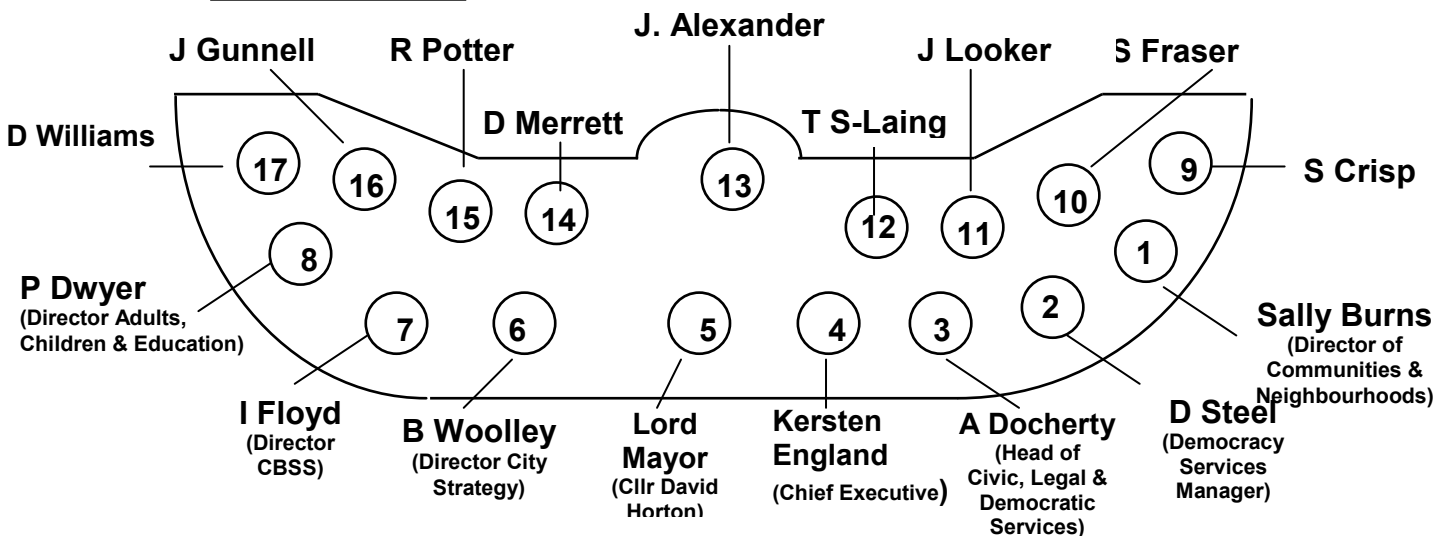
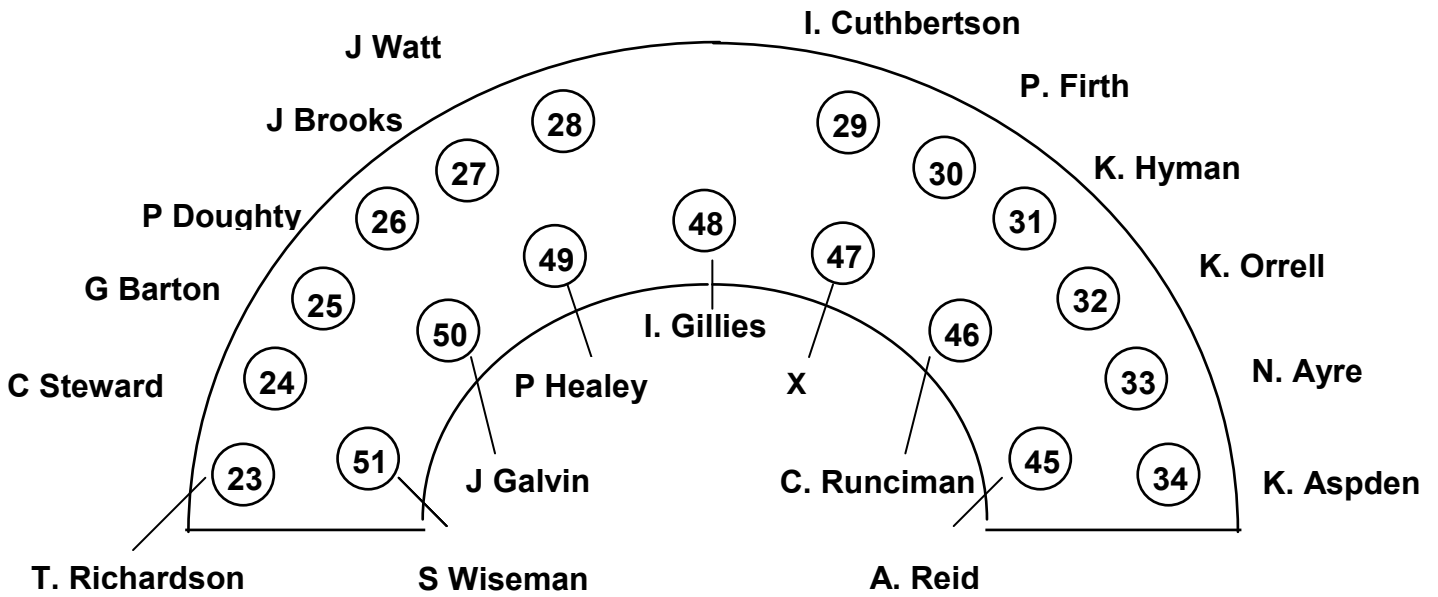


CITY OF YORK COUNCIL SUMMONS

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, 6 October 2011 at 6.40 pm

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 - 42)

To approve and sign the minutes of the Council meeting held on 30 June 2011 and the Extraordinary Council meeting held on 4 August 2011.

