1999."

	99/00	2000-2001	2001-2002	2002-2003	2003-2004	4 year %	2004-2005	2005-2006	2006-2007	2007-2008	4 year %	
a) Visitor												
Short Stay - Castle	0.80	0.90	1.00	1.20	1.40	1.60	78%	2.00	2.00	2.00	2.00	25%
Short Stay - Other	0.70	0.80	0.90	1.10	1.30	1.50	88%	2.00	2.00	2.00	2.00	33%
Standard Stay	0.60	0.70	0.80	1.00	1.20	1.30	86%	1.30	1.30	1.30	1.30	0%
On Street	0.70	0.70	0.80	0.90	1.10	1.30	86%	1.40	1.40	1.40	1.40	8%
Foss Bank	0.60	0.70	0.80	1.00	1.20	1.20	71%	1.20	0.70	0.70	0.70	-42%
Evening hours) (14)	0.00	0.00	0.00	0.00	0.00	0.00		2.00	2.00	2.00	2.00	
b) Resident												
Short Stay - Castle	0.70	0.80	0.90	1.10	1.10	1.30	63%	1.70	1.70	1.70	1.70	31%
Short Stay - Other	0.60	0.70	0.80	1.00	1.00	1.20	71%	1.70	1.70	1.70	1.70	42%
Standard Stay	0.50	0.60	0.70	0.90	0.90	1.00	67%	1.00	1.00	1.00	1.00	0%
On Street	0.70	0.70	0.80	0.90	1.10	1.30	86%	1.40	1.40	1.40	1.40	8%
Foss Bank	0.50	0.60	0.70	0.90	0.90	0.90	50%	0.90	0.70	0.70	0.70	-22%
Evening hours) (14)	0.00	0.00	0.00	0.00	0.00	0.00		1.00	1.00	1.00	1.00	

"This demonstrates that the present administration has – contrary to some claims – reduced in real terms the vast majority of car parking charges in the City centre during its term of office. This contrasts with the draconian increases implemented by our predecessors.

York's standard say car parks are now cheaper than in many other neighbouring towns and comparable Cities:"

	Ave cost per hour	York resident pays per hour	York cheaper by	
Cambridge.	£1.45	£1.00	31%	80p (just one car park) £1.40/£1.50 an hour - more on Saturdays and higher charges for stays of longer than 5 hours.
Leeds.	£1.35	£1.00	26%	£1.20 - £1.50 an hour up to 22.00
Sheffield.	£1.15	£1.00	13%	95p/£1.15/£1.35 an hour up to 20.30. On street starts at 45p for 20 mins.
Harrogate.	£1.05	£1.00	5%	90p - £1.20 an hour. Evening charge £1.00

[Supplementary – written response promised]

(xii) To the Executive Member for City Strategy, from Cllr Vassie:

“Would the Executive Member compare the investment made by the present Council in highways maintenance with that of the previous administration?”

The Executive Member replied:

	2001- 00/01	2002- 2002	2003- 2003	2003- 2004	4 year total	2004 -	2005 -	2006 -	2007- 2007	4 year total	% increase
1999/00 £K	£K	£K	£K	£K		2005 £K	2006 £K	2006 -2007 £K	2008 £K	£K	
5,458	5,156	6,003	6,764	7,008	24,932	7,790	8,358	8,320	8,100	32,569	+31%

“We were able to increase investment in highways maintenance in our first 2 budgets, despite the poor Government settlement, above the rate of inflation. For the current year we have held steady but the savings made on the new highway maintenance tender has allowed us to do extra work this year.

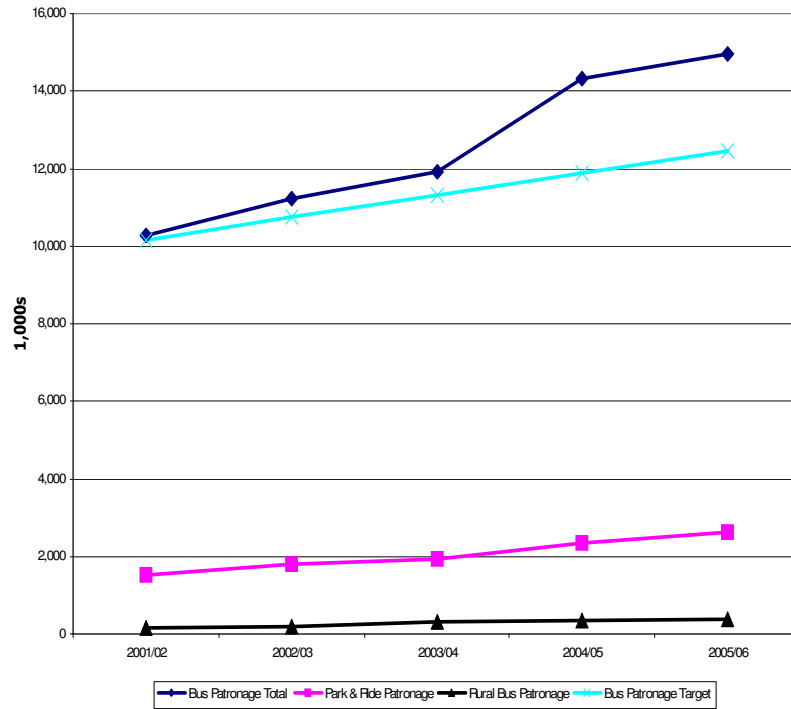
There has been an improvement to the overall condition of the highway. The backlog to bring all grade 3 highways up to grade 1 now stands at £27.625m a decrease of just under £2m. The proposed budget for 07/08 shows a small decrease in the allocation but this saving is more than offset by the savings on the highways maintenance tender and we will be carrying out more work for less money in 07/08. Roads and footpaths are now in a better condition overall than when we formed our administration in 2003. Success with the PFI bid would allow us to become a world leader in terms of transport infrastructure quality.”

[Supplementary – written response promised]

(xiii) To the Executive Member for City Strategy, from Cllr Vassie:

“Would the Executive Member detail the increase in the use of public transport in the City achieved over the last 4 years?”

The Executive Member replied:



Year	2002/03 ,000s	2003/04 ,000s	2004/05 ,000s	2005/06 ,000s	% Increase since 02/03
Park and Ride Patronage	1,799	1,926	2,349	2,626	46%
Rural Bus Patronage	177	301	339	375	112%
Local Bus Service Patronage	9,265	9,696	11,651	11,954	29%
Bus Patronage Total	11,241	11,923	14,339	14,955	33%

“Bus patronage has grown by 45% in five years and Members will see the significant rise in 2003/04 from 12 million to 14.5 million bus passengers per year and we exceeded our LTP 1 target at the end of 2005/06 by over 2.5 million passengers a year. Park and Ride figures show a steady increase but I am delighted that, for the first time we have carried 3 million passengers in the last year keeping an estimated 1.3 million cars out of the city.”

(xiv) To the Executive Member for Adult Social Services, from Cllr Greenwood:

“Would the Executive Member say how long social services clients are waiting in York for care services to be allocated and contrast this with the performance in previous years and with other authorities?”

The Executive Member replied:

“The maximum length of time that a customer should wait for the provision of services, once an assessment has been made, is

laid down by government and is measured at less than or equal to 4 weeks.

The most recent set of figures for 2005/06 shows that York was similar to the average for Unitary Authorities at 85% of assessments completed within the timescale.

However, the latest set of figures shows that at the end of December York was achieving 87.20%.

The table below compares York with other authorities in England, Unitary Authorities and authorities in The Yorkshire and Humber Region.”

Year	York Figure (%)	Other Local Authority Averages (%)		
		England	Unitary	Yorkshire & Humber
2005/2006	85	87	85	88
2004/2005	85	84	81	85
2003/2004	82	81	81	85

[Note: In the absence of Cllr Sunderland, this question was answered by Cllr Sue Galloway]

- (xv) **To the Executive Member for Housing, from Cllr Hill:**
 “Has the City of York Council Housing department lost the confidence of its tenants?”

In the absence of Cllr Sunderland, the Executive Member for Housing, Cllr Sue Galloway replied:

“No.”

- (xvi) **To the Executive Member for Leisure & Culture, from Cllr Lancelott:**

“Would the Executive Member please confirm how much the Council will receive from the sale of the lease of the Barbican auditorium to Absolute Leisure compared to the offer received, and supported by, the Council’s Executive in 2002?”

The Executive Member replied:

“The offer figure from Absolute Leisure has always been £750,000. This has never changed at any point in the negotiations although they have agreed to pay an additional £15k for the fittings and equipment. In addition they are completely refurbishing the auditorium at a cost estimated to be in excess of £2 million.”

- (xvii) **To the Executive Member for Neighbourhood Services, from Cllr D’Agorne:**

“When will a report be brought forward setting out a timescale and strategy for offering waste recycling collections from apartments and similar developments within the City?”

The Executive Member replied:

“The key issue of when box based kerbside collections for recycling can be rolled out to the 15,000 York properties is that of availability of resources. Estimates are that in order to achieve this we would need in the region of £330,000 to fund this roll out, for which we estimate that less than 10% of this could be recouped from reductions in landfill waste from these areas.

Therefore there is a review of the waste strategy currently being undertaken by officers. The result of this work will be a revised waste strategy for York whilst issues such as the rollout of recycling to all areas will be included along with options to improve the current delivery arrangements for refuse and recycling collections. It is thought that a draft report will be ready by the early part of the summer and members will be consulted. This work will also need to consider the outcome of the Lyons Review which will impact on local authority spending, and it should be noted that York receives just 25% of its landfill tax back in revenue support for the recycling service, this year amount to just £400,000 from the £1.6 million sent to central government.

I would urge Cllr D’Agorne to join with me in calling for central government to give a greater return of York’s Landfill tax payments, in order that even more recycling services can be operated in the city.”

(xviii) To the Executive Member for Neighbourhood Services, from Cllr D’Agorne:

“How many days do you consider is reasonable time to elapse following the end of a period of flooding before the riverside cycle / footpaths to the south of the City are cleared of mud?”

