

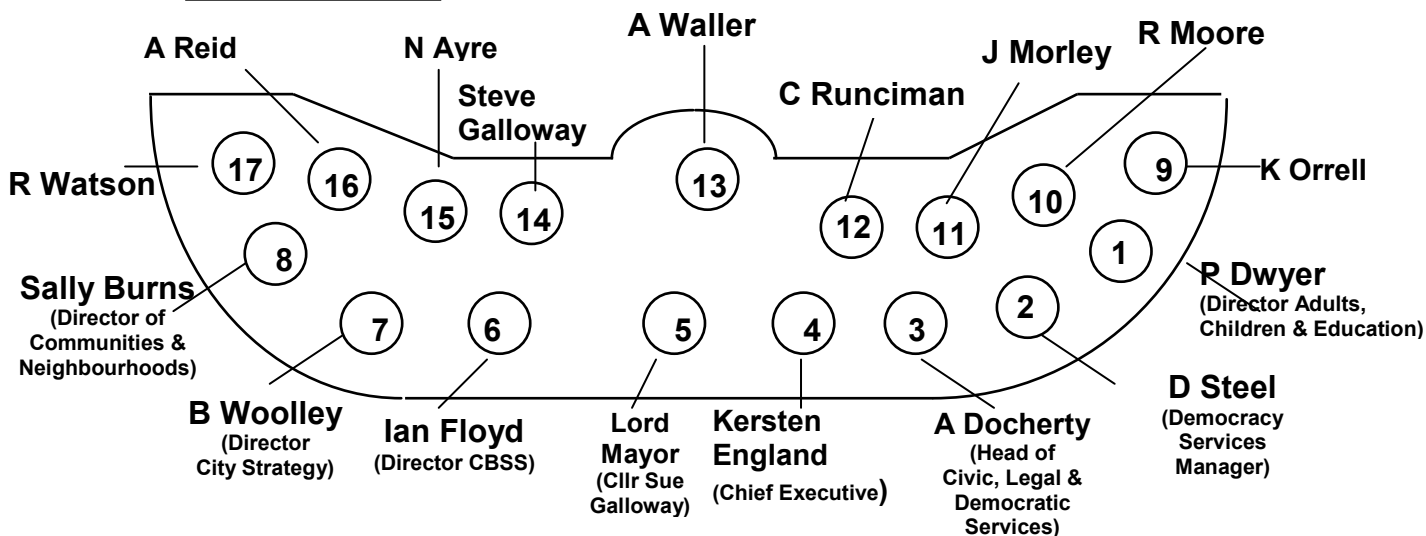
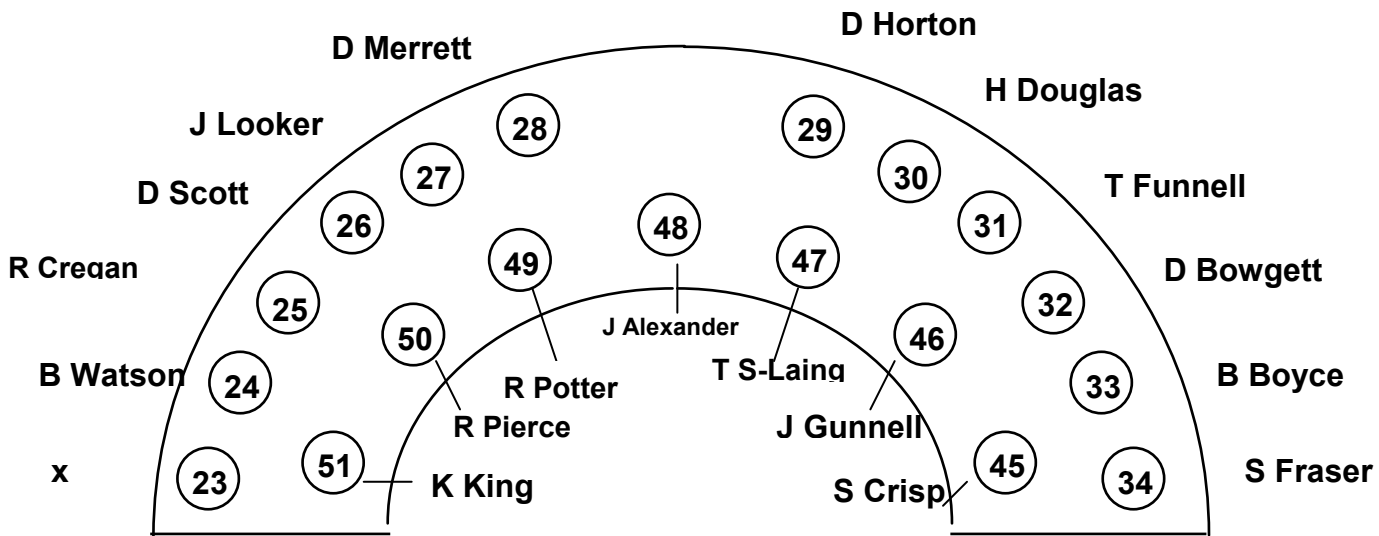
## CITY OF YORK COUNCIL SUMMONS

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, 9 December 2010 at 6.40 pm (*or on the rising of the Special Council meeting to be held at 6:35pm*)



# COUNCIL CHAMBER



## **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 - 28)**

To approve and sign the minutes of the Council meeting held on 7 October 2010.

### **3. Civic Announcements and Lord Mayor Elect**

To consider any announcements made by the Lord Mayor in respect of Civic business, and in particular the nomination of the Lord Mayor Elect and the Sheriff of York for the Municipal Year 2011/12.

### **4. Public Participation**

At this point in the meeting, any member of the public who has registered to address the Council, or to ask a Member of the Council a question, on a matter directly relevant to the business of the Council or the City, may do so. The deadline for registering is **5:00pm on Wednesday, 8 December 2010.**

### **5. Petitions**

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

- (i) Cllr Alexander, on behalf of local residents, regarding Council action required on parking along University Road.
- (ii) Cllr Jamieson-Ball, on behalf of residents of Heslington Village, regarding parking on University Road.
- (iii) Cllr Simpson-Laing, on behalf of residents seeking a 20 mph speed limit on Grayshon Drive.

- (iv) Cllr Horton, on behalf of residents seeking a 20 mph speed limit on Melwood Grove.
- (v) Cllr Horton, on behalf of residents seeking a 20 mph speed limit on Sherwood Grove.
- (vi) Cllr Simpson-Laing, on behalf of residents requesting the re-installation of static bollards on Low Poppleton Lane.

**6. Report of Executive Leader and Executive Recommendations** (Pages 29 - 50)

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.

**The reports on which these recommendations were based can be viewed on the Council’s website as part of the published agendas for the relevant meetings. Links are provided under the meeting dates set out below:**

Meeting	Date	Recommendations
Executive	5 October 2010 <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&amp;MId=5496&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&amp;MId=5496&amp;Ver=4</a>	Minute 86: <i>Reference Report – National Service Planning Requirements for Environmental Health and Trading Standards</i> (to approve food law enforcement plan)
Executive	2 November 2010 <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&amp;MId=5498&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&amp;MId=5498&amp;Ver=4</a>	Minute 103 : <i>Sustaining the More for York Programme and Creating the Office of the Chief Executive</i> (to approve funding arrangements).

Executive	16 November 2010 <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&amp;MId=5499&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&amp;MId=5499&amp;Ver=4</a>	Minute 114: <i>Capital Programme – Monitor 2</i> (to approve amendments to the programme)  Minute 115: <i>2011-12 Budget Update 1 – Spending Review Implications</i> (to approve additional investment costs for trade union facility time)
Executive	30 November 2010 <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&amp;MId=5500&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&amp;MId=5500&amp;Ver=4</a>	Minute 128: <i>Award of Long Term Waste Management Contract</i> (to approve award of contract and budgetary provision)  <i>Note: printed copies of the report to Executive on the above item were circulated to all Council Members prior to the Executive meeting.</i>

**7. Recommendations of the Audit & Governance Committee - Annual Report** (Pages 51 - 62)

To consider the following recommendation for approval from the Audit & Governance Committee:

Date of Meeting	Recommendations
29 September 2010	Minute 38: <i>Annual Report of the Audit &amp; Governance Committee</i> (to receive the Annual Report)  <i>Note: a copy of the Annual Report is attached.</i>

**8. Recommendations of the Gambling & Licensing Acts Committee** (Pages 63 - 64)

To consider the following recommendation for approval from the Gambling & Licensing Acts Committee:

Date of Meeting	Recommendations
19 November 2010	Minute 14: <i>Review of Statement of Licensing Policy (Licensing Act 2003)</i> (to adopt the draft statement of licensing policy) <u>Note:</u> the draft statement of policy can be viewed on the link below: <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=606&amp;MId=5440&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=606&amp;MId=5440&amp;Ver=4</a>

**9. Scrutiny - Report of the Chair of the Scrutiny Management Committee** (Pages 65 - 68)

To receive a report from Councillor Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC, which includes a recommendation for the appointment of a Statutory Scrutiny Officer.

**10. Report of Executive Member** (Pages 69 - 76)

To receive a written report from the Executive Member for Neighbourhood Services, 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 8.2.1.

**11. Activities of Outside Bodies**

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

<http://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):

- NHS Foundation Trust – minutes of meeting on 21 April 2010
- Without Walls Partnership – minutes of meeting on 17 September 2010

Members are invited to put any questions to the Council's

representatives on the above bodies, in accordance with Standing Order 10(b).

**12. Appointments and Changes to Membership (Pages 77 - 80)**

To consider the appointments and changes to membership of committees and outside bodies set out on the list attached to this summons.

**13. Notices of Motion**

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

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

None

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

(i) From Cllr Aspden

“Council notes that our universities must be fully funded if they are to continue to provide high quality education to students.

Council believes it was a mistake for the Labour government to introduce tuition fees in 1998, despite a manifesto commitment not to, and furthermore believes it was a mistake for the Labour government to introduce £3,000 per year top up fees in 2004.

Council believes that the government’s proposals improve on the system introduced by the Labour government in a number of ways, including:

- Increasing the repayment threshold from £15,000 to £21,000
- Ending up-front fees for part-time students
- More generous grants for lowest income students
- Ensuring all students will repay less per month than they currently pay



However, Council believes that instead of increasing top-up fees, all tuition fees should be phased out, so that students are not penalised with thousands of pounds worth of debt for entering into higher education.

Council directs that a copy of this motion is sent to both local MPs, asking them to vote against the coming increases, with a copy to both the University of York and York St John University management boards and the Student Union presidents.”

(ii) From Cllr Alexander

“Despite their respective manifesto pledges to scrap university tuition fees and increase university places, the Liberal Democrat / Tory coalition government has increased fees to up to £9k per annum and cut university places.

Despite Michael Gove’s commitment to keep the Education Maintenance Allowance, the government has announced that it is to be abolished.

Council believes that:

- Education is the main vehicle for social mobility and that talented and hardworking people should have the right to go into further and higher education based on ability and not on their financial position;
- Scrapping the EMA will not help maintain the existing level, or increase the numbers, of young people going into further education;
- Increasing tuition fees will not help maintain the existing level, or increase the numbers, of young people going into further education;
- Students contribute large amounts to York through spending in the local economy, working in often low-paid jobs and carrying out voluntary work;
- The Conservatives have betrayed voters in further education by promising to scrap tuition fees in opposition and increasing them in office.

Council resolves:

- That the Chief Executive be requested to invite staff and student representatives of York College, Askham Bryan, York St John University and the University of York to an open meeting with Group Leaders to discuss future access to post-16 education; and
- That the Chief Executive be requested to write to Hugh Bayley MP and Julian Sturdy MP requesting that they vote against any lifting of the tuition fees cap at this difficult financial time.”

(iii) From Cllr Gillies

“Council notes that the Executive is due to consider a report on affordable housing at its meeting scheduled for the 14<sup>th</sup> December. Council urges the Executive to take action to address the very low number of new building starts on homes in the City over the last 18 months.

In particular, the Council would wish the Executive to consider to what extent the present policy relating to Affordable Housing has failed to produce a solution to York’s need for Social, Starter and Family housing, as Council believes that existing policies may be too restrictive and unworkable in the present financial climate.

Acknowledging that work is taking place to address the situation through the Local Development Framework Document, Council believes that we must be proactive in order to stimulate house building of any kind, regardless of ideology, and therefore the City should work with developers and others to ease this logjam whilst demand for affordable properties continues to rise.

Therefore the Council calls on the Executive to consider:

1. A temporary two-year substantial reduction in the percentage affordable homes requirement to stimulate the “Affordable” element of the house building market.
2. An end to ‘Pepper-potting’.

Council recognises that any new policy would allow developers to seek variations to existing permissions. Council believes that a temporary change to planning

policies will provide a platform which will challenge developers, and others, to provide the homes that are needed in the City, while providing additional employment in the building industry.”

(iv) From Cllr Simpson-Laing

“Council notes:

- That since last year both the Prime Minister and the Executive Leader have sought to convince the public that cuts are deliverable without compulsory redundancies;
- Council finance officers’ recent confirmation that compulsory redundancies in the Council are unavoidable;
- The Liberal Democrats’ u-turn on the economic impact of wholesale public spending cuts, from before May to after the General Election;
- The Conservative / Liberal Democrat Government’s Emergency Budget and Comprehensive Spending Review;
- The projected loss of 200 posts before the CSR and, following the announcement of a 28% cut in the Council’s funding until 2014/15, a further 400+ projected after the CSR;
- The Conservative / Liberal Democrat Government reversing the duty to consider the socio-economic impact of cuts under the Equality Act 2010;
- That bankers created the global economic crisis, not council staff or ordinary working people.

Council believes:

- That both the Conservatives’ and the Liberal Democrats’ national party leaders have betrayed voters by making wildly inaccurate predictions about job losses and by changing economic policy in order to take the reigns of power respectively;
- That swingeing cuts to public services are being made for ideological reasons and threaten Britain’s fragile economic recovery; and
- That the Liberal Democrats’ wasteful spending with

resident's money locally has resulted in the need for more job cuts than would otherwise have been necessary.

Council resolves:

- That the Council Leader be called on to publicly apologise to staff for his inaccurate comments and for his party's role both nationally and locally in the need to cut 600+ posts in the Council;
- That the Chief Executive write to the Prime Minister expressing Council's disappointment at his misleading the public on the issue of compulsory redundancies, both front-line and elsewhere; and
- That all budget reports placed before Members should as soon as reasonably practicable include an assessment of the socio-economic impact of the various options within the report."

(v) From Cllr Steve Galloway

"Council notes the decision by the Government to place the Access York (Phase 1) scheme on the list of 'development' schemes to bid for a share of £600m of funding to be allocated by the end of 2011.

Council believes the Access York scheme is vital for reducing congestion in the City.

Council believes it is important to show public support for the scheme in order to secure a positive decision from the Government and therefore welcomes the 'Get York Moving' campaign by the Press.

Council encourages residents and businesses to support the 'Get York Moving' campaign to send a clear message of support to the Government for the Access York scheme and asks the Chief Executive to write to the Transport Secretary to invite him to York to see the benefits that the scheme could provide for the City."

#### **14. 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 11.3(a):

- (i) To the Executive Leader, from Cllr Alexander:  
“The new Council HQ was originally predicted to save £29m. The current estimate is £17m - please could the Executive Leader explain the drop?”
- (ii) To the Executive Leader, from Cllr Firth:  
“Can the Executive Leader explain what work is being done to ensure that the construction of the new Council HQ utilises local labour as much as possible?”
- (iii) To the Executive Leader, from Cllr Orrell:  
“Will the Executive Leader agree to provide more Council owned space for Edible York to use?”
- (iv) To the Executive Leader, from Cllr R Watson:  
“Would the Leader of the Council indicate the total number of crimes committee in the City in each year since 2003?”
- (v) To the Executive Leader, from Cllr Jamieson-Ball:  
“Would the Leader of the Council indicate how York unemployment levels have compared with the regional and national average at the end of each of the last 8 years?”
- (vi) To the Executive Member for City Strategy, from Cllr Simpson-Laing:  
“Will the Executive Member for City Strategy please inform Council of the total number of staff hours that have been spent on the “rising bollard” on Low Poppleton Lane since its installation and the resulting financial cost?”
- (vii) To the Executive Member for City Strategy, from Cllr D’Agorne:  
“Would the Executive Member please state what salt stocks are left for the rest of winter and what action is being taken to address public concern about clearance of snow and ice from footpaths and cycle lanes / tracks?”

- (viii) To the Executive Member for City Strategy, from Cllr Hogg:  
“Would the Executive Member for City Strategy indicate how many KSI traffic accidents have been recorded in each of the last 8 years in the City?”
- (ix) To the Executive Member for City Strategy, from Cllr Sunderland:  
“Would the Executive Member for City Strategy indicate:  
a) how many bus passenger journeys and  
b) how many park and ride journeys  
were made in each of the last 8 years?”
- (x) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Merrett:  
“Would the Executive Member for Leisure, Culture and Social Inclusion please indicate how much of last year’s Ward Committee carry forwards, itemised by Ward, have now been delivered? Where they have failed to be delivered please could an explanation be given?”
- (xi) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr B Watson:  
“Will the Executive Member for Leisure, Culture and Social Inclusion please inform Council what is proposed to happen to the former Manor School when Global's lease runs out in 2011?”
- (xii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Hogg:  
“Would the Executive Member for Leisure, Culture & Social Inclusion indicate how many visits were made to each of our libraries each year since 2003?”
- (xiii) To the Executive Member for Neighbourhood Services, from Cllr D’Agorne:  
“What provision is being made for residents in flats and terraced houses to have smaller recycling boxes or communal facilities for recycling?”