3. Civic Announcements

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

4. Public Participation

At this point in the meeting, any member of the public who has registered to address the Council, or to ask a Member of the Council a question, on a matter directly relevant to the business of the Council or the City, may do so. The deadline for registering is **5:00pm on Wednesday, 5 October 2011**.

5. Petitions

To consider any petitions received from Members in accordance with Standing Order No.7.

6. Report of Cabinet Leader and Cabinet Recommendations
(Pages 43 - 82)

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

Meeting	Date	Recommendations
Cabinet	19 July 2011	(Part A) Minute 14: <i>Taking Forward the 2011/12 Budget Priorities</i> <u>Note:</u> this item relates to the draft Council Plan, a copy of which has been made available on-line, with

printed copies circulated separately to Members. A report containing recommendations in respect of the draft Plan is attached to the minute.

(Part B) Minute 26: *Capital Programme Out-turn 2010/11 and Revisions to the 2011/12-2015/16 Programme*

Cabinet	6 September 2011	Minute 40: <i>Capital Programme – Monitor One</i>
Cabinet	4 October 2011	Minute 53: <i>Response to Draft National Planning Policy Framework</i>

Note: the above minute, together with the draft response to consultation on the NPPF incorporating the amendments recommended by Cabinet, was published with this agenda on 5 October 2011.

7. Recommendations of the Audit & Governance Committee (Pages 83 - 84)

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

Date of Meeting	Recommendations
26 July 2011	Minute 21: <i>Constitutional Changes</i>

8. Scrutiny - Annual Report (Pages 85 - 94)

To receive the Annual Report of the Scrutiny Management

Committee.

9. Report of Cabinet Member (Pages 95 - 104)

To receive a written report from the Cabinet Member for Education, Children & Young People's Services and to question the Cabinet Member thereon, provided any such questions are registered in accordance with the timescales and procedures set out in Standing Order 8.2.1.

10. 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 – meeting on 23 March 2011
- North Yorkshire Police Authority – meeting on 25 March 2011
- Safer York Partnership – minutes of meeting on 23 May 2011
- Quality Bus Partnership – meeting on 9 June 2011
- York & North Yorkshire Waste Partnership – meeting 30 June 2011
- North Yorkshire Fire & Rescue Authority – meeting on 25 July 2011

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

11. Appointments and Changes to Membership (Pages 105 - 106)

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

12. Notices of Motion

To consider the following Notices of Motion under Standing Order 12 submitted directly to Council:

(i) From Cllr Riches

“Council notes:

- That health funding rose dramatically during 13 years of Labour Government resulting in improved care, treatment and investment in new hospitals;
- The Conservative-Liberal Democrat Government’s promise not to pursue expensive top-down reorganisations of the NHS, and its subsequent planned £2bn top-down reorganisation of the NHS, through the Health and Social Care Bill;
- York District Hospital needing to implement £12-£14m of cuts over the three years 2011-14, and for it to deliver existing services with 5-6% less funding, despite the Government’s commitment to real terms NHS funding increases.

Council expresses dissatisfaction at:

- The removal of the requirement in the above Bill for the Secretary of State for Health to provide a National Health Service;
- The Bill not providing the City’s new Health and Wellbeing Board with the power to ‘sign off’ changes to local health service provision, resulting in an absence of local democratic accountability that the Government claimed to support.

Council requests that the Chief Executive writes to Andrew Lansley, Secretary of State for Health, urging him to scrap the Health and Social Care Bill and to undertake meaningful consultation on the future of Health and Social Care, and also to write to the City’s MPs requesting their support for this course of action.”

(ii) From Cllr Wiseman

“In order to further CYC’s encouragement of energy conservation and the benefits of renewable energy, the Council requests that

officers formulate a policy relating to the installation of photovoltaic panels on roof tops, to assist in particular with the consideration of applications on listed buildings and in conservation areas.”

(iii) From Cllr Aspden

Council welcomes the desire of the Government to make planning policy more acceptable by simplifying the National Planning Policy Framework. However, Council is concerned that the proposals undermine the ability of local communities, including Parish Councils, to protect their local areas from inappropriate development.

Council is especially concerned that changes will combine with the recent decision by the Labour Administration to allocate land in the green belt for development as part of the LDF to create a situation whereby developers will feel encouraged to push for additional green belt land to be released.

“Council therefore resolves to write to the City’s MPs asking them to work towards changes to the framework to ensure protection of the green belt to strengthen the ability of Local Authorities to ensure that development is appropriate and in keeping with the surrounding area.”

(iv) From Cllr Williams

“Council notes recent riots in different cities in England and the Conservative / Liberal Democrat Government's proposed cuts to the police service which will lead to 200 fewer police officers on the streets of York and North Yorkshire.

At a time of Government cuts to the police service, Council believes it is wrong to introduce police commissioners at a cost of £100 million and more as a result of a Government decision to waste money on 42 elected politicians being paid over £120,000 a year. Also, the decision to move the police commissioner election from May to November for purely party political purposes will lead to an additional £25m cost to the taxpayer.

Council requests the Chief Executive to write to the Home

Secretary, Theresa May, to urge her to reconsider the introduction of police commissioners at a time of impending cuts to the police service. Citizens in York would prefer to keep police officers on the streets rather than pay for elected politicians to be police commissioners.”

(v) From Cllr D’Agorne

“This Council calls on the Cabinet to reinstate the positions of member champion for older people, young people, and heritage. In addition, the cycle champion role should be replaced with a ‘green travel’ champion who will promote sustainable and active travel to include walking, cycling and public transport.

This Council also resolves to amend the Council’s constitution so as to ensure that council publicity can feature champions acting in furtherance of their roles.”