The Executive Member replied:

“Council staff have been working extremely hard throughout the recent periods of flooding to clear footpaths of mud. The sequence for removal is for Kings Staith to be cleared to Tower Gardens followed by Alмеры Terrace, Clementhorpe, Skeldergate and Rowntree Park.

We normally begin work the same day, as soon as the car park and Staithes are clear of water.

Under the normal sequence, full clearance takes between a week and 10 days, but this can be delayed due to repeat flooding by the river before the clearance has been complete.

Following the recent flood alert, New Walk was cleared on the evening of 23rd January 07. The last “All Clear” flood situation for area 135801 (Kings Staith, Queens Staith, South Esplanade and New Walk) has been given by the Environment Agency at 14:49 on 23rd January 07.”

(xix) To the Executive Member for Neighbourhood Services, from Cllr D’Agorne:

“When do you expect the leaves / detritus from 2006 might be removed from City paths, verges and gutters?”

The Executive Member replied:

“The fall of leaves from trees in the city was later than normal last year due to the unusually warm weather conditions experienced. The Council has had two dedicated manual teams and two large mechanical sweepers working to remove leaves and to date 423 tonnes have been collected in total.

If there are areas where leaves are still on the ground members are asked to contact the YPAL action line and we will deal with this promptly.

Members are aware that a new street cleaning service is being piloted in the west area of the city and so far we have seen a 5% improvement in the condition of street and open spaces which is encouraging as this is the most difficult time of the year to maintain these areas. It is hoped that the new street cleaning service will be rolled out to all areas of the city by the early part of the spring 2007 which will have a further positive impact on the cleanliness of our city.

During the last few weeks with the high winds there have been a small number of calls to remove leaves which have been blown from sheltered areas not on the highway.”

SCRUTINY - REPORT OF THE CHAIR OF SMC

53. A written report was received from Cllr Kirk, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council, on 30 November 2006.

ACTIVITIES OF OUTSIDE BODIES

54. Minutes of the following meetings of Outside Bodies were considered:
- Association of North Yorkshire Councils (minutes of meeting on 13 November 2006)
 - North Yorkshire Police Authority (minutes of meeting on 6 November 2006).

These minutes had been made available to Members to view on the Council's website. The Lord Mayor invited comments and questions, firstly from Council representatives on those bodies, either in relation to the body generally or specifically on the minutes, and secondly from Members generally. No comments or questions were forthcoming.

APPOINTMENTS AND CHANGES TO MEMBERSHIP

55. RESOLVED: That the appointments to Committees, Outside Bodies and Working Groups set out in the list at page 43 of the Council papers (and attached as Annex 1 to these minutes) be approved.

Councillor Janet Hopton
LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 9.40 pm]

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in The Guildhall, York on Wednesday, 21st February, 2007, starting at 6.30 pm

Present: The Lord Mayor, Councillor Hopton, in the Chair, and the following Councillors:

ACOMB WARD	BISHOPTHORPE WARD
Horton Simpson-Laing	Livesley
CLIFTON WARD	DERWENT WARD
King Scott	Greenwood
DRINGHOUSES & WOODTHORPE WARD	FISHERGATE WARD
Holvey Reid Sunderland	D'Agorne Hill
FULFORD WARD	GUILDHALL WARD
	Looker B Watson
HAXBY & WIGGINTON WARD	HESLINGTON WARD
Hall R Watson	Jamieson-Ball
HEWORTH WARD	HEWORTH WITHOUT WARD
Kind Potter	
HOLGATE WARD	HULL ROAD WARD
Fairclough Nimmo	Smallwood
HUNTINGTON & NEW EARSWICK WARD	MICKLEGATE WARD
Hyman	Evans

Orrell
Runciman

Fraser
Merrett

OSBALDWICK WARD

RURAL WEST YORK WARD

Bradley
Hopton
Macdonald

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

STRENSALL WARD

Moore
I Waudby
M Waudby

Cuthbertson
Kirk

WESTFIELD WARD

WHELDRAKE WARD

Steve Galloway
Sue Galloway
Waller

Vassie

Apologies for absence were received from Councillors Bartlett, Blanchard, Hogg, Jones, Lancelott, Morley and Wilde

DECLARATIONS OF INTEREST

56. The Lord Mayor invited all Members with any personal or prejudicial interests in the business on the agenda to declare their interests at this point in the meeting. The following interests were declared:

Councillor Simpson-Laing: **personal & prejudicial interests** in funding and budgetary issues associated with voluntary organisations, out of school clubs, school music tuition fees, York Wheels and in relation to a potential property sale indicated in confidential annex 7 to the capital programme report in view of its location.

Councillor Sue Galloway: a **personal interest** in budget item LCS08 (allotments).

Councillor Scott: a **personal & prejudicial interest** in the Respark area.

Councillor Potter a **personal & prejudicial interest** in music tuition fees; a **personal interest** in voluntary sector funding; a **personal & prejudicial interest** in the Respark area.

Councillor Fraser: a **personal interest** in HR issues due to his retired Unison section membership and in relation to voluntary sector funding as an observer to trustees;
A **personal & prejudicial** in the Respark area.

Councillor Waller: a **personal & prejudicial interest** as an allotments holder
A **personal** interest as a trustee of the Citizens Advice Bureau

Councillor Kind: a **personal & prejudicial interest** in Foster Care payments.

Councillor Merrett: **personal interest** in unadopted private roads as a resident

Councillor Bradley: a **personal & prejudicial interest** in music tuition fees.

Councillor Jamieson-Ball:	a personal interest in allotments and the CVS Board.
<i>Councillor Vassie:</i>	<i>a personal interest in CHSO9 music in schools</i>
<i>Councillor B Watson:</i>	<i>a personal interest in unadopted private roads as a resident</i>
Councillor Evans:	a personal & prejudicial interest in the Respark area; a personal interest in York Museums Trust.

CIVIC ANNOUNCEMENTS

57. The Lord Mayor reported the receipt of a gift of a vase from the Lord Mayor of London.

She went on to thank all who had attended the Valentines Ball, in aid of the Lord Mayor's charities.

The Lord Mayor drew attention to the following:

- (i) the forthcoming visit from the Mayor of Munster on the 9th to 11th March, as part of the 50th anniversary celebrations of the twinning of York and Munster.
- (ii) the celebration of the birthday of the York-born poet W H Auden, which was taking place in the City this evening.

Finally, she thanked Murray Rose, Assistant Director (Learning, Culture & Children's Services) for his work with the authority on behalf of Council and wished him well in his future career and new Authority.

PUBLIC PARTICIPATION

58. The Lord Mayor reported that there had been no registrations under the Council's Public Participation Scheme to speak at the meeting with regard to any business associated with the Budget.

PETITIONS

59. The Lord Mayor reported that there were no petitions to be presented by Members at the meeting in relation to business associated with the Budget.

EXCLUSION OF PRESS AND PUBLIC

60. RESOLVED: That the press and public be excluded from the meeting during consideration of Annex 6 to agenda item 5(b) (Capital Programme Budget) (minute refers) on the grounds that it contains information relating to the financial or business affairs of particular persons, which is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

SETTING THE BUDGET FOR 2007/2008

61. Councillor Steve Galloway moved, and Councillor Waller seconded, the recommendations of the Executive in relation to the Council's Budget for 2007/08, including the Revenue Budget, the Fees and Charges and Housing Revenue Account recommendations, the Capital Programme Budget and the Treasury Management Strategy Statement and Prudential Indicators.

Councillor Merrett then moved the following amendments to the Executive recommendations, the first of which was seconded by Councillor Potter and the second by Councillor Looker:

1. Amendment to Executive Minute 140 (Revenue Budget)

Under "RECOMMENDED":

Paragraph a)

Replace the figure "£104.538m" with £104.753m".

Delete the words "as set out in Table 1 at paragraph 15"

Paragraph b)

Add the following words at the end:

"Subject to the inclusion of the following additional HRA growth items totaling £52k:

Additional Post of Community Adviser £20k

Additional Funding to Residents' Associations £32k

To be funded through a reduced revenue contribution to capital schemes from £912k to £860k."

Paragraph d)

Add the following words at the end:

"Subject to the addition of the following new growth areas, totaling £812k:

LPG1 Introduce one additional round to begin the roll out of door step recycling to terraced areas £74k

LPG2 Improve Street Cleaning by introducing an additional cleaning team and funding more anti graffiti work. £70k

LPG3 Tackling anti-social behaviour and providing reparation for offences £50k

LPG4 Improve CCTV monitoring by introducing an additional monitoring room post for Fridays, Saturdays and Sundays to help tackle city centre violent crime £18k

LPG5 Restore previous reductions in YOT funding. £10k

LPG6	Restore previous reductions in Safer York Partnership Grant funding.	£28k
LPG7	Improve youth provision through the purchase of an additional Urbie bus (£40k one off, £10k on going).	£50k
LPG8	Cut Respark fees for first vehicle and visitor passes by 25%.	£100k
LPG9	Introduce free evening parking for York residents from 1 st September 2007.	£35k
LPG10	Restore previous reduction in Ward Committee funding	£80k
LPG11	Restore previous reduction in Future Prospects funding	£18k
LPG12	Restore the Scrutiny Manager post deleted by Urgency Committee on 18 August 2006.	£16k
LPG13	Replacement funding for Children's Trust Manager Post due to termination of fixed term government funding.	£40k
LPG14	Address impact of inflation on CE's budget for Voluntary sector	£18k
LPG15	Address impact of inflation on HASS's budget for Voluntary sector	£13k
LPG16	Address impact of inflation on LCCS's budget for Voluntary sector	£2k
LPG17	Fund OCAY £10k and Older People's Assembly £5k	£15k
LPG18	One off pump priming funding to enable the roll out of a WiFi CCTV system to cover streets in nightclub area and encourage matching business contributions	£25k
LPG19	One off funding to enable the production of a 21 st Century leisure facilities strategy, including incorporation into the LDF as a basis for securing future developer contributions.	£25k
LPG20	One off pump priming funding to lever in additional support for the introduction of further alleygating	£50k
LPG21	One off pump priming to pilot wider community use of schools.	£50k
LPG22	One off funding to enable the production of a new climate change/environment strategy for the City	£25k