- (xiv) To the Executive Member for Health & Adult Social Services, from Cllr Hyman:  
“Is the Executive Member for Health & Adult Social Services able to give details of the CQC Assessment of Performance in Adult Social Care for 2009/10?”
- (xv) To the Executive Member for Children & Young People’s Services, from Cllr Kirk:  
“Can the Executive Member tell Council about the outcome of the recent inspection of the Youth Offending Team?”
- (xvi) To the Executive Member for Children & Young People’s Services, from Cllr Waudby:  
“Can the Executive Member explain the discrepancy between the figure for A-Level results calculated locally and the figure released by the Department for Education in October, which was reported in the local media?”
- (xvii) To the Executive Member for Children & Young People’s Services, from Cllr Aspden:  
“Would the Executive Member for Children’s Services tell us how many children have received 5 A-C exam grades in each year since 2003?”
- (xviii) To the Executive Member for Corporate Services, from Cllr Firth:  
“Can the Executive Member give the Council details of the contents of this year’s annual audit letter?”
- (xix) To the Executive Member for Corporate Services, from Cllr Kirk:  
“Could the Executive Member for Corporate Services advise on the success or otherwise of the 24-hour benefit processing pledge?”

## **15. Urgent Business**

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

Democracy Officer for this meeting:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – [fiona.young@york.gov.uk](mailto:fiona.young@york.gov.uk)

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

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

Contact details are set out above.



**CITY OF YORK COUNCIL**

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 7th October, 2010, starting at 6.30 pm

**Present:** The Lord Mayor (Cllr Sue Galloway) in the Chair, and the following Councillors:

ACOMB WARD	BISHOPTHORPE WARD
Simpson-Laing	Galvin
CLIFTON WARD	DERWENT WARD
Douglas King Scott	Brooks
DRINGHOUSES & WOODTHORPE WARD	FISHERGATE WARD
Holvey Reid Sunderland	D'Agorne Taylor
FULFORD WARD	GUILDHALL WARD
Aspden	Looker B Watson
HAXBY & WIGGINTON WARD	HESLINGTON WARD
Firth Hogg R Watson	Jamieson-Ball
HEWORTH WARD	HEWORTH WITHOUT WARD
Boyce Funnell Potter	Ayre
HOLGATE WARD	HULL ROAD WARD
Alexander Bowgett Crisp	Cregan

HUNTINGTON & NEW EARSWICK  
WARD

Hyman  
Runciman

MICKLEGATE WARD

Fraser  
Gunnell  
Merrett

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Gillies  
Healey  
Hudson

SKELTON, RAWCLIFFE & CLIFTON  
WITHOUT WARD

Moore  
Watt  
Waudby

STRENSALL WARD

Kirk  
Wiseman

WESTFIELD WARD

Steve Galloway  
Waller

WHELDRAKE WARD

Vassie

Apologies for absence were received from Councillors Horton and Orrell

**27. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Cllr Morley declared a personal and prejudicial interest in agenda item 16B(iv) (the notice of motion relating to selective licensing), as the owner of premises that could potentially be subject to selective licensing powers. He left the Chamber during consideration of this motion and took no part in the debate or vote thereon.

Cllr Potter declared a personal interest in agenda item 16B(i) (the notice of motion relating to an alternative voting system), as a member of *Make Votes Count*.

**28. EXCLUSION OF PRESS AND PUBLIC**

Cllr Waller moved, and Cllr Runciman seconded:

“That the press and public be excluded from the Chamber during consideration of the recommendations contained in Executive Minute 75 (The Barbican Auditorium) and the associated report, on the grounds that the discussion will include reference to 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 revised by The Local Government (Access to Information) (Variation) Order 2006).”

RESOLVED: That the above motion be approved and that the press and public be excluded from the Chamber during consideration of the recommendations on the Barbican Auditorium.

**29. MINUTES**

RESOLVED: That the minutes of the Council meeting held on 15 July 2010 be approved and signed by the Chair as a correct record.

**30. CIVIC ANNOUNCEMENTS**

The Lord Mayor announced that:

- the Council's *Green Santa Challenge* and *Choose & Re-use* fashion show had been selected as finalists in the Best Waste Minimisation or Prevention projects, the results to be decided in November;
- the Council had been named as 'Best City' in the *Yorkshire in Bloom* awards;
- the Council had been awarded the Local Government Improvement and Development Charter;

- Cllrs Ann Reid and Brian Watson had been shortlisted as candidates for *Elected Member of the Year* in the Yorkshire & Humber Region, the results to be announced in October.

The Lord Mayor then extended her congratulations to York City Knights, on their success in Co-operative Championship Finals Day, and to Laura Campbell and Joseph Hadfield, on winning gold, silver & bronze medals at Special Olympics in Warsaw. Events to mark both these sporting achievements were currently being organised.

### **31. PUBLIC PARTICIPATION**

It was reported that there had been six registrations to speak at the meeting under the Council's Public Participation Scheme.

Isobel Waddington, of Murton Parish Council spoke in support of the petition to be presented by Cllr Morley, seeking the introduction of a 20 mph zone in Murton village.

Mike Longhurst spoke in support of the petition to be presented by Cllr Boyce, objecting to the discontinuation of the key-holding service by Warden Call.

Elizabeth Casling spoke on behalf of residents of Deighton, Wheldrake and Escrick villages, asking the Council to enforce existing planning conditions requiring the former site of North Selby Mine to be returned to agricultural use, rather than approving the site as an area for potential re-development.

Felicity Williams spoke in support of the motion on electoral reform to be moved by Cllr Vassie.

Simon Rodgers spoke in support of the motion to be moved by Cllr Reid concerning council housing in the City.

Niall McTurk, as Chair of York Residential Landlords Association, spoke in opposition to the petition to be presented by Cllr Cregan seeking an application for selective licensing powers over properties in Hull Road Ward.

### **32. PETITIONS**

Under Standing Order 7, petitions were presented by:

- (i) Cllr Morley, on behalf of residents of Murton, calling for the introduction of a 20 mph zone in their village.<sup>1</sup>
- (ii) Cllr Potter, on behalf of residents of Heworth Ward objecting to the cutting of the no. 13 bus service and calling on First York to re-instate the service.<sup>2</sup>

- (iii) Cllr Runciman, on behalf of residents of Huntington, asking the Council to investigate measures to address speeding traffic on New Lane.<sup>3</sup>
- (iv) Cllr Douglas, on behalf of residents calling on the Council to introduce segregation on the cycle / pedestrian track along Crichton Avenue bridge.<sup>4</sup>
- (v) Cllr Boyce, on behalf of residents of Heworth, objecting to the discontinuation of the key-holding service by Warden Call and calling on the Council to continue the service.<sup>5</sup>
- (vi) Cllr Crisp, on behalf of residents of Holgate, calling on the Council to address the problem of commuter parking on Aldborough Way.<sup>6</sup>
- (vii) Cllr Cregan, on behalf of residents of Hull Road, asking the Council to apply for selective licensing powers over houses in multiple occupation in Hull Road Ward.<sup>7</sup>

Action Required

1-4 and 6: Schedule items on Forward Plan for suitable meetings and keep relevant Members updated on progress	SS
5. Schedule item on Forward Plan for suitable meeting and keep relevant Member informed	ST
7. Schedule item on Forward Plan for suitable meeting and keep relevant Member informed	KS

**33. STANDARDS COMMITTEE ANNUAL REPORT**

The Lord Mayor announced that she would use her discretion to vary the order of the agenda in order to deal at this point with agenda item 7, the Standards Committee Annual Report.

Mrs Christine Bainton, the Independent Chair of the Standards Committee, then presented the Annual Report of the Standards Committee for the Municipal Year 2009/10.

Mrs Bainton moved receipt of the Annual Report, Cllr Hudson seconded the motion and it was

RESOLVED: That the Annual Report of the Standards Committee for 2009/10 be received.

**34. REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS**

A written report was received from the Executive Leader, Cllr Andrew Waller, on the work of the Executive.

Cllr Waller then moved, and Cllr Runciman seconded, the following recommendations under Minute 61 of the Executive meeting held on 7 September 2010 (*Capital Programme – Monitor 1*):

- “(i) That Council approve the net adjustments of £447k in 2010/11 and £641k in 2011/12, as set out on a scheme by scheme basis in the report and contained in Annex A.*
- (ii) That Council approve an addition to the capital programme in 2010/11 of £1m, in the form of a loan to Yorwaste, in which the Council holds a 22.7% stake.”<sup>1</sup>*

On being put to the vote, the recommendations were declared CARRIED.

The press and public having been excluded from the meeting in accordance with the resolution previously agreed by Council, Cllr Waller moved, and Cllr Runciman seconded, the following recommendation under Minute 75 of the Executive meeting held on 21 September 2010 (*The Barbican Auditorium*):

*“That Council approve the financial implications relating to the capital programme contained in exempt Annex 4 to the report”<sup>2</sup>*

as clarified by the following recommendation contained in the additional report on the Barbican Auditorium published with the Council agenda and circulated around the Chamber:

*“Council is asked to approve an increase in the capital programme of up to £1.113m for the Barbican project and to approve the use of prudential borrowing to fund this. The revenue costs incurred by the Council as a result of the prudential borrowing will be met by SMG’s rental payments.”<sup>2</sup>*

On being put to the vote, the recommendations were declared CARRIED.

Cllr Waller then moved, and Cllr Runciman seconded, the following recommendations under Minute 76 of the Executive meeting held on 21 September 2010 (*Changing Executive Arrangements*):

- “(i) That Council propose to adopt the Leader and Cabinet model.*
- (ii) That the timetable should be as set out in Annex 2 to the report.*
- (iii) That Council not instigate a referendum.*
- (iv) That Council make provision in the Constitution for removal of the Leader during his or her term of office and adopt the transitional arrangements set out in Annex 2.”<sup>3</sup>*

Cllr Alexander then moved, and Cllr Merrett seconded, an amendment to the above recommendations, as follows:

*“In resolution (iv), insert after ‘Annex 2’:  
, subject to no new initiatives being started, no new expenditure being authorised by the Executive Member and that there is recognition that former councillors cannot remain as Executive Members beyond the expiry of their term of office three days after the election. Should a new majority be formed*

*from the May 2011 elections, their authority will be formally recognised at the earliest juncture.”*

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

The original recommendations were then put to the vote and declared CARRIED and it was

RESOLVED: (i) That the recommendations contained in Minute 61 of the Executive meeting held on 7 September 2010 be approved.<sup>1</sup>

(ii) That the recommendation contained in Minute 75 of the Executive meeting held on 21 September 2010, as clarified by the recommendation in the report to Council on the Barbican Auditorium, be approved.<sup>2</sup>

(iii) That the recommendations contained in Minute 76 of the Executive meeting held on 21 September 2010 be approved.<sup>3</sup>

Action Required

- |  |    |
|--|----|
| 1. Make the approved adjustments to the Capital Programme                      | KB |
| 2. Liaise with Finance to make the agreed adjustments to the Capital Programme | CC |
| 3. Publish draft proposals, as agreed by Council                               | AD |

**35. RECOMMENDATIONS OF THE AUDIT & GOVERNANCE COMMITTEE - PROPOSED CONSTITUTIONAL CHANGE TO ARTICLE 5**

As Chair of the Audit & Governance Committee, Cllr Brian Watson moved, and Cllr Brooks seconded, the recommendations made by that Committee at its meeting on 28 July 2010 in respect of a proposed change to Article 5 of the Council's Constitution, relating to the Lord Mayoralty (Minute 22).

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

RESOLVED: That the recommendations contained in Minute 22 of the Audit & Governance Committee meeting on 28 July 2010 be approved.<sup>1</sup>

Action Required

- |   |    |
|---|----|
| 1. Make the agreed changes to Article 5 of the Constitution | AD |
|---|----|

**36. RECOMMENDATIONS OF THE GAMBLING & LICENSING ACTS COMMITTEE - CUMULATIVE IMPACT ZONE**

As Chair of the Audit & Governance Committee, Cllr Merrett moved, and Cllr Wiseman seconded, the recommendation made by that Committee at its

meeting on 18 June 2010 in respect of changes to the boundary of the Cumulative Impact Zone (Minute 5).

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

RESOLVED: That the recommendation contained in Minute 4 of the Gambling & Licensing Acts Committee meeting on 18 June 2010 be approved.<sup>1</sup>

Action Required

1. Amend the CIZ boundary, as agreed

AH

**37. RECOMMENDATIONS OF THE LICENSING & REGULATORY COMMITTEE - REGULATION OF SEXUAL ENTERTAINMENT VENUES**

As Chair of the Licensing & Regulatory Committee, Cllr Gillies moved, and Cllr Moore seconded, the recommendation made by that Committee at its meeting on 2 July 2010 to adopt provisions for the regulation of lap dancing clubs and similar venues under the Policing and Crime Act 2009.

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

RESOLVED: That the recommendation contained in Minute 4 of the Licensing & Regulatory Committee meeting on 2 July 2010 be approved.<sup>1</sup>

Action Required

1 Take any necessary action to implement the new licensing provisions DH

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

A written report was received from Cllr John Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council, on 15 July 2010.

**39. REPORT OF EXECUTIVE MEMBER**

written report was received from Cllr Moore, the Executive Member for Corporate Services.

Notice had been received of twelve questions on the report, submitted by Members in accordance with Standing Orders. The first ten questions were put and answered as follows:



- (i) From Cllr Hyman:  
“Can the Executive Member expand upon the factors which have resulted in what appears very significant improvement in the final accounts processes compared to where we were 2-3 years ago?”

***The Executive Member replied:***

*“The finance team has worked extremely hard in delivering significant improvements over the past two years, and this is down to their skill and commitment. Over the last two years, project plans have been in place, there has been excellent teamwork, close working with external audit, and a highly professional approach from all staff concerned.*

*I’m sure all members of Audit & Governance Committee will share my belief that our officers’ passion, and I mean passion, for the Accounts has been a major factor in this improvement.*

*On a personal note, I have never before, in my thirty-one years in accountancy, met an officer who can get so excited about financial regulations and procedures. The entire finance team deserve our thanks.”*

- (ii) From Cllr Gunnell:  
“Can the Executive Member explain why he has allowed three vacancies to exist out in a corporate procurement team of six, why he has seen fit to replace those permanent members of staff with two agency staff and how much they have cost the local taxpayer over the period of their employment?”

***The Executive Member replied:***

*“I am surprised Cllr. Gunnell has asked me about Procurement, as this was all detailed out in a paper to Executive on 7<sup>th</sup> September, and I would have expected that she would be aware of the details. While it is true that the Procurement team has an establishment of 6 ftes and are carrying 2 vacancies due to staff turnover and one secondment, this has only been a temporary measure while the “More for York” blueprint has been developed. During this time no recruitment has taken place, to avoid potentially recruiting permanent staff with the wrong skills to operate in an outmoded model of delivery.*

*The exact balance between permanent staff and temporary specialists will be defined over the coming months as we do further detailed analysis of our category spend and identify how much work is needed in each category. The detailed technical methodology of how procurement can drive out savings is set out in a revised Procurement Blueprint.*

*Despite this, the Procurement workstream has made good progress and the in year target savings of £400k to the General Fund have already been over achieved by £259k - a total of £659k savings. In addition to this a further £927k savings have been made that will accrue to the Direct Schools Grant. That totals £1.586,000. I would suggest that this far outweighs the cost of employment of the temporary staff.*

*The long-term efficiencies that can be delivered by more effective procurement vastly outstrip the modest existing targets, and the current situation can be seen as “invest to save”. Once the model has been*

*developed it is expected that there will be recruitment, or redeployment into the necessary roles.”*

(iii) From Cllr Sunderland:

*“Given the economic pressures, and in particular increased benefit claimants, how is the benefit service responding to this, and what challenges does the Portfolio holder envisage in the next couple of years?”*

***The Executive Member replied:***

*“Members will note, despite the significant pressures faced over the last twelve months, the benefits service has responded well, and has made significant improvements in performance. As workload potentially grows, we will need to keep under review our performance, and ensure we are able to respond to any issues. I am confident the service can respond to these pressures, even against a tight financial situation.”*

(iv) From Cllr Gunnell:

*“Can the Executive Member for Corporate Services outline the steps taken to ensure that all staff, including management, are fully briefed on the Equality Act 2010 that came into force on the 1<sup>st</sup> October 2010. Will he also explain the major implications of the Act to Council?”*

***The Executive Member replied:***

*“I will provide the member with a written response, as the question was only received at 5pm yesterday and it is too short a time to respond fully. I have spoken to the Monitoring Officer about the need to allow more time for answers to be formulated.”*

(v) From Cllr Holvey:

*“Does the Executive Member for Corporate Services consider that the Council is well placed to deal with the financial challenges facing this Council in coming years?”*

***The Executive Member replied:***

*“We have put in place a medium term financial strategy, which is supported by the More for York Programme. When we introduced the More for York Programme, some eighteen months ago, there were those that questioned whether it could deliver true efficiency savings, some even commenting it was merely a cuts programme. The evidence is there for all to see of not only savings, but also service improvement. I am pleased that my own Portfolio has provided significant financial benefits to the Council both this year, and continuing into next year and beyond, yet at the same time made improvements in service.*

*The management of the Council’s finances remains strong, and despite considerable pressures we came within budget last year and are working on achieving the same this year. We do however face unprecedented financial challenges in coming years, which will require continued focus upon the Council’s finances, and challenging how we provide all services across the Council.”*

- (vi) From Cllr Gunnell:  
“Will the Executive Member for Corporate Services confirm the current number of FTE employees per directorate, which directorates are providing apprenticeships and how many?”

***The Executive Member replied:***

*“I will provide the Member with a written response.”*

- (vii) From Cllr Hogg:  
“Could the Executive Member advise what contribution ICT has made to the development of the new Explore at the Central Library?”

***The Executive Member replied:***

*“The new Explore York Library Learning Centre opened late May of this year and brings together a modern city centre Library with a full and vibrant programme of learning. ICT staff and its managed network service provider worked very closely with Fiona Williams and her staff to design and implement the necessary ICT components that supported the transformation and use of the building and its service. This included the provision of more than thirty new Public Access Internet PC’s including provision for accessibility facilities for customer with visual impairment. A wireless network has been installed which enables access to the Internet for customers from their own portable device such as a mobile phone or a laptop and public scanning facilities have been provided, enabling the transfer of documents and images into the available desktop publishing applications on the public PCs.*

*The transformation of the Central Library is a great example of an organisation that can achieve very effective cross directorate working. The result is an excellent combination of the what's best about working and living in York as we now have an old and historic building that is being used to deliver 21st century services.”*

- (viii) From Cllr Gunnell:  
“Will the Executive Member for Corporate Services outline the process for consulting with the public on the council budget for 2011/12, as well as the extent to which they will be consulted compared with recent years?”