13. Questions to the Cabinet Leader and Cabinet Members received under Standing Order 11

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

(i) To the Cabinet Leader from Cllr Firth

“Can the Cabinet Leader say whether the Council’s debt position for 2011/12 has increased or decreased since he became Leader?”

(ii) To the Cabinet Member for Corporate Services from Cllr Wiseman:

“What is the cost to the Council tax payers of York for the staffing and funding of Union Officers?”

(iii) To the Cabinet Member for Corporate Services from Cllr Galvin:

“Given that the Council has to make cuts and reduce staffing levels, can the Cabinet Member for Corporate Services justify spending Council Tax Payers money on the transfer of two experienced Planning Enforcement Officers to act as Union Representatives whilst still being employed by the Council?”

- (iv) To the Cabinet Member for Corporate Services from Cllr Cuthbertson
“How many Freedom of Information requests were received regarding the sale of Union Terrace Car and Coach park? On what dates were they received and how many have not yet been responded to?”
- (v) To the Cabinet Member for Corporate Services from Cllr Firth
“Can the Cabinet Member say how many businesses she met with at the recent meet the buyer event?”
- (vi) To the Cabinet Member for City Strategy from Cllr Aspden
“Given the recent results of the Fulfordgate residents parking ballot and parking issues associated with the University, will the Cabinet Member commission a report into the interrelated parking issues for the Heslington Lane area of Fulford before the end of the year?”
- (vii) To the Cabinet Member for City Strategy from Cllr Hyman
“Can the Cabinet Member say what steps he intends to take to increase the number of companies that allow the use of Taxi Cards?”
- (viii) To the Cabinet Member for City Strategy from Cllr Cuthbertson
“Given the reports of conflict between vehicles and cycles caused by the layout of the new style speed cushions outside Joseph Rowntree School, can the Cabinet Member say if he intends to allow the cushions to continue to be used in groups of three elsewhere in the City?”
- (ix) To the Cabinet Member for City Strategy from Cllr Aspden
“Can the Cabinet Member say when he expects the petition from residents regarding road safety on Selby Road, Fulford to be considered at a Decision Session?”
- (x) To the Cabinet Member for Health, Housing & Adult Social Services, from Cllr Taylor
“With the proposals under consultation to reduce the

provision in our Residential Elderly Persons' Care Homes from 276 to 200 beds, will the Cabinet Member guarantee that, under the new proposals, there will be sufficient beds to meet the needs of York's ageing population?"

- (xi) To the Cabinet Member for Health, Housing & Adult Social Services, from Cllr Cuthbertson
"Can the Cabinet Member say how many responses to the consultation on Elderly Person's Homes have been received and how many people attended each of the public meeting events?"

- (xii) To the Cabinet Member for Communities & Neighbourhoods from Cllr Ayre
"Given that Quarter 1 figures suggest that existing policies have already increased the recycling rate to the level projected in Labour budget amendment, can the Cabinet Member say what rates she expects to reach once the new smaller recycling boxes have been introduced?"

- (xiii) To the Cabinet Member for Communities & Neighbourhoods from Cllr Aspden
"Will the Cabinet Member agree to take steps to make the planting of trees easier on the Fulford Road corridor in order to help reduce air quality problems?"

- (xiv) To the Cabinet Member for Education, Children & Young People's Services from Cllr Aspden
"Does the Cabinet Member agree that personal finance education is vital in helping young people succeed in life and will she agree to look at ways in which the Council can encourage all schools in the City to teach these skills?"

- (xv) To the Cabinet Member for Leisure, Culture & Social Inclusion from Cllr Ayre
"Can the Cabinet Member explain why local residents were not consulted prior to the decision being taken to reclassify Rawcliffe Country Park in the Council's Events Protocol?"

- (xvi) To the Cabinet Member for Leisure, Culture & Social Inclusion from Cllr Ayre
"Will the Cabinet Member confirm whether she intends to

pursue a premises licence for Monk Stray?”

(xvii) To the Cabinet Member for Crime & Community Safety from Cllr Orrell

“Can the Cabinet Member detail some of the key decisions he has taken since May as part of his portfolio responsibilities and can he say how these decisions have impacted on crime and the perception of crime in the City?”

14. 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

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 The Guildhall, York on Thursday, 30th June, 2011, starting at 6.30 pm.

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

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD

Galvin

CLIFTON WARD

Douglas
King
Scott

DERWENT WARD

Brooks

**DRINGHOUSES &
WOODTHORPE WARD**

Hodgson
Reid
Semlyen

FISHERGATE WARD

D'Agorne
Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
Watson

HAXBY & WIGGINTON WARD

Cuthbertson
Richardson

HESLINGTON WARD

Levene

HEWORTH WARD

Boyce
Funnell
Potter

HEWORTH WITHOUT WARD

Ayre

HOLGATE WARD

Alexander
Crisp
Riches

HULL ROAD WARD

Barnes
Fitzpatrick

HUNTINGTON & NEW
EARSWICK WARD

Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Warters

RURAL WEST YORK WARD

Gillies
Healey
Steward

SKELTON, RAWCLIFFE &
CLIFTON WITHOUT WARD

Cunningham-Cross
McIlveen
Watt

STRENSALL WARD

Doughty
Wiseman

WESTFIELD WARD

Burton
Jeffries
Williams

WHELDRAKE WARD

Barton

Apologies for absence were received from Councillors Firth and Hyman

DECLARATIONS OF INTEREST

13. 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.