And subject also to the deletion of the following:

CXG04	Unachieved saving in 2006/07 re changes to recruitment advertising.	£52k
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Paragraph f)

Add the following words at the end:

"Subject to rejecting the following saving proposals, totalling £82k:

CXS02	Not to create a Safer City Co-ordinator	£35k
CXS13	To reduce the core skills training budget by 20%	£2k
CSS17	Development Control – Reduction in levels of consultation	£17k
HAS4	Combine New Horizons and Community Base	£28k

inserting the following new savings, totalling £624k:

LSP1	A reduction in Resources of one Assistant Director	£34k
------	----------------------------------------------------	------

LSP2	<i>Savings in Neighbourhood Services as the result of DSO/DEDS client amalgamation</i>	£62k
LSP3	<i>Management efficiencies in City Strategy</i>	£30k
LSP4	<i>LCCS as a result of the current senior management departures and the proposed funding of the Children's Trust manager.</i>	£40k
LSP5	<i>Additional net income target for Neighbourhood Services arising from additional repair work for external bodies.</i>	£25k
LSP6	<i>Negotiate new Park and Ride contract to deliver cash saving.</i>	£100k
LSP7	<i>Reintroduce historic proposals for City Centre JC Deceaux contract for city centre/ bus shelter advertisements</i>	£75k
LSP8	<i>Cut private street adoption officer</i>	£22k
LSP9	<i>Increase number of street trader licences</i>	£30k
LSP10	<i>Reduce parks and open spaces maintenance.</i>	£38k
LSP11	<i>Reduce contingency fund</i>	£100k
LSP12	<i>Remove uncommitted element of double taxation provision</i>	£8k
LSP13	<i>Review staff travel expenditure to identify savings through more cost effective and efficient practices.</i>	£50k
LSP14	<i>Replace EMAPs with a revised structure for the devolution of power to Executive Managers and Directors combined with enhanced Director: Executive Member liaison requirements</i>	£10k

and the adoption of the following alternate saving proposals identified at Annex 5, totalling £13k:

RSS25	<i>Revised date for National Non-Domestic Rate Direct Debits</i>	£6k
RSS26	<i>Revised date for Council Tax Direct Debits</i>	£7k

Delete the first bullet point under f) and replace with the following at a cost of £10k:

Debt Restructure (TM02) from £146k to £136k to reflect income lost through the proposed additional use of reserves in 2007/08.

Paragraph g)

In the first bullet point, replace the figure "£1.312" with "£1.527m".

Paragraph i)

At the end of the paragraph, add "Subject to the following amendments:

ResPark Passes:

<i>Household Permit (Standard)</i>	£66.00
<i>Household Permit (Standard), Quarterly Charge</i>	£21.75
<i>Visitor (Standard)</i>	£0.80

Car Parking Charges (to apply from 1st September 2007)

Resident Evening Charge (6.00pm to 8.00am) - Short Stay Car Parks

Free

Resident Evening Charge (6.00pm to 8.00am) - Standard Stay Car Parks

*Free
Resident Evening Charge (6.00pm to 8.00am) - On Street Parking
Free”*

2. Amendment to Executive Minute 141 (Capital Programme)

Under “RECOMMENDED”:

Paragraph c)

In line 1, delete the words “*York Pools Scheme and*” and add the following text at the end “*The York Pools scheme to be progressed with the additional aims of providing a six lane pool at Oaklands and securing a pool at the Kent Street site, through the following actions:*

- *An additional £250k to be included in the capital programme to provide a sixth lane at the new Oaklands pool, funded by prudential borrowing*
- *The Kent Street coach park element of the current site disposal to be discontinued, with any net income from this temporary retention being retained to help fund the costs of the York Pools Scheme.*
- *The £2m funding currently earmarked for a University Pool to be retained by the council and allocated to the capital programme in 2010/11 for pump priming a pool development at the Kent Street site.”*

Paragraph e)

Replace the figure ‘£250k’ with “£1.862m”.

Paragraph f)

Delete all text after the phrase “*Annex 6*” and replace with “*subject to the amendment of item 9 (Kent Street Coach Park) to reflect the retention of Kent Street Coach Park, and the deletion of the 6th (Balfour Street Play Area) and 21st (Leeman Road Bowling Green) items listed under ‘Usable Capital Receipts Previously Approved for Sale’. The impact of which to be met by future additional/enhanced receipts and prudential borrowing.”*

REASON

At the end of the reason for the recommendations, add “*and to provide the opportunity for the council to develop a sustainable scheme for the re-establishment of city centre swimming provision at the Kent Street site to serve the centre and south of the city .*”

At the conclusion of the debate on the above amendments, the Lord Mayor announced her intention to take a separate vote on each amendment and indicated that the vote on the first amendment (Revenue Budget) would be split, to enable those Members who had declared prejudicial interests in the proposals that related to Respark permits to participate in the vote on the remaining parts of the amendment.

The first of the above amendments, in relation to the Revenue Budget (excluding the Respark proposals), was then put to the vote and was declared LOST.

Those Members who had declared a prejudicial interest in the Respark permit proposals having left the Council Chamber, the remaining part of the first amendment was put to the vote and was declared LOST.

The second of the above amendments, in relation to the Capital Budget, was then

put to the vote and was also declared LOST.

[At this point, the Lord Mayor moved, under Standing Order 1(c), that the time allowed for the meeting be extended to 10:15 pm to enable the remaining business to be dealt with. This having been agreed by all Members, the meeting continued].

Councillor D'Agorne moved, and Councillor Hill seconded, the following amendment to the Executive recommendations in relation to the Revenue Budget:

Green Amendment to Executive Minute 140 (Revenue Budget)
Under "RECOMMENDED":

Paragraph d)

Add the following words at the end:

"and subject:

(i) to the inclusion of the following new one-off investments in services, totalling £21k:

<i>GGP1</i>	<i>One year allocation of funding to establish the practical issues and demand for St Georges Toilets to be opened as a year round facility. (re-investment of savings from closure of Kent St toilets nearby)</i>	<i>£17K</i>
<i>GGP2</i>	<i>One year pump priming for the enhanced promotion of community use of leisure facilities at school sites in areas previously served by the Barbican</i>	<i>£4k</i>

(ii) to the following reductions in proposed growth, totalling £80k:

<i>LCCS2</i>	<i>Contribution to 2010 Mystery Play to be reduced from £20k to £10k per annum</i>	<i>£10k</i>
<i>NS6</i>	<i>Waste Strategy development to be reduced from £250k to £230k per annum</i>	<i>£20k</i>
<i>CSG02</i>	<i>York Central/British Sugar Area Action Plan to be reduced in 2007/08 from £75k to £50k</i>	<i>£25k</i>
<i>CSG04</i>	<i>York Races Traffic Management contribution to be reduced from £30k to £5k per annum</i>	<i>£25k</i>

Paragraph f)

Add the following words at the end:

"Subject:

(i) to reinstating the following savings, totalling £30k:

<i>CHS07</i>	<i>Future Prospects - maintain funding in line with inflation for enrolment service</i>	<i>£2k</i>
<i>CHS08</i>	<i>Adult Education Centre closure - keep all existing centres open</i>	<i>£5k</i>
<i>LCS02</i>	<i>Halt further reduction in funding to Stagecoach Theatre and Yorkshire Film Archive</i>	<i>£4k</i>
<i>LCS03</i>	<i>Maintain policy of waiving charge for use of leisure land for charitable events</i>	<i>£3k</i>
<i>LCS10</i>	<i>Swimming pool Sunday evening/ bank holiday - maintain current hours (and promote use at these</i>	<i>£2k</i>

times)

CSS19	<i>Countryside management funding - retain current level</i>	£2k
CXS07	<i>Staff survey focus groups - retain current level</i>	£4k
CXS14	<i>Stress counselling for staff - retain current level</i>	£8k

(ii) to reducing the following proposed savings, totalling £41k:

CSS01	<i>Transport planning section - restructure to safeguard one of the two fte posts, changes saving from £46k to £23k.</i>	£23k
CSS11	<i>Network management - Public Rights of Way Asst - retain 0.5fte post</i>	£10k
CHS09	<i>Music in schools - maintain tuition fees at current level plus inflation, reducing the saving from £35k to £27k.</i>	£8k

and (iii) inserting the following new savings, totalling £12k:

GSP1	<i>Income to be generated through sponsorship and alternative funding for salt bins</i>	£5k
GSP2	<i>A new annual Charge for Members car parking permits</i>	£7k

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

The original motion, as proposed by Councillor Steve Galloway was then put to the vote and was declared CARRIED and it was

RESOLVED: (i) That the Executive's recommendations in relation to the **revenue budget proposals** for 2007/2008 be approved, as outlined in Executive minute 140, at agenda item 5(a) (page 1 of the Council papers) and with reference to the Revenue Budget report circulated to all Members, and in particular:

- a) The net revenue expenditure requirement for 2007/08 of £104.538m, as set out in Table 1 at paragraph 15;
- b) The Housing Revenue Account proposals outlined in Annex 10;
- c) The Dedicated Schools Grant proposals outlined from paragraph 78 onwards;
- d) The revenue growth proposals outlined in Annex 3, which include the post-EMAP amendments detailed at paragraph 42 plus:
 - Investing an additional £40k into increased investment in CCTV allowing the extension of provision into priority areas;
- e) To allow the Chief Executive, if required, to utilise in 2006/07 £50k of the proposed £215k budget for the 2007/08 elections;
- f) The revenue savings proposals for 2007/08 outlined in Annex 4, whilst:
 - Increasing TMS 02 (Debt Restructure) from £100k in

- 2007/08 to £146k, to reflect the one-off beneficial impact of recent changes in interest rates
- Deleting CXS06 (Reductions to the Messenger Service, £6k)
- Replacing CSS20 (Design and Conservation, £14k) with comparable savings secured through vacancy savings within City Strategy;
- g) In terms of the Council's reserves, to:
 - Agree the use in 2007/08 of £1.312 of revenue reserves, as outlined in paragraph 50
 - Authorise the transfer of balances held on the Bellwin reserve into the general reserve, as detailed in paragraph 54
 - Endorse the adoption of a risk-based calculation to inform the Director of Resources' opinion on the appropriate minimum level of general reserves, as described in paragraph 52;
- h) The release of further funds to support the job evaluation project, as outlined from paragraph 26 onwards;
- i) The fees and charges proposals set out in Annex 8.