***The Executive Member replied:***

*“In terms of consulting on the budget process, York is only statutorily required to consult with business owners. However, as well as meeting this obligation, the administration has a strong commitment to voluntarily consulting with residents, which this year will take the form of an exercise in the December issue of Your City, a web based questionnaire and face to face meetings with members of the public and the Talkabout panel. The Council will also be consulting with equalities groups on any impacts arising from the process.”*

- (ix) From Cllr Aspden:  
“Could the Executive Member advise what contribution ICT is making to the development of the York Contact Centre, in relation to requests for front-line services?”

***The Executive Member replied:***

*“Working with colleagues from Communities & Neighbourhoods and the More4York Programme, the internal ICT Systems Design team have designed a developed a very revolutionary suite of technologies to support and sustain the re-engineered business processes for the Communities & Neighbourhoods directorate. The project seeks to improve upon work conducted as part of [Easy@york](#) and is focusing primarily on achieving greater information sharing between front and back office departments through the use and integration of the Customer Relationship Management system & mobile technology.*

*The key improvements to the front office - the York Customer Centre - are that the process of logging a service request has been made simpler and more effective for a customer service representative and will enable the delivery of a far better experience for our citizens.*

*The key improvements to the back office (Communities & Neighbourhoods) section are that the system will perform automatic allocation of service requests raised by our citizens directly to geographically based operational teams through the use of mobile technology - by providing staff with a hand-held or cab mounted device that delivers their work directly to them in the field.*

*This will improve staff scheduling by using intelligent rules about the area of the city a staff member covers, to ensure the work gets to the right person first time; using fixed schedule information to decide if a service request can be taken care of by a member of staff's routine work pattern (for example street sweeping), leading to a cost reduction in being reactive to the work; providing the ability to work the results of both routine work and reactive service requests in to management information will present the opportunity to analyse the patterns of incidents and amend the fixed schedules to pre-empt where the reactive problems will occur, thereby giving the service a better chance to react to the incident without creating extra work or, ideally, to deal with a problem before it is reported.”*

- (x) From Cllr Merrett:  
“With regards to revenues and benefits services and their fitness for purpose in 2010/11, can the Executive Member:
- a) indicate the numbers of York claimants who will be negatively affected by the Government's announced changes to Housing Benefit maximum payments from next year, and by how much (please give in bands of £10/week);
  - b) indicate how many York residents will be at risk of losing their homes as a result of next year's housing benefit changes, and outline how the benefits service will be working with Communities and Neighbourhoods and external agencies to minimise the number of consequential evictions of those affected?”

- c) indicate how many York benefit claimants the absolute £500 a week cap would affect, and, if any, the potential impacts for those cases.

***The Executive Member replied:***

*"I will provide the Member with a written response."*

The time limit for this item having expired, written responses were provided to the remaining questions after the meeting, as follows:

- (xi) From Cllr Merrett:

"With regard to the Government's announcements and reductions to York's budgets and the estimated savings requirement of £12 million in 2011/12, does this figure take into account the impact of the Government's 'New Homes Bonus scheme', and would he confirm the expected impact on York, given that Bonuses will be top-sliced out of the total local government grant paid by Communities and Local Government to Local Authorities annually?"

***Reply***

*"The figure doesn't take account of the new homes bonus scheme as we don't yet know the impact this scheme might have. No firm details relating to the scheme, on which quantification of costs or benefits could be based, have been released yet and a consultation paper is expected after the Spending Review."*

- (xii) From Cllr Merrett:

"In regard to 'COLIN', can the Executive Member confirm what user surveys are, or will be, undertaken to see if users find the new set up beneficial and easy to use?"

***Reply***

*"Staff in marketing and communications, and the ICT web and intranet development team, are currently conducting a continuous feedback campaign with staff across the authority. Users are being asked to e-mail the COLIN mailbox with their suggestions and comments."*

*In addition, the teams are collecting feedback as part of the office walkabouts which are going on this week. The teams will be feeding comments back into the development process to ensure that COLIN is, as it is designed to be, intuitively easy to use. It is also planned to do a section in the next staff survey (early next year) which will ask for feedback on COLIN, as well as online polls to ask the question.*

*CouncilNet (the existing intranet) will be switched off from the end of this year, so it is important to take this time to make sure staff are happy with using COLIN. The walkabouts and other planned communications activity are being organised to support this. I can already say that the walkabouts are meeting with a very positive response from the greater majority of staff."*

#### 40. ACTIVITIES OF OUTSIDE BODIES

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

- North Yorkshire Fire & Rescue Authority – meeting on 23/06/10
- Quality Bus Partnership – meeting on 10/06/10
- Without Walls Partnership – meeting on 21/05/10
- NHS Foundation Trust – meeting on 21/04/10
- Economic Development Partnership Board – meeting on 20/05/10

No questions had been submitted to representatives on the above bodies.

#### 41. APPOINTMENTS AND CHANGES TO MEMBERSHIP

RESOLVED: That the appointments to, and changes to membership of, committees, outside bodies and working groups set out on the list at page 63 of the Council papers (and attached as an annex to these minutes) be approved.

#### 42. NOTICES OF MOTION

(i) Alternative Vote System

It was moved by Cllr Vassie and seconded by Cllr Holvey that:

“Council notes the intention of the Coalition Government to hold a referendum on introducing the Alternative Vote system for United Kingdom General Elections.

Council also notes the commitment of the previous Labour Government to the introduction of voting reform for UK General Elections, the commitment of the Green Party to a fair voting system, and the commitment of the Liberal Democrat Party ‘to seek to include proportional representation for local government elections in England and Wales as part of the political reform programme of the coalition government.’

Council agrees that both national and local authority elections should employ a more proportional and representative voting system in order to better represent the voting intentions of their electorates.

Council therefore resolves to write to the Deputy Prime Minister to call on the Coalition Government to introduce a fair voting system for local elections as part of its package of political reforms and indicates Council's willingness to see a more proportional voting system employed in future local elections in York.”<sup>1</sup>

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

RESOLVED: That the above notice of motion be approved. <sup>1</sup>

(ii) Royal Mail Sorting Office

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

“Council is gravely concerned for the future of the Royal Mail Sorting Office in Leeman Road and deplores the recent announcement by Vince Cable MP, Business Secretary, to privatise the Royal Mail, which could hasten the proposed removal of First Class Mail sorting from York to Leeds.

Council is concerned at these recent announcements, given that :

- A recent YouGov Poll found a majority of voters of every major party opposed Royal Mail privatisation;
- Royal Mail is a market leader whose profits rose by 26 percent to £404m in 2010;
- A fully funded modernisation programme has been agreed by management and unions, in York and nationally, to bring stability to the company;
- Privatisation will lead to the separation of Royal Mail and the Post Office Network, putting the existence of many Post Offices in York and throughout the country at risk;
- Privatisation will put at risk the universal collection and delivery service for households and business, result in a reduction of post boxes, in York and nationally, and has the potential to harm the UK economy;
- The removal of mail sorting from York to Leeds is enormously wasteful in terms of transport and greenhouse gas emissions;
- The loss of the York Sorting Office jobs will impact on the York economy and affect the health and well being of workers and their families.

Council instructs the Chief Executive to:

- Write to the Royal Mail Chief Executive, Moya Greene, to express concerns on the impact of removing first class mail sorting from York to Leeds, and ask that the modernisation programme is allowed time to deliver its goals;
- Write to the Business Secretary and request a halt to the announced Royal Mail privatisation plans so that the recently agreed modernisation plans can be allowed to progress.”

Cllr Alexander then moved, and Cllr Moore seconded, an amendment to the above motion, as follows:

“In paragraph one

- after ‘*Council is gravely concerned*’ insert ‘*by the continued threat to*’
- after ‘*Leeman Road*’ insert ‘*as previously highlighted by the Liberal Democrat motion to Council in July 2009*’
- Delete from ‘*and deplores*’ to the end of paragraph one.

In paragraph two

- Replace *'Council is concerned at these recent announcements given that'* with *'Council notes the need for Royal Mail to find a sustainable business model but is concerned that:'*
- Delete the first five bullet points
- Insert an additional bullet point saying *'The removal of the York postmark will have a negative impact on the city.'*

In paragraph three:

- In bullet point one, after 'from York to Leeds' insert *'and asks that this issue be reconsidered'*
- In bullet point one, delete *'and asks that the modernisation programme is allowed time to deliver its goals'*
- Delete bullet point two."

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

The motion, as amended, now read as follows:

*"Council is gravely concerned by the continued threat to the future of the Royal Mail Sorting Office in Leeman Road as previously highlighted by the Liberal Democrat motion to Council in July 2009.*

*Council notes the need for Royal Mail to find a sustainable business model but is concerned that :*

- *The removal of mail sorting from York to Leeds is enormously wasteful in terms of transport and greenhouse gas emissions;*
- *The loss of the York Sorting Office jobs will impact on the York economy and affect the health and well being of workers and their families.*
- *The removal of the York Post mark will have a negative impact on the city*

*Council instructs the Chief Executive to:*

- *Write to the Royal Mail Chief Executive, Moya Greene, to express concerns on the impact of removing first class mail sorting from York to Leeds and asks that this issue be reconsidered."*<sup>2</sup>

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

RESOLVED: That the above notice of motion, as amended, be approved.<sup>2</sup>

(iii) DCLG Proposals for the Publication of Council Information

Cllr Gillies moved, and Cllr Healey seconded, that



"This Council welcomes the proposals recently put forward by the Department of Communities and Local Government (DCLG) as part of its efforts to improve local transparency and accountability.

This Council therefore commits itself to complying with the DCLG recommendations and by 1st January 2011 at the latest will publish and continuing publishing online:

1. Details in full of total cumulative spending over £500;
2. Information on all posts paying over £50,000 per year (including details of benefits and expenses) and their job descriptions;
3. Councillor allowances and expenses in a real time rather than annual format.

None of the above shall include information that:

- a) Relates to a commercial agreement in negotiation;
- b) Is not publishable under the Data Protection Act;
- c) Relates to the protection of vulnerable adults and/or children.

This Council also pledges that this information shall be published at zero cost to the taxpayers, with its collation and presentation forming part of other processes already carried out by the Council.

With some of this information already available, the Council further pledges to make itself even more transparent by requiring that the various strands of information be collected and brought together on the Council website, with a link on the front page, under the heading 'www.york.gov.uk/transparency' to make it easy for residents to find." <sup>3</sup>

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

RESOLVED: That the above notice of motion be approved. <sup>3</sup>

(iv) Selective Licensing of Student Properties

Cllr Alexander moved, and Cllr Simpson-Laing seconded, that:

"Council believes that:

- Residents of houses in multiple occupation, including students, can be good neighbours and are valued members of communities. They often work locally and contribute positively to the local economy but sometimes can gain an unfair reputation.
- Some landlords are not living up to their responsibility to maintain properties in the interest of local residents and student tenants. Therefore the Council's Voluntary Code of Best Practice is not working.
- This affects community cohesion.

Council notes:

- The changes to householder profiles, particularly in council wards that surround York's higher education institutions.

- That the recently published Student Housing report was discussed at the Local development Framework Working Group on 6<sup>th</sup> September 2010, where the recommendation of the former Chair of Liberal Democrats Youth Wing was to do nothing on this issue.
- That 15% of all properties in Hull Road ward currently receive student council tax exemption.
- Hull Road ward residents' concerns about landlords not taking responsibility over the upkeep of their properties, to the detriment of local residents and student tenants.
- That by obtaining "Selective Licensing" powers from the Government, the Council would be able to license student properties.
- That in areas of Leeds where these powers are used, landlords have to prove they are a fit and proper person, and that their property meets certain conditions before they are granted a licence to rent out their properties. Landlords must ensure tenants have appropriate references, keep their properties decent and ensure good management. A fine of £20,000 could result from anybody renting a property without a licence. If a landlord has a licence they can still be fined up to £5,000 if they fail to meet the conditions.

Council requests:

- The Director of Communities & Neighbourhoods to apply to the Conservative / Liberal Democrat Coalition Government for 'Selective Licensing' powers under part three of the Housing Act 2004 to license landlords in Hull Road ward, and other affected areas as appropriate, in the interests of both residents and student tenants."

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

"Under '*Council notes*' in the second paragraph:

In bullet point two, delete all after '*September 2010*'

After bullet point two insert an additional bullet point reading:

- '*That the LDF Working group agreed that work be carried out to assess the possibility of using Article 4 Designation to regulate HMOs through the planning process.*'

In bullet point five, change '*student properties*' to '*rented properties in a defined area*'.

Following bullet point five, insert an additional bullet point reading:

- '*However, to obtain 'Selective Licensing' powers the Council would have to prove that the area either suffered from a significant anti-social behaviour problem, or that housing demand was considerably lower than other areas of the city, which may not be the case.*'

After the final bullet point insert two additional bullet points reading:

- '*That there are very few HMOs in the areas in Leeds where the powers are used and that the powers were obtained to tackle*

*issues of low demand and anti social behaviour and not student housing.*

- *That a number of other options exist other than using selective licensing powers, including the introduction of an accreditation scheme*

In the third paragraph, delete all after 'Council requests the Director for Communities and Neighborhoods to' and replace with:

*'work with the local Development Framework Working Group to bring a report to the Executive outlining the options available to the council to address residents' concerns about HMOs in the city, including the introduction of an accreditation scheme.'*

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

The motion, as amended, now read as follows:

*"Council believes that:*

- *Residents of houses in multiple occupation, including students, can be good neighbours and are valued members of communities. They often work locally and contribute positively to the local economy but sometimes can gain an unfair reputation.*
- *Some landlords are not living up to their responsibility to maintain properties in the interest of local residents and student tenants. Therefore the Council's Voluntary Code of Best Practice is not working.*
- *This affects community cohesion.*

*Council notes:*

- *The changes to householder profiles, particularly in council wards that surround York's higher education institutions.*
- *The recently published Student Housing report was discussed at the Local development Framework Working Group on 6<sup>th</sup> September 2010*
- *That the LDF Working group agreed that work be carried out to assess the possibility of using Article 4 Designation to regulate HMOs through the planning process.*
- *15% of all properties in Hull Road ward currently receive student council tax exemption.*
- *Hull Road ward residents' concerns about landlords not taking responsibility over the upkeep of their properties to the detriment of local residents and student tenants.*
- *By obtaining "Selective Licensing" powers from the Government the Council would be able to license rented properties in a defined area.*
- *However, to obtain 'Selective Licensing' powers the Council would have to prove that the area either suffered from a significant anti-social behaviour problem, or that housing demand was considerably lower than other areas of the city, which may not be the case.*
- *In areas of Leeds where these powers are used, landlords have to prove they are a fit and proper person, and that their property*

*meets certain conditions before they are granted a licence to rent out their properties. Landlords must ensure tenants have appropriate references, keep their properties decent and ensure good management. A fine of £20,000 could result from anybody renting a property without a licence. If a landlord has a licence they can still be fined up to £5,000 if they fail to meet the conditions.*

- *That there are very few HMOs in the areas in Leeds where the powers are used and that the powers were obtained to tackle issues of low demand and anti social behaviour and not student housing.*
- *That a number of other options exist other than using selective licensing powers, including the introduction of an accreditation scheme*

*Council requests the Director for Communities and Neighborhoods to work with the local Development Framework Working Group to bring a report to the Executive outlining the options available to the council to address residents' concerns about HMOs in the city, including the introduction of an accreditation scheme.”<sup>4</sup>*

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

RESOLVED: That the above notice of motion, as amended, be approved.<sup>4</sup>

(v) New Council Housing

It was moved by Cllr Reid, and seconded by Cllr Waudby that:

“Council welcomes the announcement that 19 new Council homes are to be built on Lilbourne Drive, with funding from City of York Council and the Homes and Communities Agency.

Council also welcomes the fact that the new homes will be one of only a handful of projects nationally to achieve Code Level 5 sustainability, saving future residents money on energy bills and further enhancing York’s reputation as a centre of excellence for eco construction.

Council notes that the new homes will be the first Council houses to be built in the city for 20 years, despite 13 years of the Labour government making numerous promises of support for new Council houses.

Council thanks officers for their hard work and commitment to taking the project forward at a time when opposition Councillors were busy talking down the chances of securing funding for the scheme.

Council resolves to ask the Director of Communities & Neighbourhoods to write to the Housing Minister to urge the government to do all they can to support further construction of new Council houses in York.”<sup>5</sup>

Cllr Simpson-Laing then moved, and Cllr Alexander seconded, an amendment to the above motion, as follows:

“In the third paragraph, delete all from ‘*despite*’ to ‘*houses*’ and insert ‘*but that many more are required to deal with York’s housing costs*’. In the fourth paragraph, delete ‘*at a time when*’ and insert ‘*and*’; delete all from ‘*were busy*’ to ‘*securing*’ and insert ‘*for their intervention with the Shadow Housing Minister John Healy to secure*’.

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

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

RESOLVED: That the above notice of motion be approved.<sup>5</sup>

Action Required

- |   |    |
|---|----|
| 1. Write to the Deputy Prime Minister in the terms agreed                                   | KE |
| 2. Write to the Royal Mail Chief Executive in the terms agreed                              | KE |
| 3. Make arrangements to comply with DCLG proposals by 1 January 2011, as agreed             | IF |
| 4. Prepare a report for LDF Working Group re HMOs / schedule item on Executive Forward Plan | SB |
| 5. Write to the Housing Minister in the terms agreed  | SB |

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

Eleven questions had been submitted to Executive Members under Standing Order 11.3(a). The guillotine having fallen at this point, Members agreed to receive written answers to their questions, as set out below:

- (i) To the Executive Leader, from Cllr Alexander:  
“Will the Executive Leader agree to sign a joint letter with the Leader of the Opposition addressed to the Defence Secretary lobbying to maintain the presence and number of Ghurkhas at Imphal Barracks?”

**Reply**  
Yes

- (ii) To the Executive Leader, from Cllr Alexander:  
“On 6th July 2010 the Executive delegated power to set pay grading of assistant directors to the Head of Paid Services. Does the Leader think that in this current financial climate it is appropriate for the Executive to delegate senior pay levels to other senior officers?”