The following **prejudicial** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Looker	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Director of North Yorkshire Credit Union (she stated she would leave the room if the actual budget was discussed otherwise would treat as a personal interest)

The following **personal** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Alexander	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of GMB Union
Aspden	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of North Yorkshire Credit Union
Burton	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of PCS Union
Crisp	11(i) Notice of Motion from Cllr Alexander (budget amendment)	Member of retired section of Unison
Cuthbertson	11(i) Notice of Motion from Cllr	Member of Board of North

	Alexander (budget amendment)	Yorkshire Credit Union
Fitzpatrick	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of ASPECT Union
Fraser	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of retired section of Unison and Unite (ACTS/TGWU Sections)
Funnell	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of North Yorkshire Credit Union
Hodgson	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of Unison and PCS Union
Levene	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of Unite Union
Merrett	12. Questions to Cabinet Leader and Cabinet Members	Member of York Cycle Campaign Member of CTC (Cyclists Touring Club)
Orrell	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of North Yorkshire Credit Union
Riches	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of TSSA and RMT unions
	6. Cabinet Leader and Cabinet Recommendations (Minute 7 LDF)	Live in area of York Central Area and Lemn Road Area re Flood Defences
Runciman	11 (i) Notice of Motion from Cllr Alexander (budget	Member of North Yorkshire Credit Union

	amendment)	
Scott	11 (i) Notice of Motion from Cllr Alexander (budget amendment)	Member of Unite Wife is employed by CYC Child attends a primary school and benefits from out of school provision
Semlyen	12. Questions to Cabinet Leader and Cabinet Members (xii) (xvii) (xxi)	Employed by 20s Plenty campaign Member of York Cycle Campaign
Simpson-Laing	6. Cabinet Leader and Cabinet Recommendations (Minute 7 LDF)	LDF Working Group Committee Member Live in York Central Area – Leeman Road Area
	11 (i) Notice of Motion from Cllr Alexander (Budget Amendment)	Member of Unison
	11 (iv) Notice of Motion from Cllr Simpson-Laing	Member of Peasholme Advisory Committee
Williams	Notice of Motion from Cllr Alexander (Budget Amendment)	Member of Unison

MINUTES

14. RESOLVED: That the minutes of the Ordinary Council meeting held on 7 April 2011 and the Annual Council meeting held on 26 May 2011 be approved and signed by the Chair as a correct record.

CIVIC ANNOUNCEMENTS

15. The Lord Mayor announced that a request had been received from Councillor Watson for this Council to confer the honour of Freedom of Entry to the City upon York's Normandy Veterans and that he had been advised that this request was likely to be considered by a Special Meeting of Council prior to the meeting on 6 October.

The Lord Mayor then announced that he would be taking part in the Jane Tomlinson 10k "Run for All" event in York on 31 July and would welcome Members support if they would like to sponsor him.

PUBLIC PARTICIPATION

16. The Lord Mayor announced that five members of the public had registered to speak at the meeting. Each was invited to speak for three minutes, in accordance with the Council's Public Participation Scheme.

Dan Sidley, a member of the Holocaust Memorial Day Steering Group, spoke on behalf of Lilian Black, Chair of the Holocaust Survivors' Friendship Association and her father Eugene Black, a Holocaust survivor, in support of the proposals in Cllr Alexander's notice of motion to reinstate funding for Holocaust Memorial Day.

Father Tim Jones, Church of England Parish Priest for St Lawrence's and St Hilda's Parish Churches, spoke in support of the proposals in the same notice of motion to reinstate funding for Hull Road Park. He said he had been disappointed by the original proposals to cut back funding for Hull Road Park as it was a facility which made a real difference to local people. He expressed his support for the proposals to reinstate the funding for this park.

Tom Hughes, a member of the Meadlands Area Residents Association, spoke about the Cabinet recommendations to Council on the Local Development Framework. He raised concerns that the Local Development Framework Working Group, and the views of its Members, had not been taken into account, with some meetings of the working group

cancelled and none held during the last six months. Furthermore he voiced the opinion that search area B was premature and unwelcome.

Rev Chris Cullwick spoke about the work of Faith groups in the City. He explained that he worked with the Chaplaincy Centre at York University as well as other organisations including the police, the council and local businesses. He stated that the work of the faith community was embedded and was therefore sometimes overlooked but that they played an important role working with groups including the elderly, homeless and the disabled.

Rachel Barber, Community Services Manager at the Salvation Army in York, expanded upon the comments made by Rev Cullwick, with specific reference to the work of the Salvation Army. She explained that the Salvation Army had long supported those people who had been excluded from society, explained their four priorities and their mission to create a community for those who have none and to fight for social injustice where people were oppressed. She stated that in York 13 people are employed in the York Social Action Projects; York Advocacy; Community Support Link; the luncheon club; the Early Intervention and Prevention Team; and Solid Foundations, and that all the teams played an essential role in the support provided by the Salvation Army.

PETITIONS

17. Under Standing Order 7 a petition was presented by Cllr Boyce, on behalf of residents of John Street, asking for their road to be re-surfaced.

RESOLVED: That the petition be referred to the Cabinet or appropriate committee. ¹

REPORT OF CABINET LEADER AND CABINET RECOMMENDATIONS

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

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

(i) From Cllr Cuthbertson

“If the Cabinet Leader believes York is over reliant on public sector jobs, why he is proposing to put small businesses on Gillygate at risk by selling off Union Terrace car park?”

The Leader replied:

“I do not believe the Labour Group’s decision to support expansion of York St John University will put private sector jobs at risk. It will instead create 100 private sector jobs and 100 public sector jobs. It will also act as a catalyst for economic growth.

Former Liberal Democrat Councillor Steve Galloway has published on his website that discussions over this scheme began 12 months ago. I was aware of it for many months and I was in opposition. The Liberal Democrats could have said no to the scheme when in office. I am told instead they wanted to wait until after the local election.”