REASON: To enable the Council to set a balanced budget for the 2007/08 financial year.

(ii) That the Executive's recommendations in relation to the **capital programme budget proposals** for 2007/2008 to 2010/11 be approved, as outlined in Executive Minute 141, at agenda item 5(b) (page 21 of the Council papers) and with reference to the Capital Programme Budget report circulated to all Members, and in particular:

- a) The inclusion in the capital programme of all existing approved schemes, as detailed in Annex 1 and paragraph 8;
- b) The inclusion in the capital programme of all fully funded schemes, as detailed in Annex 3 and discussed at paragraph 18;
- c) The continuation of the York Pools Scheme and Museums Lottery Scheme, as detailed in paragraph 20;
- d) The extension of existing rolling programme schemes, as illustrated in Table 2, *except* for:
 - The Ward Committees Scheme, which will be reduced by £70k per annum from 2008/09, as outlined in paragraph 16 (with a compensatory increase in revenue funding)
 - The Property Investment Scheme, which will be reduced by £50k per annum from 2008/09, as outlined in paragraph 23;
- e) The use of £250k of prudential borrowing in 2010/11, as per paragraph 23;
- f) The asset sales shown in (exempt) Annex 6, subject to the deletion of one of the items listed under "Usable Capital Receipts Previously Approved for Sale" (the 21st

item on that list).

REASON: To achieve a balanced four year capital programme which will ensure the continuation of existing approved schemes.

(iii) That the Executive's recommendations in relation to the **Treasury Management Strategy Statement and Prudential Indicators** for 2007/2008 to 2010/11 be approved, as set out in Executive Minute 142, at agenda item 7 (page 33 of the Council papers) and with reference to the Treasury Management Strategy Statement and Prudential Indicators report circulated to all Members, and in particular:

- a) The Prudential Indicators for 2007/08 to 200/11, as set out in Annex A to the report;
- b) The proposed Treasury Management Strategy for 2007/08 to 2010/11;
- c) The annual investment strategy;
- d) The use of LOBOs for debt management purposes;
- e) The adoption of a predetermined LOBO repayment rate of 4% for LOBOs taken out before 31 March 2008;
- f) The use of the PWLB in year borrowing trigger rate as a trigger to repay LOBO loans;
- g) A maximum limit of 10% of total debt portfolio to be funded through LOBO loans at any one time.

REASON: To enable the continued effective operation of the Treasury Management function and ensure that all Council borrowing is prudent, affordable and sustainable.

COUNCIL TAX RESOLUTION 2007/2008

62. Councillor Steve Galloway moved, and Councillor Waller seconded, the Council Tax Resolution for 2007/2008, as set out in the report at page 23 of the Council papers.

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

RESOLVED: That the Council Tax Resolution for 2007/2008, as set out in the report at item 6 (page 23 of the Council papers), be approved, as follows:

1. COUNCIL TAX BASE

That it be noted that the Director of Resources, under his delegated authority, calculated the following amounts for the year 2007/08 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:

- (a) **Whole of the Council's Area**
65,203.55 being the amount calculated in accordance with Regulation 3 of the Local Authorities (Calculation of Council

Tax Base) Regulations 1992 and the Local Government Act 2003, as its Council Tax Base for the year.

(b) **Parts of the Council's Area**

the amounts mentioned in Column 1 of Schedule A to this Resolution, being the amounts calculated in accordance with Regulation 6 of the Regulations and the Local Government Act 2003, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate.

2. DISTRICT/PARISH COUNCIL TAX RATES

That the following amounts be now calculated by the Council for the year 2007/08 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

(a) **District/Parish Gross Expenditure**

£330,951,329.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act.

(b) **Income**

£227,194,990.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.

(c) **District/Parish Net Expenditure**

£103,756,339.00 being the amount by which the aggregate at 13(a) above exceeds the aggregate at 13(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.

(d) **Government Grants and Collection Fund Surpluses**

£39,192,860 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates and revenue support grant, increased by the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Regulation 4(7) of the Local Government Changes for England (Collection Fund Surpluses and Deficits) Regulations 1995 and increased by the amount of any sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Local Government Changes for England)(Community Charges) Directions under Section 98(4) of the Local Government Finance Act 1988 made on 22 November, 1995.

(e) **Basic Amount of Tax (including average parish**

precepts)

£990.1835 being the amount at 13(c) above less the amount at 13(d) above, all divided by the amount at 12(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

(f) Parish Precepts and Special Expenses

£529,789.00 being the aggregate amount of all special items referred to in Section 34(1) of the Act.

(g) Basic Amount of Tax (Unparished Area)

£982.06 being the amount at **13(e)** above less the result given by dividing the amount at **13(f)** above by the amount at **12(a)** above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.

(h) Basic Amount of Tax (Parished Areas and Special Expenses Areas)

the amounts mentioned in Column 2 of Schedule A to this Resolution (which will be circulated after the North Yorkshire Fire Authority have set their precept), being the amounts given by adding to the amount at 13(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned divided in each case by the amount at 12(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(i) District/Parish Council Tax Rates

the amounts mentioned in Columns 3 A to H of Schedule A to this Resolution, being the amounts given by multiplying the amounts at 13(g) and 13(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

3. NORTH YORKSHIRE POLICE AUTHORITY TAX RATES

That it be noted that for the year 2007/08 the North Yorkshire Police Authority has stated the following amounts in precept issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands

A B C D E F G H

£	£	£	£	£	£	£	£
123.60	144.20	164.80	185.40	226.60	267.80	309.00	370.80

4. NORTH YORKSHIRE FIRE AND RESCUE AUTHORITY TAX RATES

That it be noted that for the year 2007/08 the North Yorkshire Fire and Rescue Authority is considering recommendations that the following amounts in precept be issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
37.36	43.59	49.81	56.04	68.49	80.95	93.40	112.08

If the North Yorkshire Fire and Rescue Authority approve different figures at its meeting on 19 February 2007 substitute figures will be provided prior to Council on 21 February 2007.

5. TOTAL COUNCIL TAX RATES

That, having calculated the aggregate in each case of the amounts at 13(i), 14 and 15 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts mentioned in Schedule B to this Resolution as the amounts of Council Tax for the year 2007/08 for each of the categories of dwellings shown therein.

J Hopton

LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 10.10 pm]

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Meeting of the Executive27th February 2007

Report of the Director of Housing and Adult Social Services

Notice of Motion to the Executive concerning North Yorkshire and York Primary Care Trust**Purpose of Report**

1. To provide officer advice to the Executive regarding a motion that has been submitted to the Executive for consideration and referral on to Full Council.

Motion

2. The following motion was submitted on 9th February:

"This Council:

- supports The Press' campaign to 'Let your Doctor decide' which calls on North Yorkshire and York Primary Care Trust (NYYPCT) to scrap the Prior Approval Panel;
- records its thanks to those MPs and North Yorkshire Councils who have recorded their support for the "ditch the debt" motion passed by the York Council at its meeting on 25th January;
- remains concerned that reductions, restrictions and delays in NHS treatment in York could have a negative impact upon Council services and budgets."

Proposer: Councillor Martin Bartlett

Seconder: Councillor David Livesley

3. Under Standing Order 11 (a) (i) Members may put a notice of motion direct to the Executive provided it is submitted no later than five clear working days prior to publication of the agenda for that meeting to enable the preparation of a suitable officer report from the relevant directorate on the associated issues. The Executive is then asked to consider both the motion and the officer report and make recommendations accordingly to Council – in this case to the April meeting.
4. Although the motion was submitted on 9th February there has been limited opportunity for officers to prepare a briefing for the Executive. This report therefore largely concentrates on providing the factual background to the motion. Each element of the motion is considered in turn.

Use of a 'Prior Approval' Panel by NYYPCT

5. In late December 2005 NYYPCT announced a series of initiatives to try to reduce the projected overspend. Some of these were predicated on the assumption that the number of referrals from GPs for procedures at York District Hospital was comparatively high and that additional controls needed to be set in place to assess them before they were accepted. This is in the context of national tariffs that now exist whereby hospital trusts submit bills to PCTs for each procedure carried out for patients (called "payment by results") rather than former systems that were closer to block contracts for estimated volumes of activity.
6. From the 1st January NYYPCT has introduced a 'Prior Approval' system for access to a range of common elective treatments. Decisions are based on patients' needs and evidence of clinical effectiveness. Access to these services is now only available through a Prior Approval Panel and only in exceptional circumstances. NYYPCT has defined exceptional circumstances as those in which:-
 - ❑ Denying access to the treatment or diagnostics would place the patient's safety and/or health at significant risk
 - ❑ Denying access to the treatment or diagnostics would significantly alter the longer term outcome of any future procedure
 - ❑ Denying access to the treatment or diagnostics would significantly impair the patient's ability to maintain their current occupation
7. The introduction of Prior Approval is due to be for an initial 3 month period during which NYYPCT would formalise future commissioning arrangements. NYYPCT have also defined which treatments they would fund and which they would not. Among those treatments suspended indefinitely are lumbar spine X-rays for lower back pain (except by prior agreement with the local Radiologist) and facet joint injections for chronic lower back pain.
8. This has been hugely controversial and the representative bodies for General Practitioners have raised fundamental concerns about the prior approval process. Basically, GPs have taken the view that decisions on the need for treatment are ones which need to be agreed between a GP and their patient operating within the clinical guidelines of general medical practice and that their referrals to acute services should not be 'sifted' by a PCT panel.
9. The council's Health Scrutiny Committee have, naturally, taken a keen interest in these developments and at the meeting on 12th February were addressed by Dr David Hartley who is a practising GP and Chair of the York Health Group which is the organisation representing all GP practices involved in practice based commissioning. Dr Hartley expressed a number of concerns about the implementation of a prior approval system by NYYPCT.