**Reply**

*I am always interested in the Labour Leader's interest in financial matters, and I note the comments that his group made to the Executive before the meeting on 6<sup>th</sup> July:*

*'Labour Group Spokespersons Comments for 06/07/10*

- Has always supported a leaner council that concentrates its resources on front line services*
- Reaffirms that view in the current climate of huge funding cuts for local government*
- Expects the Executive to ensure that effective management and strategic leadership exists in each of the council's directorates.'*

*The decision of the Executive to delegate the grading of the new assistant directors posts to the Head of Paid Service (Chief Executive) was not called in. I have confidence in the Chief Executive and her focus on achieving the More For York savings. The decision did not delegate the Assistant Director Pay structure, which is set by Members. No cost of living pay awards have been made to Assistant Directors since April 2008.*

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

*"Would the Executive Leader explain why the long term assumption for the recycling rate in the proposed Waste PFI contract is so low?"*

**Reply**

*York is the forth highest Unitary Authority in England and Wales when it comes to recycling. This puts York well into the top quartile. Our target is to achieve a minimum of 50% recycling going forward. This would put us second, only to Rutland, who's target is high due to their high levels of green waste composted, but lower dry recyclates. The more urban, less prosperous and more deprived an area is the lower its recycling rate is likely to be, a WRAP study has found. (December 2009) the greatest yield per household per year was in 'Rural-80' classed area, meaning authorities were at least 80% of the population lives in rural settlements or larger market towns had the highest levels of total recycling/composting. WYG wrote in April 2010, 'The top performing authorities achieving recycling/composting levels in excess of 50% tend to collect a significant amount of garden waste.*

*The collection by York of 6 materials on kerbside, including plastic, is envied by many authorities and contribute significantly to our performance. However, there is a diminishing return in the levels of investment to the marginal increase in recycling collected. In other words, to move beyond our 50% to 52.5% targets will be far more expensive, in marketing, collection and processing than any previous investments, yet will give us lower returns. The PFI, with its mechanical separation front end which removes even more recycling, plus the Anaerobic Digester which produces a 'green' fuel is judged to be more cost effective than trying to push the envelope of recycling which is why this is common practice on the continent.*

- (iv) To the Executive Member for Neighbourhood Services, from Cllr Crisp:  
“Will the Executive Member agree that changes to non-recycling waste collections in Holgate and Westfield have been an unmitigated disaster for local residents?”

**Reply**

*The changes to collections have been far from a disaster. It is true that some residents have taken a time to adapt to the changes but this is not unusual when changes are made to services.*

*When the changes were made, all residents were advised of the new arrangements and, for the vast majority, this has not proved to be a problem. There are historical issues with waste collections in some areas and the changes have highlighted these and brought them to a head. The storage of waste in back lanes between collections has been a long standing problem in many areas in York. Fortnightly collections have exacerbated the situation in some places, where waste was being left in lanes for 2 weeks. Fortnightly collections from terraced areas work do perfectly well in most other parts of the city – Clifton for example.*

*It is important that for Health & Safety reasons (including public safety) we move away from back lane collections. Not only is it inefficient, it is fraught with dangers for our staff and the public. I am sure that Cllr Crisp would not want to expose our staff to unacceptable risks. We always work to the Health & Safety Executive’s guidance for this type of operation.*

*In recent weeks we have consulted all affected residents in the Holgate & Westfield area and further changes made based on their responses. It is interesting to note that despite the various options offered the majority of residents have continued to use the method proposed by the council in April. Over 200 bins have been delivered to residents who had requested wheeled bins to be used in conjunction with central collection points. On the first collection day less than 30 were presented with the remaining homes continuing to present bags at the front of their properties, as per the changes implemented in April 2010, despite them having the option not to.*

*The change to alternate week collections has been very successful – recycling in the area has been warmly welcomed and the move to alternate week collections has not proved unpopular. What we are in the final stages of implementing is how, and where, residents in the Leeman Rd area present their waste to us but this has to be done in a way that ensures there is no detriment to the aesthetics of any area in between collections.*

- (v) To the Executive Member for Neighbourhood Services, from Cllr Aspden:

“Can the Executive Member give Council an update on the progress with the roll out of the new three box recycling system and also give any indication of the effect of the new system on the amount of recycling collected?”

**Reply**

*The 3 box system is going very well and is on schedule to be completed on time, that is by the 15th October 2010. By that date, we will have delivered 170,000 boxes and lids to nearly 70,000 homes across York. 65,000 of these homes have been recycling for a number of years but the remainder will be receiving recycling for the first time.*

*The impact has been very good indeed. The streets look a good deal tidier, both before and after collections, and in areas where the boxes are being used there have been no complaints of litter as were experienced previously. Residents have welcomed the boxes and so have the collection crews. It is now easier than ever to participate in our service and our crews find them easier and quicker to use. This is important as we will use the capacity freed up within the service to provide recycling to more homes across the city in the future.*

*Some residents, particularly the elderly and infirm, have contacted us to say that they find the new boxes difficult to store or move. As part of the project, we are reviewing our Equalities Impact Assessment for this service and have held events with staff and the public. We have identified several solutions and alternatives to the boxes for those residents who find using the service difficult and this is in addition to the assisted collection service we already provide. This has been welcomed by those residents attending the event. It is important that we make our services inclusive to everyone and officers are working hard to ensure this happens.*

*5 of the six rounds that are now collected using this method were monitored for 5 weeks immediately prior to introduction and 5 weeks afterwards. There has been an increase in recycling although it does vary by round. The highest shows an increase of 3.5% and the lowest 1.8%. The average across all 5 rounds is a 2.7% increase in weight collected. Hopefully that will be replicated as we complete the roll out.*

- (vi) To the Executive Member for Children & Young People's Services, from Cllr Bowgett:

*"Does the Executive Member believe that the possible redirection of resources from local authority schools to free schools is an unwelcome piece of Government legislation?"*

**Reply**

*My views on the need for free schools in York have been made very clear, both in the Press and on Radio York. In short, it is difficult to see how the opening of a free school in York would add value to the education of either children attending it or to the ability of existing schools to continue to make the excellent progress that is so consistently evident. York has an excellent education service with schools that serve their local communities well and is nationally recognised as doing so.*

*As I understand it, this is not the case in every authority – and it may be that in those areas the provision of a free school is one possible answer. There are also gaps in provision in some very rural areas of the country which may need to be filled.*

*However, my preference would always be to ensure that every child can access a good or outstanding local school and that local*



*authorities have the mandate and resources required to ensure that is the case everywhere.*

- (vii) To the Executive Member for Children & Young People's Services, from Cllr Wiseman:

"Would the Executive Member please inform the Council about the plans for Local Democracy Week?"

**Reply**

*The cross party Member Development Steering Group, which I chair, has been considering plans for Local Democracy Week alongside other ways of involving more members of the public in the democratic life of the city.*

*Monday 11th October sees the start of Local Democracy Week across the country. Here in York an interesting programme of events has been planned, which include Meet A Lord Mayor, A Councillor, who me?, Corridors of Power (the history of the Guildhall, then and now) and tours of the Mansion House.*

*There will also be a Schools Council Meeting in the Council Chamber and newly elected Members of the Youth Council for this session will be welcomed by the Lord Mayor and then meet to decide their campaigning priorities.*

*Finally I would like to thank all Officers and Members who have contributed to the recent assessment of the Council for Charter Status in Member Development. We do not have a confirmed outcome yet but we are optimistic that it will be positive!*

*It is by holding events such as those I have mentioned and by ensuring that elected members have plenty of opportunities for their training and development, that we raise the standards of the democratic process and make sure that the next generation of local politicians are encouraged and supported.*

- (viii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Cregan:

"Can the Executive Member inform the Council of the response received from Sarah Teather on requesting York to keep some of the playbuilder funding earmarked for claw back?"

**Reply**

*We have still not heard from the Government about the outcome of the review of Playbuilder funding. It is clear that the Government are currently making many difficult decisions about spending as part of the Comprehensive Spending Review, the results of which are due to be announced later this month.*

*I wrote to Children's Minister Sarah Teather to express my support for the Playbuilder scheme and to ask that the enormous benefits of the scheme be taken into account during the review and to stress the importance of many of the planned sites to their local communities. I have been reassured that the Department of Education are aware of the benefits of Playbuilder and that they will be taking these into account when making a decision.*

*The financial mess that Labour left means that some difficult decisions will have to be taken and unfortunately some good schemes will lose funding. Once the Government have made their announcement a report will come to an Executive Member Decision Session setting out the consequences of any decision.*

- (ix) To the Executive Member for Leisure, Culture & Social Inclusion from Councillor Hogg:  
“Can the Executive Member tell Council how visitor numbers for the new York Explore compare with the figures before the refurbishment?”

**Reply**

*Before the refurbishment the library was attracting an average of 8,760 visitors per week. Since the opening of the new York Explore the average number of visitors has risen to 10,500 per week and continues to rise steadily.*

*During the summer visitor numbers were especially high rising above an average of 11,000 per week. The numbers were boosted by special events over the summer, including the successful Big City Read, which attracted large numbers of visitors to libraries across the city and the children’s reading challenge, Space Hop, in which 530 children took part.*

*There are also an increasing number of community groups using the Centre - Borders Book Group came over after the closure of the shop. We host a range of reading groups and writers groups and there will be a Craft Club starting this month.*

*Adult and Community Education classes have now started for the Autumn and we anticipate a further increase to the number of visitors as this develops. We are planning a partnership with the University of York School of Continuing Education to deliver adult learning for family and local history as well as archives, using our collections to support the classes.*

- (x) To the Executive Member for Corporate Services, from Cllr Brian Watson:  
“Will the Executive member agree to postpone the publication of *Your City* until after the next local elections in order to avoid any allegations of it being used for political propaganda?”

**Reply**

*This administration goes to great pains to make sure ‘Your City’ is apolitical, so it expects there would be no upheld allegation of political propaganda and therefore no reason to stop publishing. There has never been an upheld allegation of that sort before.*

*This publication is more apolitical than the vast majority of councils, as publications do not carry quotations from councillors or any photographs of any councillors, except for the Lord Mayor, in any of its publications. This is stipulated in the Protocol on Publicity and Media (Constitution Part 5D, section 18), which states:*

*‘The Council communicates through its own publications as well as through the media. All of the content of Council publications*

*will abide with Paragraph 12 of the Code of Conduct (see above).*

*Members will not be featured in photographs for use in publications except in 3 below. Only the Lord Mayor will be actively featured in Council publications (with an overlap of two months when Lord Mayors change to allow for the lead in times in publications).*

*Simple 'head and shoulders' photographs of Councillors that allow the public to identify them are acceptable, providing they are not linked to any text that in any way promotes the Councillor in question. Factual information, such as contact details, is acceptable.'*

*Further, paragraph 6.4 of the media protocol states:*

*'No publicity or press releases issued by the Council will quote the comments of Councillors, although publicity or media releases concerning any decision of the Council will make it clear who was responsible for that decision'.*

*As a basic principle, the media protocol recognises the need for Council communications in paragraph 2.2, which states:*

*'The Code notes that, increasingly, local authorities see the task of making the public aware of the services available as an essential part of providing all kinds of services. Good, effective publicity, aimed at improved public awareness of a Council's activities, is to be welcomed.'*

*Paragraph 12 of the Code of Recommended Practice on Local Authority Publicity (a new version of which is currently being consulted on) states:*

*'Any publicity describing the council's policies and aims should be as objective as possible, concentrating on facts or explanation or both'.*

*I believe that 'Your City' achieves the above aims - it is good, effective publicity aimed at improving public awareness of the Council's activities. Should there be any risk of any story being seen as political the Marketing & Communications team would take and abide by the advice of the Head of Legal Services, and they are increasingly cautious in the run up to all elections.*

*There are two more 'Your City' publications this financial year - one to consult on the budget in December, which I hope that he will agree is important and one to provide feedback in February. 'Your City' is the only method the Council has for that consultation, and it is already budgeted for.*

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

*"Can you please direct me to where and when 'some Labour Councillors' have made 'contrary claims' to elderly people who are unable to walk to the nearest bus stop, being entitled to £50 worth of travel tokens?"*

**Reply**

*First, may I congratulate Cllr Alexander on his pending award for the 'most obscure question of the year'.*

*I suspect that he is referring to an edition of the Liberal Democrat Focus newsletter – which I can understand is a much appreciated source of factual information for the Councillor – and which I understand indicated that some Labour Councillors had claimed in a leaflet circulated a few weeks ago ‘that travel tokens for the elderly had been abolished altogether’.*

Cllr Sue Galloway

LORD MAYOR OF YORK

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

Leader's Report to Full Council 9<sup>th</sup> December 2010**1 Winter Conditions**

I would like to record my thanks to the crews who have been responding to the unusually early start to the snow and icy conditions both in terms of gritting/snow clearance, and in the extra efforts that have gone into maintaining the everyday services of the council across all departments.



*Snow clearance at the entrance to Gale Farm Court*

**2 Barbican : Good News**

I am pleased to report that the contract has been signed with SMG Europe Holdings Ltd for the redevelopment of the Barbican and a 30 year lease. Confirmed acts will be announced before the end of the year and tickets will start to go on sale in a few weeks time on 4<sup>th</sup> January, and there will be a city centre location for residents to find out what is on offer, job opportunities (with 60 FTE posts being created), and tenders that are being awarded so that local companies can see how they can bid for tenders for work at the site.

The objective remains to host over 350 entertainment events and 50 conferences each year which initial estimates from Visit York suggest would bring in between £9-£12 million to the York economy. The Barbican website,

offering information about the venue and on-line booking facility will be launched in the early spring. The annual Festival of Remembrance, Carol Concert and Guildhall Orchestra will return.

The £2m investment in the scheme will include a £1.5m refurbishment of the much loved venue enhanced with a dedicated restaurant, meeting rooms and improved public and back of house spaces. SMG is working with Arup and Fuse Design on the redevelopment and construction work will start on site in early January.



*'Silver Bar' Visual*

### **3 Sports Village Pool**

The planning application has now been submitted for the new pool at Heslington. York Sports Village Limited Liability Partnership has been formed and they are aiming for opening in July 2012 and work starting on site in Spring 2011. There have been many expressions of interest to procurement, which will be short listed to 6. Sport England consultation has been completed, all site archaeology has been done.

### **4 Affordable Housing**

The Executive received a report in October to look at the viability of the Affordable Housing requirements operating for planning permissions in the city, with a view to how the construction industry could be supported with the kick start of some developments that have not yet reached fruition. There are concerns about the access to mortgages and I have asked as Chairman of the Homes and Communities Agency Board for Leeds City Region that there is a city region wide approach to mortgage lenders to support the market at this time.

Discussions are ongoing with developers with respect to the 'dynamic model' which will redefine the assumptions in the council's assumptions for the affordable housing element of applications. A further report will come to Executive very soon.

## **5 Liberating the NHS**

The Executive considered the consultation on the changes planned within the NHS to ensure that York residents gain from the process, and that there is the maximum democratic accountability established within new models. As there is already the Healthy City Board established as part of Without Walls this is a strong position to start from, although there will still be the need to push central government for greater recognition of the age profile of the population in per capita allocation of funds.

The details for a Transition Board with terms of reference will come back to the Executive for approval.

## **6 Rail Franchise Reforms Dft Consultation**



Getting the right conditions for a long term franchise for the East Coast Mainline is of key economic importance to the city, and given recent history having stability will be vital. Enabling an operator to invest in new locomotives and rolling stock will be vital. The 125s date from 1976 and the overhauling in 1996 was only meant to extend their operating lives to 2003.

Improving reliability of the line is important for the future of the York economy, and improvement of the overhead lines vital to achieve this. The council continues to actively lobby for the electrification of the route between Leeds and York which is of advantage for an ECML operator, as well as assisting with the city benefiting from any future investment in the Manchester –Leeds route.

The response from the council will state the importance of headquarters functions being retained in the city, and that by maintaining a critical mass of jobs in York that experience is retained and new generations of railway employees being developed in York.

## **7 Community Stadium**

The Executive has approved a Community Stadium Advisory Group with a political balance of 2:2:1 and that partner organisations be invited to attend as



a way of driving forward the necessary democratic dialogue to achieve a truly “community” stadium project. The project is very much dependent upon the enabling development at the ‘Vanguard site’ and details are now coming forward for this scheme.

## **8 Climate Change**

The Executive received a report on the results of the city-wide consultation on the draft Climate Change Framework, and Climate Change Action Plan for York. This will now proceed for finalisation and adoption of the CCFAP for York by the end of 2010. The Executive recognised that whilst the council has its own internal Carbon Management Plans this wider plan will rely upon partnership working to deliver them.

## **9 Yorkshire Forward Renaissance Team Report**



The Executive considered the publication of the work commissioned by Yorkshire Forward led by Prof Alan Simpson ‘Towards a York Economic Vision’ which contains a large number of proposals and challenges for the city. As this is a document, which similar to the Esher Report of the late 1960’s, is intended to stimulate debate for long term development plans in the city. Therefore it has been referred to the Local Development Framework Working Group, and has been considered by the Without Walls Board.

## **10 Childhood Obesity Scrutiny Review**

The Executive received the final report from the Childhood Obesity Scrutiny Review in November. The report puts forward a recommendation made by the Task Group set up to consider the effective reduction of childhood obesity in the city. Although the NPI have since been removed, it is still an important topic and one in which all those involved with the health of children and young people are engaged. It is important to note that the NHS already has a Health Improvement Manager (Obesity) and that the group took evidence from that officer. Evidence from the CYC’s Sport and Active Leisure team was also heard, as were details of the Healthy Schools Initiative. Information was also taken from the supplier of school meals at the time, although it should be noted that the supplier has subsequently changed.

In light of the economic situation the Executive agreed to a named lead officer rather than a dedicated post.



## **11 HQ Accommodation Project Update report**

The report provided an update on a number of matters relating to the Accommodation Project for the Council's new Headquarters building, as requested by Members at the Executive meeting on 20 July 2010.. The current estimates are that the project will save £17 million of council resources compared to staying as we are. The Executive requested that officers work with the owners of the properties that we currently rent to establish dilapidation costs so that they are known in advance, and to examine how the most efficient use of rented space can be achieved as we move into the new headquarters building.