(ii) From Cllr Aspden

“Can the Cabinet Leader say when the alternative parking and coach drop off arrangements to replace Union Terrace will be made public?”

The Leader replied:

“As soon as the workings of officers are complete. I suspect in the coming weeks.”

(iii) From Cllr Ayre

“Has the Cabinet Leader considered the impact that the proposed budget changes will have on next year’s budget?”

The Leader replied:

“Yes. £0.6m reduction in council capital borrowing over the two year period.

In revenue terms, the added pressure is arguably £140k which is 0.1% of the entire council budget. This takes into account revenue spending

commitments for 2011/12 that are one off expenditure and not part of the base budget. I don't think this is unreasonable considering the previous Liberal Democrat administration left a £0.5m black hole in Property Services and a £0.8m black hole in Housing."

(iv) From Cllr Cuthbertson

"If the Cabinet Leader is proposing to lead York in a new era of social democracy and fairness, how will he employ democracy in implementing the new 'strong leader' model and where will the fairness of his leadership style be seen?"

The Leader replied:

"I will employ democracy in implementing the 'strong leader' model by using the mandate given to my Group in implementing our manifesto pledges, by seeking counsel and also by directly engaging with residents. I do not know of any Group Leader here today or any other Council Leader who makes their mobile number public.

Meaning consultation and fairness will stem not only from the Labour Group's political values but also from the work of both the Equalities Advisory Group and the soon to be set up, and independently chaired, Fairness Commission."

The time limit having expired for this item, written answers were circulated after the meeting to the remaining question as follows:

(v) From Cllr Reid

"Other than providing new street lighting and rubbish bins, can the Cabinet Leader explain more about what 'Reinvigorating York' will mean?"

Reply:

"It will mean a transformation of the city centre public realm with high quality infrastructure that will reduce maintenance costs and be consistent in design.

The concept is to invest in our city centre for the first time in many years. It has been allowed to become

shabby and it is no longer befitting of a great place like York.”

Cllr Alexander then moved, and Cllr Merrett seconded, the following recommendations contained in Minute 8 of the Cabinet meeting held on 21 June 2011:

- “(i) That Council be requested to agree to amend the provision for housing growth contained in the submission draft of the Local Development Framework core strategy to an average of 800 dwellings per annum, along with other textual amendments.¹
- (ii) That the Director of City Strategy be requested to prepare a report for Council highlighting the implications of these changes, along with an amended Core Strategy document and to arrange briefings for Members.
- (iii) That the Director of City Strategy be also requested to include the points highlighted in the document circulated at the meeting into the revised Core Strategy document.”

Cllr Reid then moved, and Cllr Cuthbertson seconded, an amendment to the recommendations, as follows:

“Delete recommendation (i).

In recommendation (ii), delete all after *‘be requested’* and insert:

‘to draft an up to date report on the current legislative framework including the impact of the impending Localism Bill and implications of the recent High Court judgements in relation to the Secretary of State v Cala Homes, along with an assessment of other local authority approaches to the new legislation.

Delete recommendation (iii) and substitute:

‘That the Director of City Strategy be requested to follow the democratic approach previously adhered to, with such a report brought first to the LDF Working Group, then Cabinet, then Full Council. Such process providing the correct democratic process for members of the public and elected Members to input into the development of the LDF Core Strategy.’”

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: That the recommendations in Minute 8 of the Cabinet meeting on 21 June 2011 (Local Development Framework) be approved. ¹⁻²

Cllr Alexander then moved, and Cllr Simpson-Laing seconded, the following recommendations contained in the officer report at pages 41 to 56 of the Council papers:

“That Members:

- (i) Approve the attached Submission draft Core Strategy and supporting documents for publication and subsequent submission for public examination. ²
- (ii) Delegate to the Director of City Strategy in consultation with the Cabinet Member City Strategy the making of any changes to the Submission draft Core Strategy and supporting documents that are necessary as a result of the recommendations of Council.
- (iii) Delegate to the Director of City Strategy in consultation with the Cabinet Member City Strategy the making of any non substantive editorial or formatting changes to the Submission draft Core Strategy and supporting documents.
- (iv) Delegate to the Director of City Strategy in consultation with the Cabinet Member City Strategy the approval of relevant topic papers and other supporting documents to provide background information and explanation of the approach and process.”

Cllr Ayre then moved, and Cllr Runciman seconded, an amendment to the above recommendations, as follows:

“At the end of recommendation (ii), insert:

‘, including any changes necessary to designate the areas of search as ‘Countryside Areas’ as per the report to LDF Working Group on 4th October 2010. Land would only be taken out of Countryside delegation in exceptional circumstances through a review of the LDF development plan and would require consultation, Member support and public examination.’”

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

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

RESOLVED: That the recommendations in paragraph 54 of the report at pages 41 to 56 of the Council papers be approved.¹⁻²

Cllr Alexander then moved, and Cllr Simpson-Laing seconded, the following recommendations contained in Minute 9 of the Cabinet meeting held on 21 June 2011:

- “(i) That Council approve the revised Media Protocol at their meeting on 30 June 2011.³
- (ii) That Council agree to the removal of the Media Protocol from the Council’s Constitution.”⁴

For completeness, the minutes and comments of the Audit and Governance Committee (28 June 2011) on this matter were circulated to Members at the meeting.

Cllr Gillies moved and Councillor Healey seconded a motion to refer the recommendations back to the Cabinet for clarification on some of the terms used in the Media Protocol. On being put to the vote this motion was declared LOST.