10. The Health Scrutiny Committee also received further information from Dr David Geddes, also a local GP and a medical director for NYYPCT, about the need for the panel and the safeguards that were in place to ensure fairness and patient safety.

NYYPCT budget overspend

11. The latest projection from NYYPCT is for an overspend of £43.5m at the end of 2006/7. This is a slight improvement on the projection of £45m in January. However, NYYPCT have acknowledged the risks of changes to this position before the end of the year and their target was to reduce the overspend to around £35m. (These figures do not take into account a one-off contribution of £33m from the Strategic Health Authority that has been reallocated to NYYPCT from other PCTs in the region.)
12. A significant part of the problem is that NYYPCT inherited historic debt from the four predecessor PCTs – all of which were operating in financial deficit. According to an answer given at the January meeting of the NYYPCT board meeting the 4 predecessor PCTs were operating at £36m over their revenue resource limit at the end of 2005/6 – of which £23m was attributable to the former Selby and York PCT.
13. There has been a lot of public concern that this historic debt was making it impossible for the NYYPCT to reach financial balance and that severe cutbacks were having to be made that affected levels of local services. It was in response to this that the following motion was approved by Full Council at its meeting on 25th January :

“City of York Council calls on the Secretary of State for Health to write off the historic debt that the new North Yorkshire and York Primary Care Trust inherited from its predecessor Trusts.”

14. Since that motion – referred to in the current motion as ‘Ditch the Debt’ – the Leader of the Council has received letters from:
 - four local MPs, two expressing support for the initiative, one acknowledging the concerns and one expressing sympathy with the issues but advocating an alternative approach to tackling the debt;
 - the Leaders of three North Yorkshire district councils expressing support for the initiative.

Concerns about the PCT’s financial situation and its impact on the community have also been raised by the District Council Network – North Yorkshire and it is understood that two District Councils will shortly consider Council Motions on the subject.

Impact on City of York Council

15. There is concern locally and nationally about the impact that reductions in NHS expenditure will have on local authorities that are responsible for social services. The front page article on the 8th February edition of the Local Government Chronicle focuses on what is often referred to as ‘cost-shunting’ i.e. the concern that savings in the NHS will be at the cost

of increased expenditure on local authority social services. London councils have estimated that the £135m deficit among London PCTs will result in £35m additional expenditure by London local authorities.

16. The potential impact would be 'downstream' from changes to NHS policies and procedures. For example, if gate-keeping by the PCT for elective surgery is stricter, meaning that some people are not able to get treatment they received in the past, this could result in increased demands for care in the home which would fall to the local authority. Similarly, if there had to be reductions in the numbers of community nurses (especially those working at night) this could result in people not being able to remain in their own homes or a requirement for additional social care to maintain their independence.
17. There must be a concern that these fears may be realised in York given the deficit that NYYPCT is operating under. However, it is important to stress that, as yet, there is no hard evidence of 'cost-shunting' in York. The one significant area where a detrimental change has been made was under the financial recovery plan for the former Selby and York PCT when a decision was made in Autumn 2006 to withdraw £100,000 of PCT funding to run the intermediate care unit at Grove House. The 11 beds will be re-opened and funded the council to provide high dependency care although they are not fully operational yet due to difficulties in recruiting staff. It is also not known what effect the removal of the intermediate care service will have on demand for social services as people who went to Grove House received up to 6 weeks rehabilitative support before going home which had a significant effect on their ability to live independently at home.

Consultation

18. There has been no consultation involved in the writing of this report although there was a Health Forum on 31st January hosted by the Council's Health Scrutiny Committee at which members of the public were able to raise concerns about NHS spending and the impact on services.

Options

19. a) **Option 1** – to refer this motion to the Council meeting on 12th April with comments from the Executive
- b) **Option 2** – to seek further information before referring the motion to Full Council

Corporate Priorities

20. The report relates primarily to the corporate priority " Improve the health and lifestyles of the people who live in York, in particular among groups whose levels of healthy are the poorest."

Implications

Financial

21. It is not possible at this stage to accurately assess the potential financial impact on the council arising from NHS budget deficits

22. Other Implications

Human Resources (HR)

There are no immediate implications to report.

Equalities

There are no immediate implications to report.

Legal

There are no immediate implications to report.

Crime and Disorder

There are no immediate implications to report.

Information Technology (IT)

There are no immediate implications to report.

Property

There are no immediate implications to report.

Other

None

Risk Management

23. The key risks to the local authority relate to additional financial liabilities arising from NHS plans to reduce expenditure. As already stated these cannot accurately be assessed at the current time.

Recommendations

24. That the Executive considers the motion submitted together with the information in this report and decides whether to submit this with its recommendations to Full Council on the basis of the information in this report (Option 1) or whether to request further information at a later meeting before referring on to Full Council (Option 2) .

Reason : To comply with council standing orders.

Author:

Bill Hodson
Director of Housing and Adult
Social Services
Tel. 554001.

Chief Officer Responsible for the report:

Bill Hodson
Director

Report Approved

Date 16/02/07

Bill Hodson
Director

Report Approved

Date 16/02/07

Specialist Implications Officer(s)

None

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

All

For further information please contact the author of the report

Background Papers: None

Executive Meeting on 27 February 2007 - Extract from Minutes

176. Notice of Motion to the Executive concerning North Yorkshire and York Primary Care Trust

Members considered a report of the Director of Housing and Adult Social Services which provided advice on a notice of motion. The motion had been submitted by Cllr Bartlett and seconded by Cllr Livesley, for consideration by the Executive before referral to full Council, under Standing Order 11(a)(i).

The notice of motion, submitted on 9 February, read as follows:

“This Council:

- Supports the Press campaign to ‘Let your Doctor decide’ which calls on North Yorkshire and York Primary Care Trust (NYYPCT) to scrap the Prior Approval Panel;
- Records its thanks to those MPs and North Yorkshire Councils who have recorded their support for the ‘ditch the debt’ motion passed by the York Council at its meeting on 25th January;
- Remains concerned that reductions, restrictions and delays in NHS treatment in York could have a negative impact upon Council services and budgets.”

The report provided information on the factual background to the motion. It explained the ‘Prior Approval’ system introduced by NYYPCT on 1 January, outlined the current situation regarding the PCT’s budget overspend and discussed the potential impact of reductions in NHS expenditure on services provided by the Council. Members were asked to consider this information and decide whether to submit the notice of motion to full Council at this stage, with recommendations (Option 1) or whether to request further information before doing so (Option 2).

Members indicated their support for the motion and its referral to full Council. It was suggested that any further information received be referred to Council in the form of a supplementary report.

RECOMMENDED: That Council consider the motion, which is supported by the Executive, together with the information contained in the report and any additional or updated information provided before the deadline for publication of the Council papers, which will be provided in a supplementary report to Council.

REASON: In accordance with the requirements of the Council’s Constitution, as set out in Standing Order 11.

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1 There have been 5 meetings of the Executive since the last normal Council meeting in
2 January.

3 1) Annual audit letter

4 The annual audit letter, produced by the District Auditor to give an independent view of
5 Council performance, has been received and is generally very positive. Some key quotes
6 from it are:

7 Key Quotes from District Audit letter to York Council, March 2007

- 8 • “Our reviews, and those of other inspectorates, have noted services improvements
9 across a wide range of areas”.
- 10 • “You have sustained progress in addressing local priorities through the York Pride
11 initiative which has led to improvements in the environment”,
- 12 • You have responded positively to recent job losses by setting up an independent
13 review .. to produce an overview of the City’s employment and economic prospects. In
14 addition your Science City initiative continues to achieve positive outcomes .. in the
15 form of increased business start ups.
- 16 • “Increased participation in the healthy schools scheme, and other health promoting
17 activities, has contributed to a general trend of improvement the health of local people”

18 Despite our sound performance we need to ensure that the limited areas of under
19 performance are addressed. As some of the data used by the DA for his letter dates back to
20 April 2005 the following information was been obtained which updates the situation on our
21 key “Safe City” initiative

22 *The Audit letter states that “actions to make York a safer city have been successful in
23 2005/06 in reducing crime, but car crime increased significantly”. This does not really do
24 justice to the improvements that have been made, not just in 2005/06, but also from
25 2003/04 (when the Community Safety Plan started).*

<i>Offences</i>	<i>2003/04 baseline</i>	<i>2006/07 forecast</i>	<i>% Reduction</i>
<i>Vehicle theft (incl. attempts)</i>	<i>1066</i>	<i>653</i>	<i>-38%</i>
<i>Theft from a vehicle (incl. attempts)</i>	<i>3258</i>	<i>2307</i>	<i>-29%</i>
<i>Vehicle interference</i>	<i>544</i>	<i>493</i>	<i>-10%</i>
<i>Domestic burglary (incl. attempts)</i>	<i>2346</i>	<i>1083</i>	<i>-53%</i>
<i>Theft or unauthorised taking of a cycle</i>	<i>1854</i>	<i>1463</i>	<i>-21%</i>
<i>Theft from person</i>	<i>795</i>	<i>398</i>	<i>-50%</i>
<i>Criminal damage (excl. 59)</i>	<i>5379</i>	<i>4176</i>	<i>-23%</i>
<i>Common assault (incl. on a PC)</i>	<i>1488</i>	<i>755</i>	<i>-50%</i>
<i>Woundings (serious and other)</i>	<i>1018</i>	<i>1839</i>	<i>79%</i>
<i>Robbery of personal property</i>	<i>200</i>	<i>161</i>	<i>-20%</i>
<i>Total of selected offences</i>	<i>17948</i>	<i>13328</i>	<i>-25.75%</i>

26 York has reduced crime by nearly 26%, which already exceeds our 2007/08 target of 24%
 27 (which represents the end of the Community Safety Plan period). The report also ignores
 28 the change in citizen perception on community safety which demonstrates that the overall
 29 reduction in crime incidents have made an impact where it matters most.