## **12 Flood and Water Management**

The Executive considered a report on the implications of the Flood and Water Management Act and the Flood Risk Regulations 2009 and the additional responsibilities that have been given to local authorities. York has been at the forefront of providing information that some assumptions from central government are not being realistic in the savings from private sewer work moving towards private water companies.

## **13 More for York Programme**

It is clearly worthwhile recognising in summer 2008 that we would inevitably see massive reductions in public sector spending by now and the process acknowledged that whoever won the General Election would have a significant deficit issue to resolve. Therefore it is appropriate to maintain and the resource the More for York programme to run for a total of 6 years to reach the projected savings needed by 2013.

There has been a major upheaval with the regional structures, and partnerships and therefore the restructuring of the Office of the Chief Executive was approved to respond to this as well as the background requirements for all parts of the council to minimise costs.

## **14 York Northwest Planning Framework**

This report asks Members to approve, for public consultation purposes, the draft SPD and the draft Consultation Plan for the former British Sugar/Manor School sites, taking into account the recommendations and amendments of the Local Development Framework (LDF) Working Group.

The site is a key area for the future development of York. I met with Sir Bob Kerslake to discuss the proposals that were being developed in York in terms of exemplar construction – the key theme is that of being a centre of excellence in eco construction working with partners like Joseph Rowntree Housing Trust to develop a market, supply chain and skills base for future delivery of higher standard housing. It is regrettable that the trials for the tram train have not progressed as quickly as they could, and I did discuss this with the Undersecretary of State Norman Baker on the LGYH meeting with the

Department for Transport. There does need to be clarity on the preservation of the Manor School Playing fields in an area where development over decades have led to a shortage of open space in the arc between Tadcaster Road and Boroughbridge Road.

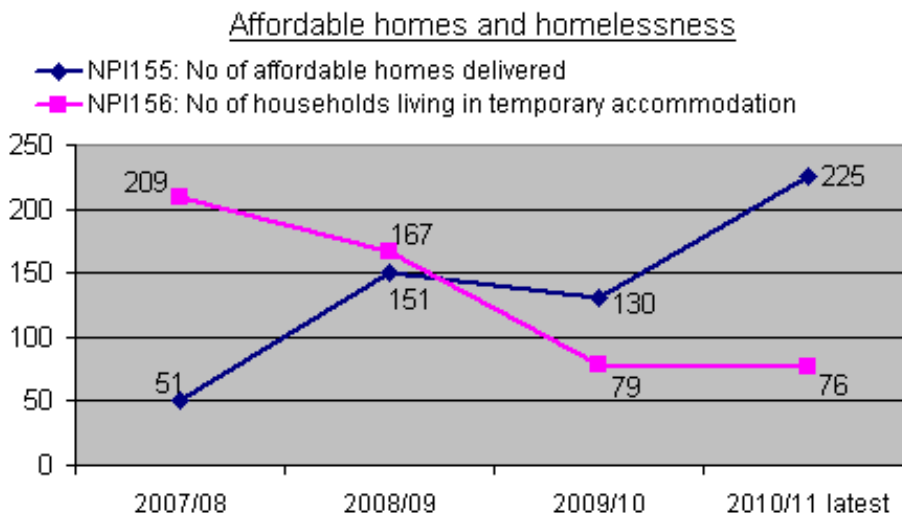
The site is still part of the Leeds City Region Housing Investment Programme which will be reviewed in the light of the CSR announcement, and which will now need to include the results of the announcement on Friday by the Housing Minister on the 6 year retention of Council tax on new properties and a £350pa supplement for affordable housing. The money from the CLG will pay for masterplanning work, but there has to be a much greater demonstration of effort by officers locally and at City Region level to lever in European Funding. Having clarified with the officers of the EU Commission in Brussels in July that the ERDF scheme would permit the application for funding of the pilot buildings (and in the longer term JESSICA funding for higher environmental standards in social housing) I have been pressing this aspect for some time now.

## **15 Performance and Financial Monitor : Second Quarter**

This report provided the Executive with details of the headline issues from the second quarterly finance and performance monitor of 2010-11, covering the period from 1 April to 30 September 2010, with more up-to-date data provided where available.

- The administration has set as a high priority that all pupils in York's schools should be able to reach their full potential as the best start in life. There has been a significant improvement in the proportion of pupils gaining 5 A\*-C ( we have moved up the national rankings from 45th to 31st). Progress is being made between Key Stage 1 and Key Stage 2 with 87.1% of pupils progressing by 2 levels in Maths and 87.7% doing the same in English.
- Waste minimisation is working with an 11% reduction in domestic waste being sent to landfill over the last three years. So whilst there has been small dip in the recycling figures the background figure for the total amount of waste being generated has fallen from 629kg per household to a forecast of 590kg per household. Recycling is projected to be at 44% for the end of year.
- In terms of Community Safety the major reduction in crime over the last four years with a 24% reduction in 2009/10 is a strong performance.
- There has been an increase in bus passenger journeys April-September compared to the same period last year.
- Unemployment in York is below the nation and regional averages. The numbers of young people who are NEET (Not in employment, education or training) remains one of the lowest in the North of England with the prospect of 100 young people now on level 1 training programmes.
- The Quarter 2 projections are for 225 affordable homes to be completed in York by the end of the year which is a 73% increase on

last year. The numbers of households reported as being in temporary accommodation has fallen from 209 in 2007/8 to 76 currently.



Indicator	2007-08	2008-09	2009-10	2010-11 Latest	2010-11 Target	Improving ?	On target ?
NPI 55: % of reception year children recorded as obese	8.4%	8.16%	6.7%	<b>5.5%</b>	8.5%	Yes	Yes
NPI 56: % of children in Year 6 recorded as being obese	15.6%	16.6%	16.7%	<b>13.9%</b>	15.4%	Yes	Yes

## 16 Long Term Waste Management Service Contract

The York and North Yorkshire waste partnership has been progressing this project for almost a decade, and so the recommendations come at the end of a series of milestones which have been systematically working to this point. Along the way a wide range of technologies and solutions have been considered, and MBT (Mechanical Biological Treatment) has been the preferred option for City of York Council. Companies were able to come forward with alternatives to Energy from Waste.

At the same time as developing the contract, and the procurement process the council has made tremendous steps forward with recycling. Going from 12% in 2003 to 44% currently, and in the meantime introducing garden waste collections, and bringing kerbside collections to almost every home in the city. Therefore the commitment of this council to recycling has been demonstrated very clearly.

Although the residents of York have responded fantastically to the recycling and waste minimisation message the money needed to improve the recycling

rates further by either capital investment or by “marketing” type measures is seeing a diminishing return. For example, we are currently spending £1/2 million to extend our doorstep recycling service for our terraced and hard-to-reach properties for a predicted 1% increase in recycling rates. This long term proposal guarantees to recycle a minimum of 5% of contract waste over the doorstep segregation.

This proposal is consistent with the Let’s Talk Less Rubbish waste strategy of York and North Yorkshire. It has been delivered through the Competitive Dialogue procedure with the Councils seeking to procure a solution to divert waste from landfill without specifying the technology. The bidders were free to propose solutions and sites that they felt were deliverable and offered the best value solution. The Waste PFI will give York residents a massive saving on disposal costs. It is projected that we can cut our waste management bill by over £60 million over 25 years compared to a projected bill of around £300 million over 25 year if we continue to landfill. It will guarantee the future costs we have to pay for treating our waste.

It guarantees to divert 90% of contract waste (95% of bio-degradable waste) from landfill with that waste becoming a resource and will recover value from waste in four ways:

- it separates remaining recyclable materials
- it treats garden and food waste to produce green electricity through Anaerobic Digestion (AD)
- the waste that remains is treated in the EfW plant to produce electricity.
- the ash that process produces can become a product for road construction.

By turning waste into energy we help to reduce our reliance on coal-fired power stations as it will produce enough electricity to supply 40,000 homes.

This solution could be delivered on any suitable site and therefore the site will be subject to a planning application to the County Council.

The Executive (12<sup>th</sup> September 2006) approved the submission of an Outline Business Case (OBC) to DEFRA. This was treated as a bid for PFI credits and the reference case was a Mechanical Biological Treatment Plant in York and Energy from Waste Plant within North Yorkshire. The Solid Residual Fuel from the MBT plant would be sent to EFW to produce energy, although the reference case did not preclude alternative solutions being proposed by bidders. An update on the OBC was presented to members (27<sup>th</sup> March 2007). At this meeting the Executive reaffirmed their support for Mechanical Biological Treatment as the preferred residual waste treatment process for York’s waste. It also noted the substantial savings that had been achieved over the period 2003-2007 due to the dramatic increase in recycling rates and successful waste minimisation campaigns run by City of York Council. The OBC was approved by Treasury Review Group 23<sup>rd</sup> July 2007 and PFI credits confirmed.

The Executive (26<sup>th</sup> June 2007) approved to commence formal procurement of residual waste treatment facilities in line with the Private Finance Initiative. It was approved at this stage that the proposed evaluation be that of Most Economically Advantageous Tender and to develop an evaluation criteria. The Executive formally approved the evaluation criteria 23<sup>rd</sup> October 2007. The criteria was set at 60% quality which includes landfill diversion performance and the environmental impact (including Ecological footprint) and 40% financial criteria which covers the price as well as the financial robustness of the bid.

### **17 York Housing Strategy, Older People's Housing Strategy 2011-15, and North Yorkshire Housing Strategy 2010-15**

The York Housing Strategy and Older People's Housing Strategy develop and update the strategies that ran until 2009. Although we are asked to approve an overarching North Yorkshire Housing Strategy it was agreed that York did need it's own strategies but they have been developed to closely align with both the North Yorkshire strategy and the Leeds City Region Housing Investment Plan.

There are 6 strategic aims:-

1. Improve access to housing and housing services including appropriate information, advice and support
2. Making the most efficient use of the existing housing stock
3. Maximising the supply of new affordable homes
4. Improving the condition, energy efficiency and suitability of homes
5. Reducing homelessness and the causes of homelessness
6. Developing effective partnership working

These are backed by an action plan aimed at delivering improved housing for all residents. New homes will play a very small part in meeting our housing needs so it is imperative that we make best use of the homes we have, that they met residents needs and are in good condition and energy efficient. Ensuring people can access advice should ensure that they we can avoid residents reaching a crisis point, reducing the need for temporary accommodation and homelessness. Both are a drain on resources and can lead to a downward spiral for the people involved.

The Older People's Housing Strategy builds on the general strategy, focusing on the particular needs of older people. It also links into the Vision for Older People's Health and Well Being in York 2010-2015 which shows that the majority wish to remain in their own home and independent for as long as possible. The strategy identifies ways of ensuring older people can make informed choices, plan ahead so that they can live in their own homes for longer but that specialist accommodation is available for those who need it.

### **18 Pre-application Advice service**

The Executive received a report of changes to be made to the Development Management function to formalise the provision of high quality, customer

focused pre-application service, and approved the introduction of new fees and charges as a contribution towards the cost of the discretionary service. There needs to be recognition that for businesses and residents alike that time is money, and that by having a more customer focussed service we can play our part in promoting York for job creation.

## **19 Anti Social Behaviour Strategy 2011-2014**

This strategy draws together the work that is happening in this area into one coherent plan. There are resources that will still be available for tackling anti-social behaviour and this needs to work at its most effective. There are good results coming from Capable Guardian the benefits of need to be rolled out across the city. By sending it through the Safer York Partnership there is the opportunity for all partner agencies to be involved.

## **20 Financial Reports Considered by the Executive**

- 5<sup>th</sup> Corporate Asset Management Plan which set out priorities and processes for dealing with the best use of the council's land and property.
- Review of fees and charges – to take account of the increase in VAT taking effect from 4<sup>th</sup> January 2011.
- Capital Programme Monitor 2
- Spending Review Implications on the 2011/12 Budget and More for York Update to meet the requirements of the motion to full council

## **21 Local Enterprise Partnerships**

The Government gave support to the Leeds City Region Local Enterprise Partnership bid of which York is a key player. I shall be part of the interviewing panel for the Chair and business members of the LEP in early January. Work is still ongoing with the York and North Yorkshire LEP bid.

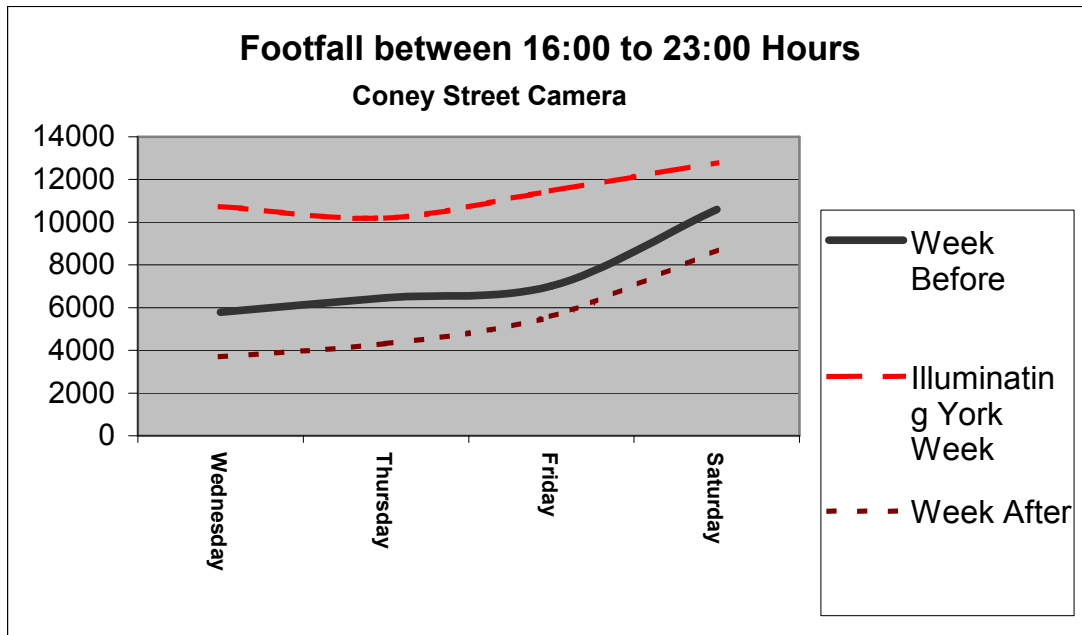
## **22 Fashion City York**

I have been able to pass on the chairmanship of the group developing a 'Fashion week' in York to Russell Norton from Republic who being involved in fashion retail is probably more appropriate to lead this group. I would like to thank officers from the city centre and York Enterprise Team who have helped to get this initiative off the ground.

## **23 City Centre attractions**

The Food Festival brought in record numbers to the City of York Council with the highest footfall record seen yet on the Parliament Street camera, with 284,051 being registered for that week with figures coming forward after my last report.

Also Illuminate with 'Rose' on the South Trancept of the Minster saw huge crowds come to York with significant numbers being picked up on the cameras in Coney Street and Parliament Street. An estimated 65,000 came to see the displays.



There will be many attractions with the Christmas season and I would like to thank everyone involved with helping to keep Ice Factor in York, and for putting on so many positive reasons for people to visit York.

**Cllr Andrew Waller**  
Leader City of York Council

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City of York Council

Committee Minutes

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MEETING	EXECUTIVE
DATE	5 OCTOBER 2010
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY, REID AND RUNCIMAN

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**PART B - MATTERS REFERRED TO COUNCIL****86. REFERENCE REPORT - NATIONAL SERVICE PLANNING  
REQUIREMENTS FOR ENVIRONMENTAL HEALTH AND TRADING  
STANDARDS**

*[See also under Part A Minutes]*

Members received a report which asked them to consider a recommendation, made by the Executive Member for Neighbourhood Services at a Decision Session held on 22 June 2010, that they approve the service plans for food, health & safety and animal health law enforcement.

It was noted that the food law enforcement plan would require Full Council approval, as it formed part of the Council's Policy Framework.

RECOMMENDED: That Council approve the food law enforcement plan.

REASON: In accordance with statutory and constitutional requirement.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 2.45 pm].

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MEETING	EXECUTIVE
DATE	2 NOVEMBER 2010
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY AND RUNCIMAN
APOLOGIES	COUNCILLOR REID

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

### **103. SUSTAINING THE MORE FOR YORK PROGRAMME AND CREATING THE OFFICE OF THE CHIEF EXECUTIVE**

Members considered a report which set out proposals for sustaining the More for York programme team over an extended period, in order to respond to the Comprehensive Spending Review and the cut in central government funding, and presented a new structure for the Office of the Chief Executive (OCE).

The push to reduce the national budget deficit, and the announcement of a 7.1% cut in central government grant, meant that savings in the region of £50m would now be required during the period 2010-2015. The More for York programme would be essential in delivering these savings, thus requiring investment to re-base the budget for the programme's team by:

- Revising the Venture Fund repayment schedule over the next 7 years, with annual repayments of £100k, as set out in Annex 1 to the report;
- Investing £600k of the £8m+ savings to be generated by the programme in 2011/12.

As part of the Organisation Review, the OCE was being re-shaped to make it more streamlined and effective. Services were being reviewed to ensure that the focus of the teams was on delivering savings and value to the customer-facing services. The proposal was to revise the structure to create three teams - Strategy Partnerships & Communications, Performance & Business Change, and a Commercial Procurement Hub. This would reduce the establishment by 13.1 FTE posts, delivering a cost reduction of over £638k. Details of the current and proposed structures were set out in Annex 2. Members were invited to note and comment on the revised structure.

Having noted the comments of the Labour Group Spokespersons on this item, it was

**RECOMMENDED:** (i) That the Venture Fund be re-profiled as set out in Annex 1 to the report.

**REASON:** To repay the Venture Fund for work undertaken to deliver [Easy@york](mailto:Easy@york) Phase 2 and More for York Phase 1.

(ii) That approval be given to the ongoing use of £600k savings generated from More for York in 2011/12 to fund the More for York programme team as part of the Office of the Chief Executive.

REASON: To fund a programme team to deliver £50m savings over four years.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 2.35 pm].

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MEETING	EXECUTIVE
DATE	16 NOVEMBER 2010
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY, REID AND RUNCIMAN

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

### **114. CAPITAL PROGRAMME - MONITOR 2**

*[See also under Part A Minutes]*

Members considered a report which informed them of the likely out-turn position of the 2010/11 Capital Programme, based upon the spend profile and information to September 2010, and sought approval for slippage of funding arising from changes to the programme.