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

RESOLVED: That the recommendations in Minute 9 of the Cabinet meeting on 31 June 2011 (Media Protocol) be approved.³⁻⁴

SCRUTINY - REPORT OF THE CHAIR OF THE SCRUTINY MANAGEMENT COMMITTEE

19. A written report was received from Cllr John Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of scrutiny since the last report to Council, on 7 April 2011.

REPORT OF CABINET MEMBER

20. A written report was received from Cllr Tracey Simpson-Laing, the Cabinet Member for Health, Housing & Adult Social Services.

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

- (i) From Cllr Wiseman
“I’m pleased the Cabinet Member has reported positively on the Personalisation Agenda, which is a central part of the Government’s patient choice initiative. Could you give us any up to date numbers of how many patients in York have taken up the individual budget option?”

The Cabinet Member replied:

“The total number of personal budgets provided by the Council last year was 1,968, or 24.9% of those receiving services. This year, 2011/12, the Council is aiming for a target of 40% of those receiving services receiving personal budgets, which, based on those receiving a service last year, would be 2,725 people. This number will change slightly as the number of residents receiving services has changed and will change on a yearly basis.

I would, however, note that whilst Personalisation is good for the majority, it may not be suitable for everyone and this must be remembered when looking at numbers in future years.”

- (ii) From Cllr Cuthbertson
"Given that the Cabinet Member has detailed in her report the meetings she has attended, can she explain if there was a reason why she didn't attend the North Yorkshire and York Housing Board meeting on 6th June?"

The Cabinet Member replied:

I was not invited to that meeting which may be a consequence of our annual council system and nominations going in late. I was informed the day before so had a briefing with the officer who was going. I then had another briefing after the meeting.

- (iii) From Cllr Wiseman
"You note that good progress has been made in the council's liaison with the PCT and other health partners. Now that the NHS Listening Exercise is complete, could you tell us what you understand to be the approximate time scale for the handover of PCT responsibilities to GP Commissioning Groups?"

The Cabinet Member replied:

"It is perhaps a decision that will have consequences, that the NHS Listening Exercise was short in duration and has not taken the time to truly understand concerns raised and taken action following those concerns, before further announcements have been made by the Minister.

With regard to the approximate timescale for the handover of PCT responsibilities to GP Commissioning Groups, I am expecting no change from the original timescale of full responsibility by April 2013. Steps are currently underway to move forward with shadow operating arrangements, although I understand that regionally some doctors are pulling out of the process.

I would also like to agree with recent comments from the GMC which noted that those doctors responsible for commissioning need a detailed understanding of management and how it impacts on patient care. I also believe that those doctors with additional responsibility for the purchasing and delivery of health services must have more detailed knowledge

of management processes.

I would totally agree further with the GMC that those who manage have the necessary skills and advice to fulfil their roles and that doctors who are concerned that their management decisions might conflict with their primary duty to patients should seek advice from colleagues or regulatory bodies.

GMC Chief Executive Niall Dickson said that doctors are facing the challenge of delivering quality patient care at a time of economic restraint and that any pause in the process is for the good of patients.

(iv) From Cllr Reid

“Would the Executive Member agree that decisive action by the previous administration has meant that residents in council houses will get the opportunity to benefit from reduced electricity charges and improved windows?”

The Cabinet Member replied:

“I welcome steps being undertaken to reduce high utility bills but I am concerned that the programme had not been funded properly. Officers are working on making sure that the HRA will be in balance at the end of the process.”

The time limit having expired for this item, written answers were circulated after the meeting to the remaining question as follows:

(v) From Cllr Wiseman

“Regarding your comments on Telecare, I believe the referral rates are up by over 60% due to the efforts of the previous Executive. You have said that Labour will be increasing Telecare funding by £250,000, can you tell us from where in the budget this money will be coming from?”

Reply:

“Councillors and officers are delighted that City of York Council’s Telecare service is the fastest growing Telecare service in the region, as it plays a crucial role in offering new opportunities for home and community based support. It will remain a key service

in our drive to respond to the challenge of the York Older People's Assembly to reshape care provision away from traditional institutional care. The £250K figure is recurring capital funding included as part of the council's capital funding strategy already approved by council".

ACTIVITIES OF OUTSIDE BODIES

21. Minutes of the following meeting had been made available for Members to view on the Council's website:
- North Yorkshire Fire and Rescue Authority - meeting on 8 December 2010
 - Quality Bus Partnership – meeting on 24 March 2011
 - North Yorkshire Police Authority – meeting on 26 May 2011
 - Safer York Partnership – meetings on 4 April and 23 May 2011

No questions had been submitted to representatives on outside bodies.

APPOINTMENTS AND CHANGES TO MEMBERSHIP

22. RESOLVED: That the appointments to, and changes to membership of, committees, outside bodies and working groups set out in the revised list at page 153 circulated around the Council Chamber (and attached as an annex to these minutes) be approved.

NOTICES OF MOTION

23. (i) Budget Amendments

Having sought and received Council's consent to alter his notice of motion by removing from the associated spreadsheet (page 105 of the agenda refers) the additional funding in the sum of £8.12k to "increase the Conservative

political assistant entitlement to full-time etc, Cllr Alexander moved, and Cllr Gunnell seconded, that:

“At February’s Budget Council Meeting, the Labour Group proposed an amendment which would have rejected a number of cuts subsequently agreed by the Liberal Democrat and Conservative Groups, as well as other changes to capital and revenue budgets.

Since taking control of the Council, the Labour Group has produced a revised set of budget amendments, which fulfil its manifesto commitments to the residents of York by reversing just under £1m of these cuts to services that the most vulnerable rely on, and which also take account of the dreadful financial position that the Government has placed this and other local authorities in.