30 The comment about car crime increasing significantly is also rather misleading and a bit
 31 selective. There are three categories in this crime area – ‘theft of vehicles’, ‘theft from
 32 vehicles’ and ‘vehicle interference’. Only theft from vehicles showed an increase between
 33 2004/05 and 2005/06. This was largely due to a vast increase in the number of Satellite
 34 Navigations systems being stolen from vehicles – something that has been mirrored across
 35 the UK. However, this increase should really be looked at in relation to the past 3 years to
 36 gather a true picture of improvement. (see table below).

Vehicle crime type	2003/04 baseline	2005/06 performance	2006/07 forecast	% change on 2003/04 baseline	% change on 2005/06
Theft of	1066	970	653	-38%	-32%
Theft from	3258	2083	2307	-29%	+11%
Interference	544	770	493	-10%	-36%
Total	4868	3825	3453	-29%	-10%

37 2) Comparative Council Tax levels

38 We have now received confirmation of how the York Council Tax level compares with the
 39 national average. In 06/07 York residents paid **£148** less than the national average for local
 40 public services. Despite increasing demand for services in 07/08 York residents will enjoy
 41 good quality services at a cost which is **£150** less than is paid, on average, by residents in
 42 other parts of the country.

<i>Unitaries</i>	2006/07		2007/08	
Highest	1,267.41	<i>Rutland</i>	1,313.04	<i>Rutland</i>
York	939.77	<i>2nd lowest</i>	982.06	<i>2nd lowest</i>
Lowest	919.44	<i>Bracknell Forest</i>	964.89	<i>Bracknell Forest</i>
Average	1,052.23		1,093.06	

43

<i>All 352 Councils</i>	2006/07		007/08	
Highest	1,278.83	Gateshead	1,324.80	Ipswich
York	939.77	14th lowest	982.06	14th lowest
Lowest	359.63	Wandsworth	377.25	Wandsworth

Average	1,087.87		1,131.98	
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44 **3) Future of the City Archives Service: Progress Update (2:05pm)**

45 The Executive considered the tenders for the improvement of the City's archives service.
 46 Tenderers were required to show how they would meet the vision for the Archives. They
 47 were required to submit 4 method statements dealing with the operational plan; the quality
 48 of the premises to be provided; innovative technologies and how they would contribute to
 49 the York Gateway.

50 Unfortunately none of the tenders were affordable within the Councils limited income.
 51 Consequently officers have been asked to re-examine the specification for the archives
 52 service and report back to the Executive detailing the options for continuing to provide a
 53 quality, affordable archives service within the City. They will also reappraise any new
 54 opportunities that may now be available to either continue to provide the service "in house"
 55 or with alternative York partners.

56 **4) City of York's Local Transport Plan 2006-2011 Capital Settlement**

57 The Executive received a report on the settlement for the second Local Transport Plan that
 58 the Government announced in December 06. We were delighted at the "excellent" rating
 59 that the LTP received and pleased that, as a result, we have received an extra £900,000
 60 over the 5 years of the plan. However, we were very disappointed that the change to a
 61 formulaic funding regime during the preparation period of the plan led to an overall loss of
 62 funding and that this will reduce the work we will be able to undertake to tackle the transport
 63 needs of the City.

64 **5) Quality Bus Controls**

65 The Executive received a report which set out the options available to local authorities to
 66 improve the quality of local bus services, the current legislative and legal framework for
 67 partnership working with bus operators to improve the reliability of bus services and the
 68 Government's recently announced proposals for strengthening Quality Partnerships.

69 The report makes it clear that Quality Bus Contracts could only be used where there are
 70 failing bus services. With bus patronage up 45% in 5 years that is certainly not the case in
 71 York.

72 Despite this tool being available the first Contract in the country is only now being signed
 73 and, in fact, has been overtaken by the Road Transport Bill. The Bill does promise some
 74 more usable measures but at this time the final contents of the Bill are by no means certain.

75 The Council, will of course, make full use of any measures that could improve the provision
 76 of public transport in the City at the earliest opportunity.

77 In view of media comment it should perhaps be made clear that the Council has no powers
 78 to control fare levels on commercial services in the City. Even if new legislation is passed,
 79 then it is highly likely that any control on bus fare levels would involve a subsidy
 80 arrangement with the bus companies – funding for which could only be found by reducing
 81 other public service standards in the City.

82 **6) Park and Ride Bus Contract Options**

83 The Executive looked at options for the procurement of the Park and Ride bus services in
84 the future,

85 The Park and Ride contract is due to be re-tendered and the report not only recommended
86 the process that should be used but also the options that could see significant
87 enhancements to the current service. Although it is anticipated that we can increase the
88 financial return to the authority, money is not the only reward that we should be seeking.

89 Environmental improvements in the form of (minimum) Euro 4 compliant engines and
90 modern vehicles are a pre-requisite as are enhancements for passengers should include
91 the following:-

92 Improved quality of service

93 Route improvements to make use of the Foss basin infrastructure and
94 introduce cross city routes

95 Improved information for passengers to include real time information at P & R
96 sites, bus stops and on directional signs and web based capacity information
97 for the car parks

98 Enhanced facilities at P & R sites and city centre bus stop improvements

99 Introduction of Metro Card use together with improved interconnectivity with
100 other bus services

101 Better bus priority measures to improve reliability

102 Increased capacity at Askham Bar

103 The Executive approved a tendering option whereby the Council would still receive a licence
104 fee but where there would also be an element of revenue sharing dependent on increase
105 patronage. It will therefore be in both parties interest to increase the patronage by ensuring
106 that the service provided meets the needs of both existing and potential customers.

107 **7) Government's Proposals for the Post Office Network**

108 The Executive considered the government consultation document on the future of the Post
109 Office network

110 There are 36 Post Offices in York: 26 are considered Urban and 10 Rural. There is no
111 indication in the government's consultation about what sort of impact their proposed criteria
112 would have on York's Post Office network. It is clear, therefore, that local residents and sub-
113 postmasters will have to put up with a further period of uncertainty about the future of their
114 post office.

115 The proposed *Access Criteria* for Post Offices set out in the consultation document seems
116 to be based upon their decision that 2,500 post offices *need* to be closed. As such, the
117 Access Criteria being consulted upon appears to be arbitrary. The requirement for 95% of
118 the population in Urban areas to be within 1 mile of a Post Office and 95% of the population
119 in Rural areas to be within 3 miles is a lower standard than that set out in the Regional
120 Spatial Strategy for new developments. This states that new housing should be built within
121 10 minutes walk (about 600-1000m) of local services in urban areas and 20 minutes (1200-
122 2000m) in rural areas.

123 The government consultation appears to have taken little notice of the economic impact on
124 local communities of post office closures. A *New Economic Foundation* study in 2006
125 showed that for every £10 earned by a post office, generated £16.20 for the local economy

126 and that the closure of a single post office loses £270,000 from the local economy. The
127 closure of a post office has a significant impact on nearby local businesses and amenities.

128 Over half of people in rural areas use their post offices to access other services and 78% of
129 sub-postmasters run an associated business. These other businesses would clearly be
130 threatened by the removal of their post office activity and its associated custom. There is no
131 indication that the proposed *Outreach* services would do anything to support other local
132 businesses or amenities in the way post offices do. Indeed, the *Outreach* services in rural
133 areas could represent a significant reduction in post office services.

134 In Urban areas, there is little indication of what the social impact a post office closure would
135 have on deprived communities in York. The Post Office Card Account must be retained
136 beyond 2010 as this not only represents the largest source of income for post offices, but
137 also provides people, particularly in the more deprived areas, access to their benefits in
138 their local community.

139 More generally, the £1.7 billion that the government announced as part of the plans for the
140 post office network will largely be spent on retaining the current level of subsidy, paying for
141 the closure of 2500 post offices and absorbing ongoing losses of the Post Office network.
142 Little will be left for real investment for the future of the post office. It is not clear how the
143 proposals set out in the consultation document will do anything other than result in yet more
144 post office closures.

145 The consultation document portrays the current losses of the network as nothing to do with
146 Government policy. However, it is clear that the Government has consistently taken
147 business away from the Post Office- pensions, road tax, TV licenses and passports. These
148 have cost the network £168 million in a single year- more than the Post Office's operating
149 loss in 2006 of £111 million.

150 These issues have now been highlighted to the government

151 **8) Concessionary Travel Scheme for Elderly and Disabled Persons –** 152 **Implications of Appeal by First York**

153 The Executive was advised of the outcome of an appeal by First York, to the Department for
154 Transport for additional reimbursement payments in respect of bus travel concessions, and
155 considered the likely implications of the appeal decision for the Travel Concession Scheme
156 in 2006/07 and 2007/08.

157 The result of this appeal highlighted the fact that this Council received insufficient funding to
158 implement free bus travel for the elderly and disabled persons. The formula for calculating
159 our share of the money available is biased against us and yet again we have to pick up the
160 difference. First appealed in every area that it runs services and all the appeals were
161 granted. It is almost certain that other authorities are in a similar situation too us and will
162 have trouble finding the extra money that they must pay. The LGA must be a key player in
163 this and we will be writing to ask them to campaign for a fairer allocation formula that
164 recognises the actual number of people eligible to claim rather than basing it on an arbitrary
165 measure.

166 **9) Other issues**

167 The Executive has received and agreed proposals on several scrutiny reports over the last
168 few weeks including those on Sustainable development and Confidentiality together with a
169 review of the floods panel recommendations.