An out-turn of £73.306m was predicted against the current approved capital programme budget of £81.532m, representing a net decrease of £8.226m. At the mid-year point in August, there had been £15.301m of capital spend, representing 21% of the budget. Budget variances in each portfolio area were outlined in Table 2, in paragraph 6 of the report, and detailed in paragraphs 10 to 46. Details of the re-stated Capital Programme for the period 2010/11 to 2014/15 were provided in Annex A.

Members were invited to note the revised programme, approve a switch of funding within Education and Children's Services, as detailed in paragraph 13, and recommend to Council certain additions to the Programme, through Prudential Borrowing and a sum to enable the acquisition of premises on behalf of York Museums Trust, as detailed in Annex B.

Having noted the comments of the Labour Group Spokespersons on this item, it was

**RECOMMENDED:** That Council approve:

- (i) The net adjustments of (£8.226m) in 2010/11, (£11.975m) in 2011/12, £13.286m in 2012/13 and £6.725m in 2013/14, as set out on a scheme by scheme basis in the report and contained in Annex A.
- (ii) The use of an additional £66k of Prudential Borrowing for the funding of Self Issue Library machines, noting that this extends the scheme total to £104k in 2010/11.

- (iii) The use of Prudential Borrowing to fund the Travellers' Site Electricity Units at a cost of £250k over a two year period (£134k in 2010/11 and £116k in 2011/12), to be paid for from departmental budgets made available from the savings generated as a result of the installation of the new equipment.
- (iv) The addition to the capital programme in 2010/11 of £1.766m in relation to the required works for the Crematorium to be funded from Prudential Borrowing to be repaid over a period of 15 years, noting that this cost may rise in line with VAT to £2.119m should ring fencing be applied.
- (v) The addition to the capital programme in 2010/11 of £525k in relation to the acquisition of premises on behalf of the York Museums Trust, subject to satisfactory terms being agreed, with the agreement of such appropriate terms, conditions and repayment period being delegated to the Director of CBSS.

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

## **115. 2011-12 BUDGET UPDATE I - SPENDING REVIEW IMPLICATIONS**

*[See also under Part A Minutes]*

Members considered a report which provided an update on the 2011-12 budget process, with particular emphasis on the impact of the recent Spending Review and an overview of forthcoming plans for the More for York programme.

The key headline from the Spending Review announcement was that local government funding would be reduced on average by 7.1% per annum over a four-year period, with the largest cuts falling in 2011-12. However the cuts would be reduced for those councils willing to freeze their council tax in 2011-12. In York, it was estimated that the Council could lose around £6.3m funding in total, reducing to £4.5m if council tax were frozen. Capital funding to local authorities would also be reduced, by 45%, and interest rates on loans had been increased.

These funding reductions confirmed the need for the Council to review all services on an ongoing basis and to extend the More for York programme. Plans for the programme in 2011-12 and beyond were outlined in paragraphs 26 to 35 of the report. Implications of the spending review on the Council's

2011-12 budget and the Medium Term Financial Forecast were set out in paragraphs 36 to 44. Approval was sought to fund increased trades union involvement in the More for York workstreams, in order to achieve earlier savings.

Having noted the comments of the Labour Group Spokespersons on this item, and the comments made by union representatives under Public Participation / Other Speakers, it was

**RECOMMENDED:** That Council approve an additional £95k investment costs for trade union facility time, as requested by UNISON, over the period 2011-12 and 2012-13, to be met by additional savings identified through the More for York programme.

**REASON:** So that the pace of change of the More for York programme can be maintained and savings realised earlier.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 2.40 pm].

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City of York Council

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MEETING	EXECUTIVE
DATE	30 NOVEMBER 2010
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY AND RUNCIMAN
APOLOGIES	COUNCILLOR REID

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

### **127. AWARD OF LONG TERM WASTE MANAGEMENT SERVICE CONTRACT**

Members considered a report which advised of the outcome of the procurement of a contract for the long term waste management service.

In view of the fact that reliance on landfill as the primary method of waste disposal was not a sustainable strategy for the future, York and North Yorkshire councils had been working together for several years to identify an appropriate solution for the treatment of residual waste. A formal procurement exercise had taken place using the competitive dialogue procedure, beginning in summer 2006 and ending in autumn 2009 with evaluation of the two final tenders and the identification of AmeyCespa as the highest scoring bidder. A second stage review of affordability had then been carried out, followed by a due diligence check on the project by North Yorkshire County Council's Waste PFI Working Group, concluded in November 2010. Details of these processes were set out in the report.

Approval was now sought from North Yorkshire County Council to award the Waste PFI contract to AmeyCespa, from City of York Council to support the award, and from both councils to make sufficient budgetary provision for the term of the contract and to make the necessary delegations to finalise their Waste Management Agreement.

Having noted the comments of the Labour Group Spokespersons on this item, it was

**RECOMMENDED:** That Council agree to:

- (i) support the award of the Waste Private Finance Initiative (PFI) by North Yorkshire County Council to AmeyCespa for the service operation period of 25 years, with an option to extend for up to 5 years;
- (ii) commit to make sufficient budgetary provision (£750k per annum growth from 2011/12 to 2015/16 inclusive) for the contract for its term, and determine the

limits of the affordability envelope within which financial close may be agreed, as set out in paragraph 193 of the report;

(iii) delegate authority to the Director of City Strategy (acting in consultation with the Director of Customer & Business Support Services and the Head of Civic, Democratic & Legal Services) to determine the final terms of the Waste Management Agreement between the County Council and City of York Council documents at commercial and financial close, as necessary, subject to the Agreement being within the affordability envelope agreed by Council;

(iv) delegate authority to the Director of City Strategy (acting in consultation with the Leader, the Director of Customer & Business Support Services and the Head of Civic, Democratic & Legal Services) to execute on behalf of the City Council the Waste Management Agreement with North Yorkshire County Council;

(v) authorise the Director of Customer & Business Support Services to issue the certificates under the Local Government (Contracts) Act 1997 to confirm the City Council's powers to enter into the contract referred to in the above paragraph;

(vi) give an indemnity to the Director of Customer & Business Support Services against any claim that may arise out of or in connection with the issue of the certificates under the Local Government (Contracts) Act 1997;

(vii) note that, if the above is agreed, the Executive will take all such decisions as may be required out of or in connection with the implementation of the decision to award the PFI contract to AmeyCespa, including agreeing that financial close may proceed within the limits of the affordability envelope set by the Council. <sup>1</sup>.

REASON: In order for Council to determine whether to enter into a long term waste treatment contract.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 2.55 pm].

City of York Council

Committee Minutes

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MEETING	AUDIT & GOVERNANCE COMMITTEE
DATE	29 SEPTEMBER 2010
PRESENT	COUNCILLORS B WATSON (CHAIR), BROOKS (VICE-CHAIR), FIRTH, HYMAN, SCOTT, VASSIE AND GUNNELL
IN ATTENDANCE	COUNCILLOR MOORE (EXECUTIVE MEMBER FOR CORPORATE SERVICES) MIKE NEWBURY (AUDIT COMMISSION) LYNN HUNT (AUDIT MANAGER – DISTRICT AUDIT)

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**PART B - MATTERS REFERRED TO COUNCIL****38. ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE**

[See also under Part A Minutes]

Members considered a report that sought their views on the draft annual report of the Audit and Governance Committee for the year ended 30 September 2010, prior to its submission to Full Council. The report also presented a draft assurance statement which the Committee had been requested to provide to the council's external auditors, the Audit Commission.

**RECOMMENDED:** That Council receive the Annual Report of the Audit and Governance Committee.

**REASON:** To enable the Committee to fulfil its role in providing assurance about the adequacy of the council's internal control environment and arrangements for managing risk and for reporting on financial and other performance.

Cllr B Watson, Chair

[The meeting started at 5.10 pm and finished at 7.25 pm].

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**REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE  
FOR THE YEAR TO 30 SEPTEMBER 2010**

**PURPOSE OF THE REPORT**

To provide Members of the council with details of the work of the Audit and Governance Committee covering the year to 30 September 2010. The report also details how the Audit and Governance Committee has fulfilled its terms of reference.

**BACKGROUND**

The Audit and Governance Committee is responsible for overseeing the council's corporate governance, audit and risk management arrangements. The Committee is also responsible for approving the Statement of Accounts and the Annual Governance Statement. The functions of the Audit and Governance Committee are set out in Section 8, Part 3C of the Constitution. A copy of the list of the Committee's responsibilities is attached at **Appendix A** for information.

The Chartered Institute of Public Finance and Accountancy (CIPFA) has issued guidance to local authorities to help ensure that audit committees are operating effectively. The guidance recommends that audit committees should report annually on how they have discharged their responsibilities.

**WORK UNDERTAKEN**

The Audit and Governance Committee has met on seven occasions in the year to 30 September 2010. During this period, the Committee has assessed the adequacy and effectiveness of the council's risk management arrangements, control environment and associated counter fraud arrangements through regular reports from officers, internal audit and the external auditors, the Audit Commission. The Committee has sought assurance that action has been taken, or is otherwise planned, by management to address any risk related issues that have been identified by auditors or inspectors during this period. The Committee has also sought to ensure effective relationships exist between internal and external auditors, inspection agencies and other relevant bodies.

The specific work undertaken by the Committee is set out below. The Committee has:

- 1 Received and considered the results of the Audit Commission's Comprehensive Area Assessment (CAA) inspection for 2009. The Committee requested additional information on the definitions used for some of the indicators. Concerns were also raised about the format of the CAA report which was to be published on the 'One Place' website. Members requested a further update before the CAA refresh in Summer 2010.
- 2 Received and considered the Audit Commission's plan for the audit of the 2009/10 financial statements, the Use of Resources and Value for Money opinion, the certification of grant claims and the council's participation in the

National Fraud Initiative, together with the associated fee for undertaking this work.

- 3 Received and considered a number of reports issued by the Audit Commission on control and value for money issues. The Committee has also monitored the progress made by management to address any identified control weaknesses. An example of this was the review of the council's asset management arrangements which considered the strategic approach to asset management, whether assets are managed to deliver value for money and partnership and community involvement in asset management. The Committee considered officers' response to the Audit Commission's review as well as the recommendations contained in the Audit Commission's national report '*Room for Improvement*' (issued in June 2008).
- 4 Considered the progress made by management to improve data quality and to implement a Data Quality Policy following recommendations made by both the Audit Commission and internal audit. The Committee noted the improvements which had been made to the systems for collecting and reporting local and national performance indicators.
- 5 Considered the outcome of the Audit Commission's review of the council's arrangements for internal audit. The Committee noted that no significant areas of concern had been identified and no recommendations for improvement made.
- 6 Considered the outcome of the Audit Commission's review of the council's grant claim arrangements for the 2008/09 financial year. The Committee noted that there had been an improvement in the number of claims submitted by the relevant deadline and a reduction in the delay where claims had not been submitted in time.
- 7 Received and considered the results of internal audit work completed during the period and monitored the progress made by management to address identified control weaknesses. The Committee considered breaches of the council's Financial Regulations and Contract Procedure Rules identified during audit work and requested assurance that management would meet the submission deadline of the Sure Start grant claim for 2009/10.
- 8 Received, considered and approved the Internal Audit and Counter Fraud Plan for 2010/11.
- 9 Received and considered the outcome of counter fraud work, including details of the investigation of suspected benefit and housing tenancy related fraud and the results of a fraud awareness survey of council managers. The Committee also considered the outcomes of the self assessment exercise undertaken in response to the Audit Commission's national report '*Protecting the Public Purse – Local Government Fighting Fraud*' (issued in September 2009) and the work being undertaken in respect of the Audit Commission's National Fraud Initiative (NFI).
- 10 Received and considered the results of the annual review of the effectiveness of the system of internal audit for 2009/10. The outcome of this review informed the preparation of the Annual Governance Statement 2009/10.

- 11 Received and considered the Annual Report of the Head of Internal Audit which provided an overall opinion on the council's control environment. The Head of Internal Audit confirmed that the council's internal controls provided substantial assurance although the Committee's attention was drawn to a number of significant control weaknesses. Again this informed the conclusions reported within the Annual Governance Statement 2009/10.
- 12 Considered and approved the Statement of Accounts for 2009/10. The Committee however requested that consideration should be given to making the amount spent on consultants more visible in the published accounts and to including information on energy related expenditure and savings in future Statements of Accounts.
- 13 Considered and approved the Annual Governance Statement for 2009/10 subject to an amendment to section 5 regarding the Committee's important role in respect of proposed changes to the council's Constitution.
- 14 Scrutinised the council's treasury management strategy and policies as a new role for the Committee. The Committee received and considered the Treasury Management Annual Report and review of Prudential Indicators for 2009/10 which compared actual performance against the budget and treasury management strategy for the year.
- 15 Received and considered draft revised Contract Procedure Rules prior to referral to the Executive and approval by Full Council. The Committee accepted a number of amendments which were tabled by officers at the meeting to correct typographical errors and to reflect the results of further consultation. The Committee then agreed a number of further amendments to the draft Rules.
- 16 Received and considered the council's new Corporate Debt Policy prior to referral to the Executive and approval by Full Council. The Committee emphasised the need for clear and consistent communication with customers but with a need for tact and discretion when dealing with the relatives of the deceased. The Committee agreed the new Policy subject to a small number of amendments.
- 17 Assessed the adequacy and effectiveness of the council's risk management arrangements through consideration of the progress made by officers to address the Key Corporate Risks (KCRs). Details of the KCR's were reported to the Committee on a quarterly basis. The Committee requested further information on a number of high risk areas in order to gain assurance that these risks were being appropriately managed.
- 18 Considered and agreed changes to the Committee's terms of reference prior to referral to Full Council for approval.
- 19 Considered a proposed change to Article 5 of the Constitution. The change was considered necessary in order to bring the Constitution up to date with respect to how the Lord Mayor operates and to reflect an increased profile for future Lord Mayors and Civic Parties.
- 20 Approved changes to the Internal Audit Terms of Reference following the transfer of audit and counter fraud services to Veritau Limited.

- 21 Approved the new Internal Audit Strategy to reflect the operational changes following the transfer of services to Veritau and to comply with best practice.
- 22 Received and considered the draft Information Governance Policy and Strategy prior to referral to the Executive for approval.
- 23 Received and considered minor changes to the Counter Fraud and Corruption and the Fraud and Corruption Prosecution policies prior to referral to the Executive Member for Corporate Services for approval.
- 24 Received and considered a report setting out how the council intends to respond to the petitions duty in the Local Democracy, Economic Development & Construction Act 2009. The committee was asked to provide its views on the proposed scheme prior to its submission to Full Council for approval.
- 25 Received regular updates on the progress being made to prepare for the change in financial reporting from UK Generally Accepted Accounting Practice (UK GAAP) to International Financial Reporting Standards (IFRS).
- 26 Received and considered the annual scrutiny report which detailed the work undertaken by the council's overview and scrutiny committees during 2009/10.
- 27 Received regular updates on national reports produced by the Audit Commission.
- 28 At each meeting the Committee has maintained a Forward Plan for a number of meetings ahead to ensure that its responsibilities are discharged in full and appropriate reports are brought by officers on a timely basis.

Cllr Brian Watson  
Chair of the Audit & Governance Committee



**AUDIT AND GOVERNANCE COMMITTEE TERMS OF REFERENCE**

Part 3 C of the Constitution (Council Committees and Other Bodies)

8.1 The functions of the Audit & Governance Committee are:

No.	Delegated authority	Conditions
	<b>Audit</b>	
1	To consider the annual report and opinion of the Assistant Director (Customer Service & Governance) including a summary of internal and external audit activity (actual and proposed in the relevant accounting period) and the level of assurance that can be given over the corporate governance arrangements at the Council and to advise the Executive accordingly.	
2	To consider summaries of specific internal audits reports as scheduled in the forward plan for the Committee or otherwise requested by Members.	
3	To consider reports dealing with the management and performance of the Internal and External Audit functions.	
4	To consider reports from Internal Audit on agreed recommendations not implemented within agreed timescales.	
5	To consider the action plan arising from the Annual Letter of the External Auditor.	With respect to the Annual Letter being first considered and accepted by the Executive.
6	To consider all other relevant reports from the District Auditor as scheduled in the forward plan for the Committee as agreed with the External Auditor or otherwise requested by Members.	
7	To comment on the scope and depth of External Audit work and ensure it provides value for money.	
8	To liaise with the Audit Commission over the appointment of the Council's External Audit body.	
9	To approve the Annual Plans of the Internal Audit Service and the External Auditor.	
10	To commission work from the Internal Audit Service and External Audit with regard to the resources available and the existing scope and breadth of their respective work programmes and the forward plan for the Committee.	Subject to budgetary provision.

No.	Delegated authority	Conditions
11	To provide advice to the Council on issues arising out of a fraud investigation and report any action which has or ought to be taken by the Council.	
<b>Governance &amp; Regulatory</b>		
12	To keep under review the Council's contract procedure rules, financial regulations, working protocols and codes of conduct and behaviour (not otherwise reserved to the Standards Committee).	
13	To review any relevant issue referred to it by the Chief Executive, S151 Officer, the Assistant Director (Customer Service & Governance), the Monitoring Officer or any other Council body.	
14	To consider any reports of the Assistant Director (Customer Service & Governance) referred to the Committee for consideration further to Article 13 of this Constitution.	
15	To monitor the effective development and operation of risk management and corporate governance across the Council.	
16	To monitor Council policies on 'whistle blowing', the Anti-Fraud & Corruption Strategy and consider any issues referred to it in accordance with the Council's whistle blowing policy and procedures as set out in Part 5 of this Constitution.	
17	To consider the Council's arrangements for corporate governance and make recommendations about all actions necessary for compliance with best practice to Full Council.	
18	To consider the Council's compliance with its own and other relevant published regulations, controls, operational standards and codes of practice.	
19	To bring to Full Council all proposals for amendment to this Constitution submitted by Members in accordance with this Constitution.	Subject to the advice of the Head of Civic, Democratic and Legal Services.
<b>Annual Governance Statement and Accounts</b>		
20	To approve the Statement of Accounts and the Annual Governance Statement.	
21	To consider the External Auditor's report to those charged with governance on issues arising from the audit of the accounts.	