Council is therefore asked to rescind those decisions previously made in setting the Council’s budget in February 2011, where affected, and make the following amendments, as attached (at the end of the agenda papers at page 103).”

[In accordance with Standing Order 13.1 signed by: Councillors Tracey Simpson-Laing, Dave Merrett, Ruth Potter, Sandy Fraser, Sonja Crisp and Janet Looker]

Cllr Healey then moved, and Cllr Gillies seconded, an amendment to the above motion, as follows:

“At the end of the final paragraph, add:-

‘ *subject to these amendments being revised as follows:*

- Delete ‘*ACES99 – maintain support for last cohort of government-cut two year old childcare pilot by using funds from 3 and 4 year olds budget, -52*’
- Delete ‘*Reverse cut in Trades Unions convenor time to have capacity required to deal with redundancies resulting from government cuts, 37.65*’
- Insert ‘*Reverse funding to create an extra Cabinet post with a Special Responsibility Allowance of £14,700*’
- Delete ‘*Increase Conservative political assistant entitlement to full time whilst also maintaining Liberal Democrat entitlement at full time, 8.12*’.

[In accordance with Standing Order 13.1 signed by:
Councillors Ian Gillies, Sian Wiseman, Paul Healey, Joe
Watt and Chris Steward]

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

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

RESOLVED: That the above notice of motion be
approved.¹

At this point in the meeting, the guillotine fell and the
remaining motions were moved, seconded and voted on
without debate.

(ii) Scrutiny Chairs

It was moved by Cllr Galvin and seconded by Cllr Healey
that:

"Council agrees that chairs of all Scrutiny Committees must
be from members of the main opposition parties and as
such shall indicate which opposition party will chair the
scrutiny committees currently chaired by members of the
ruling party. Specific nominations from the relevant
opposition groups shall be forwarded to Democratic
Services for processing and the Monitoring Officer is
authorised to confirm the appointments"

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

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

(iii) Congestion Charge

It was moved by Cllr Reid and seconded by Cllr Alexander
that:

"Council believes that local businesses would be

significantly harmed if York were to introduce a unilateral congestion charge. Council believes that such a unilateral charge should be ruled out now in order to give certainty to concerned residents and businesses.

Council therefore resolves not to introduce a unilateral congestion charge in York for the duration of this Council and to commit to finding other ways to tackle congestion in the city.”

Cllr D’Agorne then moved, and Cllr Taylor seconded, and amendment to the above motion, as follows:

“In the first sentence, replace 'harmed' with 'affected'
Delete the second sentence and replace with:

'Council believes that local imposition of congestion charging is not a realistic option and that proactive work with local businesses, schools and major trip attractors to cut car use and promote sustainable modes of travel is likely to be a more effective approach.'

Add at the end:

'Council calls on the Cabinet Member for City Strategy to commit to an early review of LTP3 in the light of the new administration's pledges to 'Get York Moving Again' and on improving public transport in the city.'

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

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

RESOLVED: That the above notice of motion be approved.

(iv) From Cllr Simpson-Laing

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

“Council expresses concern at the Conservative Liberal Democrat Government’s proposed changes to the eligibility criteria for-residents who currently access Income Support, Income Based JSA, income-related ESA, Working Tax Credit, Child Tax Credit, Disability Living Allowance, Housing Benefit or Council Tax Benefit.

Under the proposals, Housing Benefit will be cut to those households deemed to be 'under-occupying' their properties, with the result that many in York will struggle to pay their rent and could end up being forced to leave their home.

This situation will be exacerbated by the Government proposing to push rents for social housing up to near market levels from April 2011.

The introduction of a household benefit cap on the total amount of welfare benefits a claimant or a couple receives, set by reference to the average earnings of working households in England will adversely effect York residents due to higher than regional average rent levels.

The City of York Council takes an official position against the changes to Housing Benefit and-requests the Chief Executive to write to the Prime Minister and Deputy Prime Minister requesting a rethink due to the hardships the changes will bring to many of York's working households.”

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

RESOLVED: That the above notice of motion be approved.

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

24. Twenty-two questions had been submitted to the Executive Leader and 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 Cabinet Leader, from Cllr D'Agorne
“Can the Leader say what consultation is taking place with council 'champions' about their future role?”

Reply

None so far as the review has not begun but Group Leaders will all be consulted on the future of

champions and also committee structure.

- (ii) To the Cabinet Leader, from Cllr D'Agorne
“Can the Leader outline the proposed process and timescale for establishing the 'Fairness Commission', whether it will include representatives from all parties represented on the council and how the voluntary and private sector representatives will be selected?”

Reply provided verbally to Cllr D'Agorne at the meeting.

- (iii) To the Cabinet Leader, from Cllr Ayre
“Does the Leader believe the workload he inherited from his predecessor was more than he could manage?”

Reply

Not at all, but I think my predecessor did not handle his workload well. If he had done so, he may not have lost his seat at the local elections. I believe what Councillor Ayre is alluding to is that by sticking to a Labour manifesto pledge of creating a new Cabinet Member for Crime and Anti-Social Behaviour, that this reduces the remit of the Council Leader.

This isn't the case, but it does allow me to devote my time to promoting economic growth and job creation, a top priority for the Labour administration and not something my predecessor was very good at. It also gives this Council a crime focus that it has not had before. The new Cabinet role has been welcomed by the police.

- (iv) To the Cabinet Leader, from Cllr Runciman
“Can the Leader explain what event led to him reversing his position that all scrutiny chairs should belong to opposition councillors?”