170 The Executive approved the adoption of a high level child protection policy for the Council,
171 adopted the Children and Young People's Plan 2007 – 2010, agreed a strategy for the
172 transfer of the Connexions service to the council, agreed the participation of the City of York
173 in a sub-regional housing partnership and governance framework, reviewed raceday traffic
174 arrangements and considered an update on the waste PFI business case

175 The Executive also gave consideration to a Notice of Motion on the Primary Care Trust
176 which has been submitted, via the Executive, under the new Constitutional arrangements

177 Steve Galloway

MEETING	Executive
DATE	27 February 2007
PRESENT	Councillors Waller, Steve Galloway (Chair), Sue Galloway, Macdonald, Orrell, Reid, Runciman, Sunderland and Jamieson-Ball
IN ATTENDANCE	Councillors Bartlett and Kirk

PART B - MATTERS REFERRED TO COUNCIL

174. Children and Young People's Plan

Members considered a report which recommended the adoption of the Children and Young People's Plan 2007-2010 recently approved by the Board of the Children's Trust (YorOK).

Publication of a plan was required under The Children and Young People's Plan (England) Regulations 2005. Although York's current plan covered the period 2005-2008, the authority had decided to update it a year earlier than originally intended. This was to reflect significant changes within the sector since 2005, to align planning in York more closely with the national cycle, to ensure consistency with the Local Area Agreement and to prepare for Joint Area Review in 2008.

Production of the plan had been undertaken through the YorOK Board, who had established a Reference Group to ensure that work progressed in a timely, co-ordinated and high quality manner. The draft plan approved by the Board at their meeting on 17 January was attached as Annex 1 to the report.

RECOMMENDED: That the Children and Young People's Plan 2007-2010, as attached at Annex 1, be approved.

REASON: To improve outcomes for children and young people in York.

S F Galloway, Chair

[The meeting started at 2.00 pm and finished at 3.35 pm].

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**Executive Member for Social Inclusion and Youth report to Full Council,
12th April 2007**

1. York Youth Service

- Following its restructure in 2005 the Youth Service is beginning to deliver much improved and more focused area based provision for young people. The service is now successful in maintaining year round provision at both the 68 Centre and Chapelfields following difficulties in these areas in previous years.
- The area based provision is shortly to be supplemented by the Youth Offer- for which information has been collated and launch is due later in April- ahead of legislation.
- This year has seen the bringing together of the information, advice and guidance services provided by the Youth Enquiry Service and the Connexions shop at Castlegate. The Castlegate one-stop-shop provides an opportunity to test the water for the merger of the Connexions service with the area based youth service provision. The merger will provide opportunities to deliver services to young people in their own communities and not just from a city centre location.
- The Targeted Youth Support Pathfinder in the York West area was led by the Youth Service. It has seen close multi-agency collaboration and was made a success largely due to the officers involved in the project.
- The Youth Service continues to do well in attracting significant outside funding to supplement its core budget. The two Urbie buses are an example of how this works well, with funding received from both Connexions and the Safer York Partnership helping the team to reach more people on the street and in rural areas. When supplemented by other provision for young people, such as the Street Sport Bus and Mobile Skate Park, the Urbie buses help provide a truly mobile youth offer.
- The Positive Activities for Young People programme has been extended to 4 areas and now involves 120 young people. The young people referred to the programme tend to be those most at risk of being caught up in anti-social behaviour. The programme works intensively with the young people during the school holidays, but also often provides alternative learning programmes for those who would otherwise fall into the 'not in education, employment or training' (NEET) category. The PAYP programme has won significant praise both locally and nationally. Nationally it has been upheld as an example of best practice in social integration. Locally, it has been praised in two consecutive years by senior officers of the North Yorkshire

Police force as a major contributing factor in a reduction of crime in some areas of the city.

- The Youth Service are involved in significant cross-departmental working. A recent example of how successful this can be is in the relaunch of the YOzone card which was distributed to over 2,500 young people the first two weeks.

2. Social Inclusion Working Group

- The SIWG is in its first year of existence, whilst it has got off to a good start, it will take time for these new structures to bed in. The agreed structure gives representatives of community organisations reflecting all the equalities strands an opportunity to input into the work of the Council.
- It is the first time that groups such as the LGB forum have had an opportunity to bid for small amounts of funding from the equalities budget to further their work. Grants have been made to the LGB forum, the Older People's Assembly and the York Racial Equality Network. Funding has been allocated to support the greater involvement of young people in the work of the SIWG and the equalities team have been working closely with the representative community groups and the Youth Service to this end.
- Reports have been received on various issues, including a major report about proposals to establish a Centre for Independent Living in York, adult changing places, and the diversity of the Council's workforce.

CITY OF YORK COUNCIL

EXECUTIVE KEY DECISIONS UNDER FORMAL URGENCY PROCEDURES

In accordance with Section 5 of the Council's Access to Information Protocol, this schedule sets out key decisions which have been taken by the Executive and Executive Members under the formal urgency procedures set out in the protocol between March 2006 and March 2007.

Meeting / Date	Report Title / Summary of Key issues	Summary of Decision and Reasons
Executive, 21 March 2006	<p>Possible sites for the relocation of Arc Light – <i>report on the outcome of applying the agreed criteria for a new site for Arc Light to the list of possible sites in York, and recommending a small number of sites for further consultation</i></p>	<p>Executive agreed:</p> <ul style="list-style-type: none"> - to shortlist 4 sites for further consultation - arrangements for the consultation - to receive the outcome of further consultation at their meeting on 2 May. <p><u>Reason:</u> In accordance with the agreed criteria for selection of a suitable site, and to ensure that a proper consultation is carried out in areas that will potentially be affected by the proposed relocation, with a good factual base on which residents can make their representations.</p>
Executive, 10 October 2006	<p>Foss Islands Road – Closure of entrance to Majestic Wine premises – <i>report advising of a serious potential delay to the redevelopment of the Foss Islands area and seeking approval to make an Order under Section 124 of the Highways Act, to close one of the two entrances to premises occupied by Majestic Wine, off Foss Islands Road.</i></p>	<p>Executive agreed that the Order be made.</p> <p><u>Reason:</u> To ensure that a new Traffic Signal controlled junction between Foss Islands Road and the access road to land to be developed adjacent to Foss Islands Road can operate in safety.</p>

<p>Executive 7 November 2006</p>	<p>Extending Cardboard Recycling Collections and Changes to Winter Refuse Collection Arrangements – <i>report presenting proposals to extend cardboard recycling services to the remaining 40,000 City of York residents able to use these services if provided and recommending changes to current waste collection arrangements between 1 December 2006 and 31 March 2007.</i></p>	<p>Executive approved the proposals and agreed to release £66k from reserves and receive a further report to confirm the future funding arrangements. <u>Reason:</u> To improve recycling performance and reduce the amount of waste being sent to landfill.</p>
<p>Executive 13 February 2007</p>	<p>Administrative Accommodation Project - <i>report seeking approval for the appointment of design and construction partners for the Administration Project. (Referred to the Executive in accordance with requirements in Financial Regulations to obtain Member approval in cases where the preferred bidder has not submitted the lowest priced bid.)</i></p>	<p>Executive agreed:</p> <p>a) To approve the following appointments:</p> <ul style="list-style-type: none"> - RMJM Ltd. as the Architect, Structural Engineer, Space Planner and Planning Supervisor for the Administrative Accommodation project; - Gifford as the Mechanical and Electrical Engineer for the project; - WT Partnership as the Quantity Surveyor for the project. <p><u>Reason:</u> In order to achieve the best quality of service for the project within the available budget and to avoid unnecessary delay.</p> <p>b) That the appointments be subject to the Chief Executive arranging for another department of the Council to carry out an independent review of the reasoning behind the decisions of the Corporate Landlord in those cases where he has not recommended acceptance of the lowest tender.</p>

		<p><u>Reason:</u> So that Members can be absolutely certain that, whilst the appointments are all within budget for the project, the additional expenditure occasioned by not accepting the lowest tenders is justified on the grounds of mitigating risk and adding value and quality to the scheme.</p>
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City of York Council

Minutes

MEETING	STANDARDS COMMITTEE
DATE	9 MARCH 2007
PRESENT	CHRISTINE BAINTON (INDEPENDENT MEMBER, IN THE CHAIR), COUNCILLORS I WAUDBY (VICE-CHAIR), SCOTT, RITA LEAMAN (INDEPENDENT MEMBER) AND DON CRAWFORD (PARISH COUNCIL MEMBER)
APOLOGIES	COUNCILLOR D'AGORNE

PART B – MATTERS REFERRED TO COUNCIL**66. ANNUAL REPORT OF STANDARDS COMMITTEE 2006-2007**

Members considered a report which set out a review of the work carried out by the Standards Committee at City of York Council during the municipal year 2006/07.

The report detailed that there had been five allegations reported to the Standards Board for England against City of York Council Members during the municipal year 2006/07. On each of those occasions, the Standards Board had determined that no breach of the code had occurred. It was noted that in the case of allegations made against Parish Councils and Parish Councillors, a Monitoring Officer would only be informed when a breach had been determined and an investigation was required.

RECOMMENDED: That the contents of the Annual Report be noted and it be referred to full Council.

REASON: To inform Council of the activities of the Standards Committee during the municipal year 2006/07.

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STANDARDS COMMITTEE

9 March 2007

Report of the Head of Civic, Democratic and Legal Services

THE ANNUAL REPORT OF THE STANDARDS COMMITTEE

Summary

1. This report sets out a review of the work carried out by the Standards Committee at City of York Council during the municipal year 2006/07.