**DRAFT STATEMENT FROM THOSE CHARGED WITH GOVERNANCE**

Responsibility for preventing and detecting fraud is identified by the International Standard for Auditing (UK and Ireland) 240 as resting with the management and 'those charged with governance', i.e. the Audit and Governance Committee. A similar standard (ISA 250) requires the organisation to ensure its operations are conducted in accordance with existing laws and regulations and also assigns responsibility for the prevention and detection of non compliance. This statement covers the role of the Audit and Governance Committee in discharging its responsibilities.

**ISA 240 Fraud**

- 1 The International Standards for Auditing views fraud as either:
  - (a) the intentional misappropriation of assets (cash, property, etc), or,
  - (b) the intentional manipulation or misstatement of the financial statements.
- 2 Management discharges its responsibilities via systems of internal control, including Financial Regulations, Contract Procedure Rules and the Employee Code of Conduct, and via disciplinary procedures where fraud is highlighted as a dismissible event. The organisation also has in place Counter Fraud and Corruption and Fraud and Corruption Prosecution policies which clearly outline to staff the commitment to the elimination of fraud and the steps that they should take in the event of fraud being suspected.
- 3 The organisation commissions local counter fraud specialists from the council's shared service provider, Veritau Limited, to undertake an annual counter fraud plan of work on its behalf. The Assistant Director of Customer & Business Support Services (Customer Service & Governance) meets on a regular basis with the Head of Internal Audit (Veritau) and relevant counter fraud specialists to discuss progress.
- 4 The council's Counter Fraud and Corruption Policy and the annual counter fraud plan cover the following main areas:
  - (a) the creation of an anti-fraud culture
  - (b) deterrence
  - (c) prevention
  - (d) detection
  - (e) investigation
  - (f) sanction
  - (g) redress
- 5 All reported cases of suspected fraud are investigated by Veritau. Details of the counter fraud work undertaken by Veritau during 2009/10 and the outcome of investigations into suspected fraud were reported to this committee on 26 April 2010.

- 6 Management commissions internal audit services from Veritau. The company is required to report on the council's systems for financial accounting and financial management as part of its annual internal audit plan. This includes reporting potential errors or control weaknesses which may result in financial misstatement. The assurance gained contributes to the preparation of the Annual Governance Statement.
- 7 The Audit and Governance Committee receives assurance from management through:
  - (a) receipt and approval of the annual internal audit and counter fraud plan
  - (b) receipt of regular update reports from the Head of Internal Audit detailing the results of internal audit and counter fraud work, including the audit of the financial accounting and financial management systems of the organisation
  - (c) receipt of the annual Report of the Head of Internal Audit which provides an overall opinion on the council's control environment, including the arrangements to prevent and detect fraud.

### **ISA 250 (Laws and Regulations)**

- 1 The organisation has developed and implemented a system of assurances based on:
  - (a) Objective setting - whereby the council's strategic objectives are identified and assigned to individual directors or assistant directors.
  - (b) Risk Assessment - whereby each director or assistant director identifies and prioritises the risks related to achieving those strategic objectives.
  - (c) A Local Code of Corporate Governance - which is consistent with the principles of the CIPFA/SOLACE 'Delivering Good Governance in Local Government framework' and the council's Business Model.
  - (d) Annual Governance Statement (AGS) – which sets out the council's governance framework. The key elements of the governance framework consist of strategic planning processes, political and managerial structures and processes, management and decision making processes, policies and guidance, financial management, compliance arrangements, risk management, internal audit, counter fraud activities, performance management, consultation and communication methods and partnership working arrangements. A review of the governance framework is undertaken as part of the process to prepare the AGS. All significant governance issues are highlighted in the published AGS.
- 2 The council's Executive is responsible for decision making within the policy and budget framework set by full Council. The Corporate Management Team (CMT) has responsibility for implementing council policies and decisions, providing advice to members and for coordinating the use of resources and the work of the council's directorates. The Executive and CMT monitor and review council activity to ensure corporate compliance with governance, legal and financial requirements.
- 3 Specific policies, regulations and written guidance exist to support the council's corporate governance arrangements. The Officer Governance Group is

responsible for monitoring the effectiveness of these arrangements and for the maintenance of appropriate systems of assurance. Assurance is obtained from the work of internal and external audit, inspection agencies and other relevant bodies

- 4 The Audit and Governance Committee acts as the responsible body charged with governance on behalf of the council. In doing so, the committee provides independent assurance on the adequacy of the risk management framework and the associated control environment, and independent scrutiny of the council's financial and non-financial performance to the extent that it affects the council's exposure to risk. It also oversees the council's financial reporting process and approves the Statement of Accounts.
- 5 The Audit and Governance Committee's terms of reference include the requirement to monitor the effective development and operation of risk management and corporate governance as well as to consider the council's compliance with its own and other relevant published regulations, controls, operational standards and codes of practice. The Committee is also responsible for keeping under review the council's Financial Regulations, Contract Procedure Rules, working protocols and codes of conduct and behaviour.

### **Conclusion**

Having reviewed the work of internal and external audit, the management processes and the governance arrangements throughout the year, we are not aware of any events, and nothing has come to our attention, which would require additional adjustment or disclosure in the 2009/10 Financial Statements. We are also aware of the assurances provided by management which support the conclusion we have made.

Signed on behalf of the Audit and Governance Committee  
29 September 2010

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City of York Council

Committee Minutes

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MEETING	GAMBLING & LICENSING ACTS COMMITTEE
DATE	19 NOVEMBER 2010
PRESENT	COUNCILLORS MERRETT (CHAIR), HYMAN, LOOKER, MOORE, ORRELL, RUNCIMAN, TAYLOR, B WATSON AND WISEMAN (VICE-CHAIR)
APOLOGIES	COUNCILLORS ALEXANDER, AYRE, HORTON AND REID

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**PART B - MATTERS REFERRED TO COUNCIL.****14. REVIEW OF STATEMENT OF LICENSING POLICY (LICENSING ACT 2003).**

*[See also under Part A Minutes]*

Members considered a report which sought their support for the review of the Council's statement of licensing policy. It advised of the consultation undertaken and of the amendments made as a result of changes to legislation and revised guidance.

Officers outlined the report, in particular the changes in legislation and new government guidance which affect the policy.

Members made the following comments and suggested amendments:

Section 1.3 The General Approach to Licensing – addition of a paragraph to outline the importance of responsible drinking and health promotions.

Section 1.3.4 – Certain Members queried whether this section could be restructured to deal with open air eating and drinking in York. Planning and highways have strict control over how premises operate in York and some Members felt the pavement café culture should be encouraged rather than restricted. Officers advised that as the issue is also a planning and highways matter the licensing policy should not be amended at present.

Section 5 – Members pointed out that queuing had been addressed twice and queried whether one of the sections should be removed. Officers confirmed that both were required and were relevant to different aspects of the Licensing Policy.

Section 6 – Under 6.3 'City Centre Special Policy Statement' paragraph 4 be amended to read as follows:

This area has been identified as requiring additional licensing controls to promote the licensing objectives due to the cumulative effect of the

concentration of drink led, entertainment and late night refreshment premises on crime....

Under the 'Effects of the Special Policy,' Members queried number 7 which stated that no different policy will apply in the Cumulative Impact Zone (CIZ) as opposed to the rest of the city in respect of applications to vary hours of operation. Members queried whether a different policy should apply, as the hours being applied for in the CIZ are usually later and are having a greater impact on the City than in other areas. Officers advised the Police would need to be consulted before amending the CIZ policy and advised a report addressing the issue would be brought to a future meeting. Members agreed to keep the current wording at present.

Section 7 – The opening paragraph be amended to state In 2003 the Government...

Section 13 – Members commented that in relation to tourism, it was also important to balance the interests of residents.

Members requested that 13.6 be added to refer to health policy.

RECOMMENDED: That Council resolve to approve the draft statement of Licensing Policy, with the above amendments as suggested by the Gambling & Licensing Act Committee.<sup>1</sup>

REASON: To reflect the result of consultation and meet legislative requirements.

Action Required

1. Officers to make amendments and circulate to Chair and LC Vice Chair.

Councillor Merrett, Chair

[The meeting started at 2.00 pm and finished at 3.00 pm].



## Scrutiny Report To Council December 2010

### Report of the Chair of Scrutiny Management Committee

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

### Update on Scrutiny Work

#### SMC

2. Since the last scrutiny report to Council in October the Scrutiny Management Committee will have met once to consider a referral from the Executive regarding the Joint Special Needs Assessment (JSNA) and a proposed new scrutiny topic about food growing within the city. They will also have received an update from the Chair of SMC on some regional scrutiny work that has recently been undertaken and a report from the Democratic Services Manager on some minor changes to the scrutiny process.
3. SMC have also considered the following call in:
  - 8 November 2010
    - Community Stadium Update Report

#### Standing Overview & Scrutiny Committees

4. Further meetings of the standing overview & scrutiny committees have taken place since the last Council meeting.
5. **Health Scrutiny Committee** have met twice since the last report to Council. In this time they have heard from the Chief Executive of NHS North Yorkshire & York about the short-term measures they have had to take to relieve financial pressures. The Committee also received further information from NHS North Yorkshire & York in relation to the transfer of Mental Health, Learning Disability and Substance Misuse Services.
6. They considered proposals for a scrutiny topic on carers and decided to go ahead with this focussing on identifying carers and the provision of information and access to information available to them. A small cross-party task group has been set up to undertake the review and so far they have set a remit, scoped and timetabled the work they wish to undertake. The next meeting of the task group is set for mid-December.
7. In addition to this the Committee has also heard from the Executive Member for Health 7 Adult Social services, received a six-monthly update from York Teaching Hospital NHS Foundation Trust and considered the second quarter monitoring report.

8. The recommendations arising from the review into childhood obesity have now been considered by the Executive and the work of this task group is now complete. The Health Overview & Scrutiny Committee will monitor the implementation of the recommendations agreed by the Executive.
9. **Effective Organisation Overview & Scrutiny Committee** has met once since last Council to consider the second quarter monitoring report. In addition, their Task Group set up to carry out the review on Customer Complaints has also met a number of times. Work on the review is progressing and the Task Group have already identified a number of changes required to the Corporate Customer Feedback Policy together with a number of recommendations. The Task Group will meet for a final time in early January 2011 to agree its final report.
10. **Economic & City Development Overview & Scrutiny Committee** has met twice since the last report to Council. They have received an update report from the Executive Member for City Strategy who attended the November meeting to address the Committee. In addition to this they have considered reports on the following:
  - An update report on the acceptance of Euros
  - Six monthly update on major developments within the city
  - A copy of the report to the Executive Member for City Strategy in relation to traffic issues at Water End
  - Draft final report in relation to the Newgate Market review
  - Six monthly update on major transport initiatives in the city
  - Second quarter monitoring report.
11. Work has continued to progress on the Newgate Market review and the Committee have met informally on several occasions to consider information. At their meeting in early December the Committee considered a draft final report and it is hoped that the review will be complete and a final report produced in time for the Committee's January meeting.
12. Work is ongoing on the Broadway Shops Councillor Call for Action and an update report to the Committee is due in the New Year. A further facilitated meeting has been held since the last update to Council and some works, predominantly white lining, have taken place at this parade of shops. A clear path has now been defined for pedestrians and safety has improved. The feedback we have had to date has been positive.
13. **Learning & Culture Overview & Scrutiny Committee** has met once since the last Council meeting to consider its second quarter finance and performance monitoring report and to receive a further presentation on CYC Youth Services. They plan to commence a scrutiny review on the future of Youth Service provision across the city and the presentation was to help them identify an appropriate remit for that review.
14. **Community Safety Overview & Scrutiny Committee** has met once since the last Council meeting to receive their second quarter finance and performance monitoring report, and a presentation from the Probation Service on their involvement in and contribution to the Safer York Partnership.

15. Their Task Group set up to carry out a scrutiny review of CYC Taxi Licensing Policy has also held its first meeting to scope their work on the review and to receive a presentation from the Licensing Unit on the issues to be addressed as part of the review. A number of future meetings are planned with the intention of completing the review by mid February 2011.
16. **School Travel Plans Ad-hoc Scrutiny Committee** has met twice since the last council meeting and members of the Committee carried out a number of visits to participating schools. Work on the review has now been completed and the final report has been agreed. This will be presented to SMC for consultation at their next meeting, prior to being presented to the Executive for approval.
17. **Recommendation – Appointment of a Statutory Scrutiny Officer**

Under Section 31 of the Local Democracy, Economic Development and Construction Act 2009, the Council is required to appoint a Statutory Scrutiny Officer.

Members are recommended to approve the appointment to this post of the Head of Democratic Services, whose job description encompasses the statutory functions of the post, subject to the confirmation of the Scrutiny Management Committee, which will consider the matter at its meeting on 6 December 2010.

**Councillor John Galvin**  
**Chair of Scrutiny Management Committee**

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**NEIGHBOURHOODS and HOUSING SERVICES REPORT TO COUNCIL****9 DECEMBER 2010.**

I ended my last report to Council in October 2009 by welcoming our new Director, Sally Burns. In the last year, Sally has built on the strong foundations she inherited and formed a new directorate of Communities and Neighbourhoods encompassing Neighbourhood Services, Housing Services, Lifelong Leisure and Culture. The new directorate has started to bed down, and from 1<sup>st</sup> November a new management team is in place. One of her innovations is a quarterly newsletter for members which I hope has made it easier for you to keep track of all the functions of the Directorate.

Waste Management

Two major service development projects have been implemented this year. We are now midway through rolling out kerbside recycling and alternate weekly waste to approximately 16,600 additional households, mainly in flats and terraced areas. The project has proved challenging but we will complete the roll out by March 2011 when 98% of households will have a kerbside recycling service.

The second development is now complete with the provision of the 3 box recycling system to over 60,000 households providing residents with standardised containers and replacing the mishmash of boxes and bags. This roll out has been well received with very good feedback from residents. An initial 'before and after' evaluation exercise suggests that recycling has increased by about 2.7%.

Our household recycling rate is forecast to be 44.3% in 2010/11, and we expect to landfill less than 55% of our municipal waste. Crucially we expect to send 57000 tonnes of municipal waste to landfill this year, down from 60,300 in 2009/10 and an 11% decrease over 3 years. Each household will produce 590kg of residual waste this year – down from 663kg in 2007/08. This is very good news and comes from our waste minimisation work, increased opportunities for recycling, national trends in lighter packaging and the impact of the recession on buying habits.

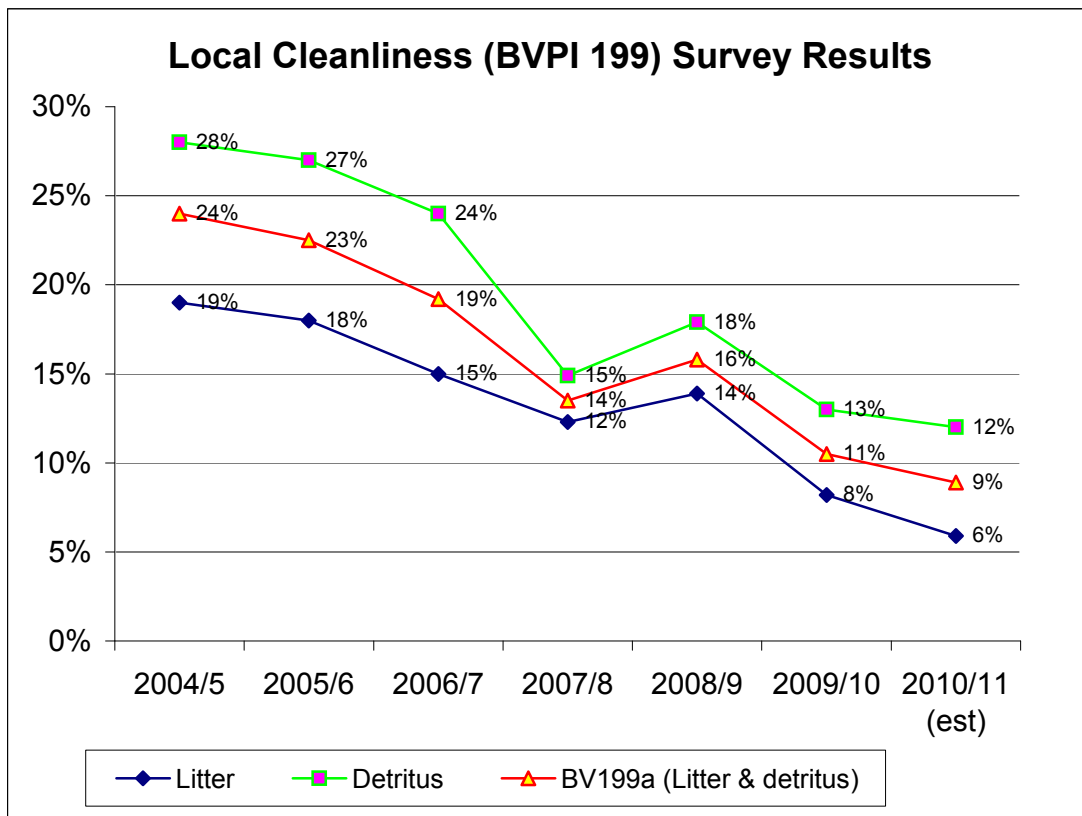
Work has also been going on to make our waste collection service more efficient. Route optimisation software is being used to pilot revised rounds, which should mean the crews can complete their work quicker, reducing mileage and fuel use. This software is also being used with other vehicles such as mechanical sweepers and litter bin emptying to improve efficiency.

Local Environment

Keeping the city clean is the front face of CANs.

Our ongoing NPI195 survey data suggests that 2009/10 was the cleanest York has been since we started to do regular surveys in 2004/5. In 2009/10, just 5.9% of areas surveyed had unacceptable levels of litter and dirt compared with 8.2% in 2007/08 and 9.9% in 2008/09. The graph below converts the NPI195 figures into BVPI199 figures to show the improving trend over time. The 2010/11 data in the graph is based on just one of the 3 surveys carried out each year.