Background

2. The Standards Committee has met formally on five occasions during the municipal year 2006/07 on 19 May 2006, 6 October 2006, 17 November 2006, 26 January 2007 and 9 March 2007. In addition, there have been some informal meetings where the Standards Committee has considered the recruitment of a new Chair for the Committee and the consultation document on the proposed amendments to the Members' Code of Conduct.
3. The Standards Committee has an approved work plan, which is reviewed at each meeting, to assess the progress made against agreed areas for consideration. The most up-to-date version of the work plan is attached to this report at Annex 1.
4. In addition, the Standards Committee has continued to review and monitor advice from the Standards Board for England regarding interpretation of the Code of Conduct for Members and attended training on Local Investigations. The Monitoring Officer has reported verbally to the Standards Committee in respect of complaints to the Standards Board for England regarding the conduct of Members in the York district where such information is in the public domain.
5. During the municipal year 2006/07 the Monitoring Officer has been notified of five allegations reported to the Standards Board for England against City of York Council elected Members. On each of these matters the Standards Board for England has determined that a breach of the Code had not occurred. The Monitoring Officer is not notified of allegations made against Parish Councillors unless they are referred to the Monitoring Officer for local investigation. There have been no referrals during the municipal year post 2006/07.

6. Set out below are the specific tasks the Standards Board agreed to undertake, together with other issues that have arisen during this municipal year.

Recruitment of a new Independent Chair for the Standards Committee

At the end of the last municipal year Roger McMeeking stood down as the Independent Chair of the Standards Committee. A recruitment exercise was undertaken to appoint a new Chair. Christine Bainton was appointed as the new Independent Chair of the Standards Committee at the Council meeting on 5 October 2006.

Tenth Report of the Committee on Standards in Public Life

The Standards Committee have considered the Tenth Report of the Committee on Standards in Public Life and specifically the recommendations on public appointments, the ethical standards framework for local government, proportionality, culture and how the seven principles of public life can be embedded into organisational culture.

Review of the Complaints Procedure

The Standards Committee has continued to monitor the progress in the review of the Council's Complaints Procedure and both Rita Leaman (Independent Member of the Standards Committee) and the Head of Civic, Democratic and Legal Services continue to attend the Project Team meetings to provide a link with the Standards Committee. The Standards Committee expects to comment formally on the proposed amendments shortly.

National Standards Board for England Conference

The Head of Civic, Democratic and Legal Services attended the Standards Board for England National Conference on 16 and 17 October 2006. The main issue for discussion at the Conference were the proposed changes to the Code of Conduct and the Role of the Standards Board for England. A report on the issues raised at the Conference was considered by the Standards Committee at their meeting on 17 November 2006.

Advice to Elected Members and Senior Officers regarding activities during the pre-Election period

The Standards Committee had a discussion on issues around the relationship of Officers and Members and activities during the pre-election period. The Standards Committee considered a letter drafted by the Head of Civic, Democratic and Legal Services, which was subsequently circulated to all Members and Senior Officers.

Ethical Governance Audit

The Standards Committee has considered the proposed Ethical Governance Audit and reiterated its commitment to participating and supporting progression of the Audit. In addition, consideration would be given as to how the Standards

Committee can lead in any improvement programme identified as a result of the Audit.

Amendments to the National Code of Conduct for Local Authority Elected Members

The Standards Committee has met and discussed in detail the proposed amendments to the Code of Conduct and has submitted a formal response.

Consultation

7. The Standards Committee continues to consult with Parish Councils through their representatives on the Committee.

Options

8. Not applicable – this report is for information.

Analysis

9. Not applicable – this report is for information.

Corporate Priorities

10. The effectiveness of the Standards Committee is a core part of the Council's ethical governance arrangements. As such, it makes a contribution towards improving leadership at all levels and providing clear, consistent direction to the organisation.

Implications

11. There are no Financial, HR, Equalities, Legal, Crime and Disorder, IT, Property or other implications in this report.

Risk Management

12. The functions of the Standards Committee contribute to ensuring appropriate ethical arrangements are in place and understood and as such reduce the risk of complaints made against the Council regarding its decision-making processes.

Recommendations

13. 1) That Members of the Standards Committee note and comment on the Annual Report

Reason: To ensure the Annual report reflects the activities of the Standards Committee during the municipal year 2006/07

- 2) That Members of the Standards Committee approve the report, together with any amendments, to be referred to Full Council.

Reason: To comply with the provisions of the Council's Constitution.

Contact Details

Author:

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Head of Civic, Democratic and
Legal Services
Chief Executive's Department
Tel No. 01904 551004

Chief Officer Responsible for the report:

Suzan Hemingway
Head of Civic, Democratic and Legal Services

Report Approved

Date 26 February 2007

Specialist Implications Officer(s)

None

Wards Affected: List wards or tick box to indicate all

All

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex 1 - The Standards Committee Work Plan

2006/07 Workplan for Standards Committee

Ongoing Activities

Cases referred for investigation or determination
 Database of Standards Committee topics
 Standards Board Guidance
 Parish Council Issues
 Member and Officer Training

Programme of New Work

<u>Programme of New Work</u>	<u>Meeting Date</u>	<u>Communication / Strategic Activity</u>
Confidentiality and Transparency – Conclusions of the Executive on the report of the Scrutiny Panel	26 January 2007	
Amendments to the Members' Code of Conduct	26 January 2007	
Advice to Elected Members re activities during the purdah period	26 January 2007	
Ethical Governance Audit	26 January 2007	
Presentation on new Committee Management System	TBA	
Annual Report	23 March 2007	
Report of the Committee on Standards in Public Life	TBA	
Parish Councils – Good Practice at Meetings	May 2007	
Review of the Complaints Procedure	TBA	
Employee Code of Conduct – Member/Officer training.	2006/07	

Programme of New Work

Meeting Date

Communication / Strategic Activity

Full Ethical Audit

2006/07

Yes

Comprehensive Performance Assessment (CPA) – contribution of Standards Committee

TBA (Late 2007)

Scrutiny Report to Full Council – 12 April 2007

Scrutiny Management Committee

Since my last report to Full Council on 25 January, the Scrutiny Management Committee has met three times:

- i. On 29 January 2007 SMC considered:
 - a report setting a proposed remit for a new scrutiny topic on Traffic Congestion
 - An interim report from the Highways Maintenance & PFI Ad-hoc Scrutiny Committee providing an update on progress made with Part A of the review of Highways Maintenance Procurement
- ii. On 26 February 2007 SMC considered:
 - A report from the Director of City Strategy providing advice on the recommendations made by the Planning & Transport Scrutiny Board now called the Sustainable Development Scrutiny Sub-Committee in connection with their final report on 'Guidance for Sustainable Development'.
 - An update on the implementation of the recommendations made as a result of the scrutiny reviews completed since 2004.
- iii. On 26 March 2007 SMC considered:
 - The final report from the Highways Maintenance Ad-hoc Scrutiny Sub-Committee, looking at Part A of the review on procurement arrangements for highways maintenance.
 - A final report from Education Scrutiny Committee, looking at home to school transport services
 - An interim report of the Tang Hall Area Asset Management Plan Sub-Committee, looking at consultation processes and feedback to assist the development of the first Tang Hall Area Asset Management Plan.
 - An update report on progress with developing existing facilities available through the on-line Committee Management System to assist with the tracking of progress with registered scrutiny topics.

Scrutiny Calling-In Function

Since my last report to Full Council on 25 January SMC has not been required to meet in its constitutional calling-in capacity.

Scrutiny Committees

- The Education Scrutiny Committee have completed their review of home-to-school transport contracts, and how pupil safety can be maximised for primary schools. Its recommendations are due to be considered by the Executive on 24 April.

- The Health Scrutiny Committee have been considering the proposed financial recovery plan prepared by the new North Yorkshire and York PCT in order to reduce their expected deficit at the end of the financial year. Members have been concerned about the affects of changes contained in the recovery plan on the citizens of York.
- Close liaison is taking place with York District Hospital to keep members informed about the changes to the capacity of the hospital which are a result of the reduction in the contract with the PCT.
- Members are also being kept updated on the service level agreements with CYC's Adult Social Services and many voluntary sector organisations in York which provide services commissioned by the PCT.
- On 31 January members held a Health forum to which all interested parties were invited in order to discuss their concerns about health services within York. This was well attended and positively received by all participants.
- Members are currently working on their contribution to the Annual Healthcheck which is the self-assessment process which all NHS Trusts must participate in each year. Health OSCs are invited to make a commentary on the core standards which NHS Trusts are assessed against and this is reported verbatim to the Healthcare Commission
- Members are also concerned about dental services in York and are receiving regular reports on the numbers of patients waiting to be allocated to a dentist and also reports about practices running out of units of dental activity before the end of the financial year.
- The waiting list for podiatry services is another area of concern and members are expecting to have an update on this from the PCT at their meeting on 2 April.

Ad-hoc Scrutiny Sub-Committees

There are presently two ad-hoc scrutiny sub-committees set up to scrutinise:

- Use of Council-Owned Land in Tang Hall Area
The final meeting of this Ad-hoc Scrutiny sub-Committee is scheduled for 24 April 2007. SMC will consider its final report at their first meeting in the new municipal year.
- Highways Maintenance Procurement
Work has been completed on part A of the remit for this review and Part B is scheduled to start in the new municipal year. In order to provide continuity in the review, it has been agreed that the same Members will make up this sub-committee, subject to the results of the election.

Since my last report to Council, Scrutiny Services has appointed a permanent replacement for Ruth Sherratt and I would like to take this opportunity to welcome Melanie Carr to her role as Scrutiny Officer.

Work continues in Scrutiny to enhance its work programming processes. Members are now able to register scrutiny topics for review on-line via the new Committee Management System and work is ongoing to produce a Scrutiny Forward Plan which will allow Members to receive up-to-date information on forthcoming, on-going and completed scrutiny reviews.

Councillor M Kirk,
Chair, Scrutiny Management Committee.

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Membership of Committees, Working Groups and Outside Bodies**SCHOOL ADMISSION APPEALS PANELLISTS**

Christine Burt
Jenny Caldwell
Joyce Clarke
A R Cook
Michael Daly
Ian Dolben
Pauline Ensor
Valerie Foote
Colette Haynes
Jill Hetheron
R A Hewitt
Ron Humphrys
Malcolm Hutton
Keith Jacklin
Alison Jewitt
Philip Johnston
Trevor Langton
Olwen Petrie
Roger Shenton
Jill Thompson
Joan Visick
Alison Yarrow

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