Of course there will still be grot spots and we rely on members of the public to tell us where these are so that we can clean them. We are currently piloting a new and improved customer contact service, linking the call centre and back office staff closer together to support a range of environmental services including Neighbourhood Pride. The front office software system has been significantly upgraded and these developments should allow us to provide a better level of customer service, more efficiently and at less cost.



Overall York won silver gilt in York in Bloom this year with a coveted gold award in the summer judging and winning the city section of the competition. Those results would not have been possible without the efforts of staff in Neighbourhood Pride, Street Environment, and Parks and Open Spaces and also the Lord Mayor. I also want to recognise the very important part that volunteers, residents and businesses across the city now play in making the city's entry a success. For example this year we have seen people get involved through the allotment competition, the tenants Home Grown competition, and we have our first Edible York plots. There are too many to mention, but I want to thank all those who take part in making the city look so good.

The harder end of the work is around environmental enforcement. Over the last couple of years we have greatly increased the amount of enforcement we do. There is now a greater than ever chance of receiving an FPN for littering in the street (including cigarette litter) and we have really tackled fly-tipping head on through doing about 32% more enforcement activity. In 2009/10 there were 6 prosecutions for fly-tipping. While fly-tipping has risen again this

year to about 77 incidents per month, this is still less than the figure of 93 incidents per month we experienced in 2008/09.

### Highways

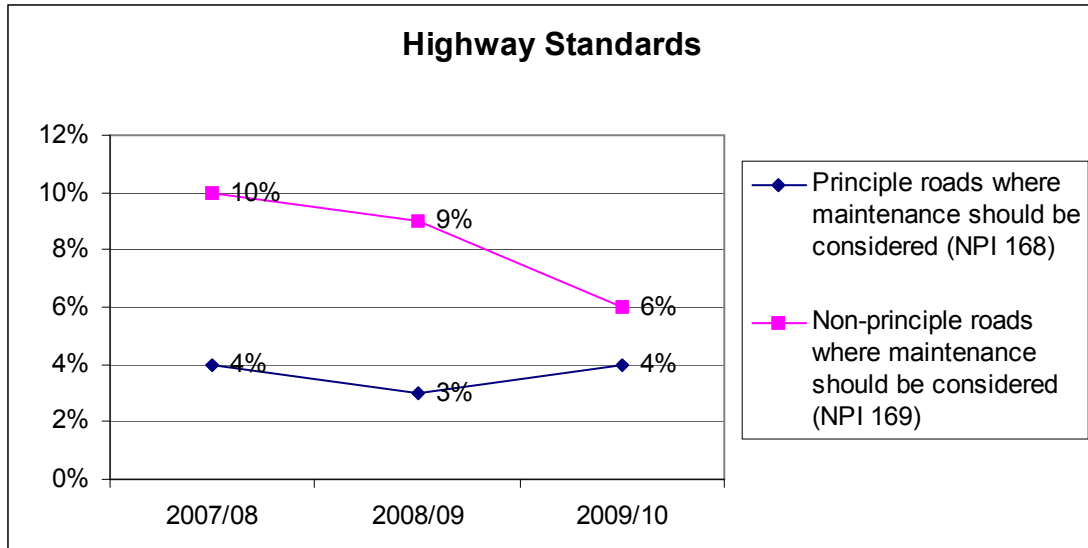
We removed most of the client contractor split from the highways function in early 2009, and have worked hard to integrate City Strategy staff into a single end to end highways maintenance function. The severe winter last year certainly tested that team, both in terms of being able to cope with the demands placed on the service during the severe weather and then in terms of recovering the position afterwards.

York coped relatively well during the snow, undertaking record numbers of gritting and snow clearance runs, spreading record amounts of salt, sand and grit. Some weaknesses in the system did show up and both the Executive and the scrutiny committee reviewed the service and recommended that some changes should be made.

- Some new gritting routes have been added
- a severe weather policy is in place,
- a special vehicle purchased to treat main cycle tracks
- the introduction of temporary salt bags.

I was disappointed that so few members were able to attend the service's open day held at the depot in October, as that provided a valuable insight into the challenges facing the winter gritting teams. As I write this report we are already testing the revised winter maintenance policy with the first major snow of the year.

In terms of roads – the two national survey based measures NPI168 and NPI169 suggest that 4% of our principal roads were in need of repair in 2009/10 (up from 3% the previous year – and 2<sup>nd</sup> quartile compared with other unitaries), and 6% of our non-principal roads were in need of repair in 2009/10 (down from 9% in 2008/09 – also 2<sup>nd</sup> quartile). These technical measures show that we recovered from the winter well and that our roads are in comparatively good condition



### Parking Services

The service has focused on improving customer service levels and during 2009/10 we increased the number of patrols around schools from 1.9 to 3.5 per week, and increased the number of resident parking area patrols per week per street from 5 to 6.8. The parking service now regularly asks for and receives customer feedback from its Respark customers. In response to customer feedback at an equality impact assessment consultation event last year, we now offer unlimited parking permits to residents with caring responsibilities. The service is currently being reviewed under the More for York programme to see how it could improve further while reducing back office costs.

### Public Toilets

Silver Street toilets opened in May 2010, allowing for the closure of the Parliament Street toilets which had been problematical for many years. The service piloted a community toilet service in Acomb but this was not successful. We have recently put some additional project resource in place to see whether a community toilet scheme could be made to work in the city centre. The service will continue to seek alternative ways to provide improved public toilet facilities, making best use of the assets we have.

### Regulatory Services

Our regulatory services (and Licensing and Bereavement Services as well) were awarded the Customer Service Excellence standard in 2009, and maintained that award in 2010. Our Environmental Health and Trading Standards department is one of the most go ahead in the country. In the last year we have:

- continued to run a programme of 'test purchases' using under age volunteers to see if retailers are selling items such as alcohol and cigarettes. The service's view is that retailers are now taking the issue of under age sales much more seriously.



- started to undertake a number of larger and more complicated regional fraud investigations via the regionally funded 'Scambuster' team.
- continued to offer an out of hours noise nuisance service that many councillors will know is successful in tackling an issue of great concern to many residents.
- maintained the development of "Cold Calling Controlled Zones" to tackle the problems of doorstep crime for vulnerable people. 137 zones were in place at the end of October 2010, with a number more being processed. An evaluation in 2009 suggested that 61% of residents in the zones felt less concerned about doorstep crime, and just 2% felt more concerned. 82% felt that they could deal with cold callers, and only 8% did not feel able to.
- had continued success with our 'scores on the doors scheme' that gives food premises a star rating based in their standards of food hygiene. So far this year the scores on the door web site has dealt with over 80,000 searches of York premises.
- found more instances of under strength drinks, such as vodka and whisky, being sold from bars and restaurants in York. Our work in this area has resulted in us being awarded a silver award by the drinks industry for our enforcement work.
- been awarded regional champions status for low emissions, i.e. reducing traffic and climate change emissions.
- had EPU's JorAir website recently ranked as one of the top three local authority air quality websites.

#### Neighbourhood Management

The service is leading on a pilot area working scheme covering 6 wards in the west of York. This pilot will run until September 2011. The aim is to streamline and strengthen ward level planning and delivery arrangements to support ward members to take decisions about priorities in their ward. One aim is to ensure the full and committed support of a wider range of partner agencies, including local voluntary sector agencies and groups. This may mean focusing on particular areas of wards, and it may mean shifting resource and priority within ward boundaries. It is still early days, but the pilot has the potential of reducing cost and improving flexibility and delivery of services to tackle local issues together. This is a challenging but exciting and innovative piece of work.

#### Registrars Services

In Autumn 2010, the Registrars Service opened a bereavement suite at York District Hospital. This initiative means we will be able to offer a sensitive and convenient service to families on site. The service continues to receive satisfaction ratings in excess of 95% satisfaction. The service is now working towards achieving Customer Service Excellence status.

I took on responsibility for the Housing Landlord function in May 2010.

#### Housing Services

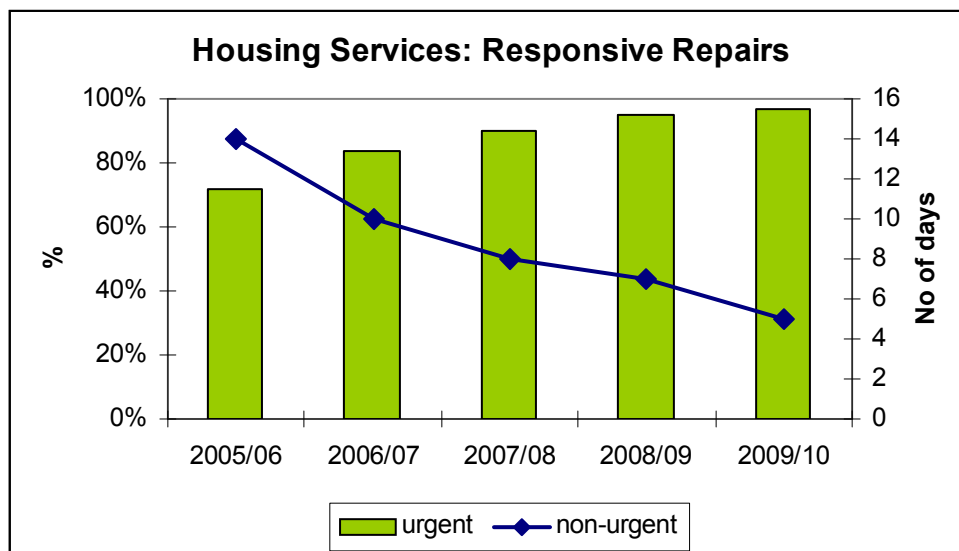
The service has set out its vision for the future, "Creating homes, building communities", which is supported by 5 key outcomes. A comprehensive and

challenging service plan sets out priorities and timescales to support each of these outcomes which have been shaped by tenant priorities as identified through the annual satisfaction survey and how we compare using Housemark benchmarking data against housing organisations across England.

The service plan outlines our commitment to continuous service improvement and a desire for the service to be an excellent “3 star” service by 2013. I look forward to seeing the results of this programme in maintaining our current top benchmarking performance and achieving top performance in other areas in due course

Recent national announcements about rent and housing benefits will bring some challenges. Tenants tell us that the quality of the repairs service is their highest priority. The Building repairs team have undertaken a large scale efficiency project with More for York since removing the client contractor split in April 2010. This work will improve the value for money which we offer our tenants. The repairs workforce now use mobile devices to aid communication, and we source our material through the innovative arrangement with Jewsons. This drive for efficiencies resulted in just over £700k of savings in 2009/10.

In 2009/10 97% of urgent repairs were completed in time compared to 95% in 2008/09, and 72% in 2005/6. The average time taken to complete non-urgent repairs dropped to 5 days compared with 6.6 days in 2008/9, and 8.0 days in 2007/8.



The most recent Annual Housing Monitor (AHM) carried out in November 2009 suggests that tenants are more satisfied with the service we provide than in other local authority areas. Comparing results using HouseMark benchmarking data for 08/09 reveals that 4 out of 6 AHM indicators are in top quartile position. These are.

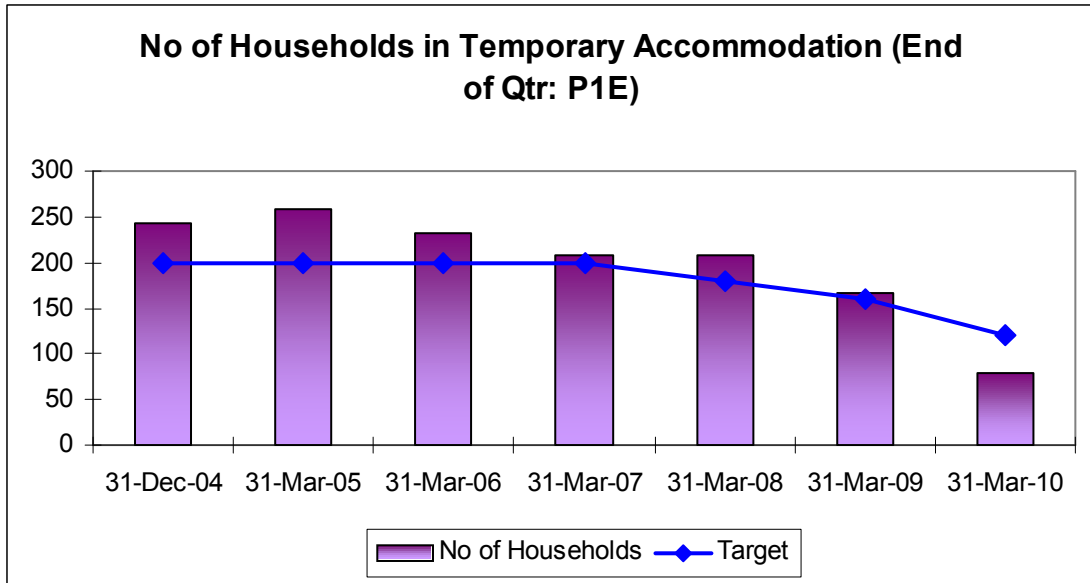
- Tenant satisfaction with the overall service provided by the landlord has increased from 85% to 89%. Top quartile performance is 84%.
- Tenant satisfaction with the repairs and maintenance service has improved from 83% to 87%. Top quartile performance is 82%.
- Tenant satisfaction with Value for Money for rent has increased from 81% to 85%. Top quartile position is 82%.
- Tenant satisfaction with the general condition of their property has improved from 82% to 85%. Top quartile position is 86%.
- Tenant satisfaction with views being taken into account has increase from 68% to 72%. Top quartile position is 67%.

Customer involvement is a key priority in shaping the housing service. The Customer Engagement Strategy “Your Service, Your Say” has been developed with customers and sets out a range of ways customers can be involved and influence service improvement in the future. In 2010/11 the Federation of Residents’ Association will be checking and scrutinising our performance. The first tenant open day was held in November 2010 for tenants to set standards and priorities for the housing service.

One area where satisfaction is low is how we handle anti social behaviour. 51% of respondents were satisfied in 2009 (top quartile is 84%). In response the service has consulted extensively with customers and partners and set up an anti-social behaviour customer panel, which has led to the development of a corporate anti-social behaviour strategy. The appointment of an Assistant Director for Housing and Public Protection (including responsibility for Community Safety liaison with the police) will strengthen the impact of this work.

There are a number of particular achievements that I want to highlight.

- Current tenant rent arrears are now at the lowest for 10 years.
- The number of households in temporary accommodation reduced significantly to 79, which far exceeded the Government target of 121.
- In conjunction with voluntary sector resettlement agencies we were awarded “Regional Champion” status for rough sleeping and hosted a series of training and show and tell events.



- In 2009/10 1076 cases of homelessness were prevented compared to 645 in 2008/09.
- The first new council houses in the city for almost 20 years will be built at Lilbourne Drive, Clifton. These homes will be built to some of the highest environmental standards in the country meaning very low energy bills for the tenants who will be living there

The portfolio is very varied, and full of unsung heroes, so my apologies to those sections that I haven't mentioned.

If I made an award to the team of the year I hope that you would agree that our gritter drivers would deserve it for their sterling work and commitment last winter. When we were tucked up in bed they were out on the highways and byways keeping the roads open. Let us hope that the recent cold weather is not a sign of things to come.

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

### **Committees/Working Groups**

#### **Staffing Matters & Urgency Committee**

To appoint Cllr Horton as 3<sup>rd</sup> Labour substitute  
To appoint Cllr Boyce as 4<sup>th</sup> Labour substitute

#### **Planning Committee**

To appoint Cllr Boyce in place of Cllr Pierce (who has left the Council)  
To appoint Cllr Potter as Vice-Chair, in place of Cllr Merrett

#### **East Area Planning Sub-Committee**

To appoint Cllr Simpson-Laing in place of Cllr Pierce

#### **Scrutiny Management Committee**

To appoint Cllr Gunnell, in place of Cllr Merrett  
To appoint Cllr Alexander as Vice Chair  
To appoint Cllr Hoban as 1<sup>st</sup> Labour substitute, in place of Cllr Fraser

#### **Economic and City Development Overview & Scrutiny Committee**

To appoint Cllr Hoban in place of Cllr Potter

#### **Effective Organisation Overview & Scrutiny Committee**

To appoint Cllr Hoban in place of Cllr Crisp

#### **Learning & Culture Overview & Scrutiny Committee**

To appoint Cllr Potter in place of Cllr Pierce

#### **Gambling & Licensing Acts Committee**

To appoint Cllr Crisp in place of Cllr Pierce

#### **Education Appeals Committee**

To appoint Cllr Potter as 1<sup>st</sup> Labour substitute, in place of Cllr Pierce

#### **Local Development Framework Working Group**

To appoint Cllr Potter as Vice Chair, in place of Cllr Merrett

To appoint Cllr Alexander as 2<sup>nd</sup> Labour substitute, in place of Cllr Pierce

Young People's Working Group

To appoint Cllr Potter in place of Cllr Pierce

Member Development Steering Group

To appoint Cllr Hoban in place of Cllr Pierce

YorOK Board

To appoint Cllr Potter in place of Cllr Pierce

**Partnership Bodies**

Derwenthorpe Partnership Forum

To appoint Cllr Hoban in place of Cllr Cregan

To appoint Cllr Cregan as Labour substitute, in place of Cllr Pierce

Early Years and Extended Schools Partnership

To appoint Cllr Potter in place of Cllr Pierce

LA Admission Forum

To appoint Cllr Potter in place of Cllr Pierce

North Yorkshire Fire and Rescue Authority

To appoint Cllr Hoban as 2<sup>nd</sup> Labour substitute, in place of Cllr Potter

Ofsted Sub-Group

To appoint Cllr Potter in place of Cllr Pierce

Quality Bus Partnership

To appoint Cllr Merrett in place of Cllr Potter

Schools Forum

To appoint Cllr Potter in place of Cllr Pierce

## **Outside Bodies**

### Drainage Boards

To note the amalgamation of the Foss Internal Drainage Board with the Thornton Drainage Board and to nominate the following 10 members to the new amalgamated Board:

(tba)

### York Environment Forum

To appoint Cllr Merrett in place of Cllr Potter

### York Theatre Royal Board

To appoint Cllr Merrett in place of Cllr Potter

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