Reply

It was not my decision but that of my Group, though I do agree with it. Two main factors played a part. The first is that we have a Group over three times the size of yours and almost three times the main opposition. Therefore we felt that jobs had to be

more evenly spread out across Council Members and proportionality was the best way of achieving this on a fair basis. The second reason was that 68% of councils give some chairs to opposition parties but only 4% give them all chairs. In light of this, we felt we should go with the majority view, as it is said to lead to more effective scrutiny, which is the priority. I would also say to Cllr Runciman that effective overview and scrutiny can be carried out by members of any party, and I fully expect scrutiny of Cabinet decision making by all Labour colleagues not on the Cabinet.

- (v) To the Cabinet Leader, from Cllr Reid
“Does the Leader support the current capital programme?”

Reply

I support the programme in its present form, as amended by the Labour Group tonight. However, as Cllr Reid knows, the capital programme is always subject to change over a significant period such as that of a council administration, and the Transport capital programme is subject to a separate review.

- (vi) To the Cabinet Leader, from Cllr Runciman
“Will the Leader please state on what date this financial year new boilers will be installed at Yearsley Pool?”

Reply

It will be installed in accordance with your own party’s budget amendment that was put forward at the Executive meeting in February. This was to place the finances for this in the financial year 2012/13. We did not try to reverse this position in February and we are not reversing it now. If you have changed your mind on the previous Executive’s view on this timescale that you voted for, please let me know.

A report has been provided to the Council on the various options available for providing a heating plant for Yearsley Pool. These options are being evaluated by officers, including the Council’s Carbon and Energy Manager. The Yearsley Action Group is also being consulted.

The current discounted steam price is fixed until December 2012, so we would potentially make the final decision in the light of negotiations with Nestle nearer to that date.

(vii) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Aspden

"Where does the Cabinet Member expect that the promised city centre pool will be located, now that the sale of Labour's stated preferred site at Kent Street has been agreed?"

Reply

I realise the Liberal Democrat Group Room has our manifesto across its walls and I am pleased to see the Liberal Democrat minority opposition Group taking a keen interest in the new direction of the Council.

Cllr Aspden should note that our commitment to a city centre pool is listed under the heading 'long term aspirations'.

This section states: 'since the Liberal Democrats shut the Barbican the number of swimming lanes lost in the city has not been replaced.'

It should be remembered that the previous Labour administration put forward a scheme which would have delivered a competition standard pool next the auditorium.

The Liberal Democrat administration revised the scheme to propose a (very small) pool on the Kent Street site which involved demolishing Kent Street car park.....once land values fell and this scheme had to be abandoned the Kent Street car park was then sold as is.

The remaining coach park site was not then big enough to accommodate a swimming pool. Its sale now is therefore irrelevant to any previous preferences about city centre pools.

Labour is committed to finding a site and funding for a new city centre pool and will seek developer contributions towards this. We realise how difficult this will be to achieve but it will remain our ambition. As your Government is cutting funding to the council it is difficult to find funding for a new city centre pool and without necessary funding, the location is

irrelevant.

However, the LDF reinforces our long-term aspiration and as and when there is a suitable site and funding, we will deliver a city centre pool.

- (viii) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Ayre

"Has the Cabinet Member visited all of the council's customer offices?"

Reply

Not as yet, no. However, the Cabinet is planning to carry out a joint visit to talk to council staff across the organisation. This is something the previous Executive did not do. Many staff feel the previous administration did not engage with them or at worse, was unsupportive of the work they do.

This administration is determined to change that relationship.

- (ix) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Runciman

"Is the Cabinet Member in favour of the two stadium proposal submitted as an alternative to the Community Stadium?"

Reply

I can see the merits of the proposed alternative and we have not said no to this, however we realise the imperative of working to an agreed timescale over this scheme.

The Liberal Democrats gave a commitment to a new sports stadium being open by 2011 and failed.

The Community Stadium project was deliberately stalled and delayed by the previous Liberal Democrat administration and we are anxious to get it back on track.

We are also mindful of the fact that the alternative scheme would mean a proposed significant increase in retail space at the Monks Cross site compared to the Community Stadium proposal, and this could have a negative impact on retailers in the city centre.

- (x) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Ayre
"Can the Cabinet Member please state what involvement she has with the Oakgate group?"

Reply

There have been no direct meetings between myself and Oakgate Group apart from my speaking with them and several other interested parties at the recent consultation event at the Guildhall. However, officers have spoken to them and shared with them the direction of the current administration.

- (xi) To the Cabinet Member for Health, Housing & Adult Social Services, from Cllr Watt:
"In view of the universal expression of opinion in the York Press that you have no understanding of how to achieve York's affordable housing needs and the failure of the 50% affordable housing policy, would the Cabinet Member explain how she will help both to stimulate local housing construction and achieve York's affordable housing needs."

Reply

I would firstly answer Cllr Watt's question by saying that the views expressed in his question apply to four individuals involved in development, one former Councillor and one current Councillor, so a long way from universal expression of opinion.

I have been consistently clear in saying that the Council never had a fixed 50% policy but a 50% target policy which had cross-party support. The principle of the policy was to maximise affordable housing provision on the basis that an unencumbered greenfield site could viably deliver 50% affordable housing at the time it was introduced.

Then, individual site circumstances would be considered to set an affordable housing target for developments that had associated costs which meant 50% was not viable. This approach has resulted in lower percentages agreed on developments such as Ouseacres (37.5%), Terrys (30.3%) and Shipton Street School (28%). The policy aim was to maximise affordable housing provision whilst ensuring developers were able to make a profit of 15 to 20%.

The 50% approach was no different to that which has been applied to affordable housing policy since 1996 when the target was 25%. There are examples since that time of developments delivering lower than 25% affordable housing after individual site viability assessments such as Forge Close, Jockey Lane 19%, Piccadilly Plaza 20%, St. Martins' Court and Leeman Road 21%.

Regarding statistics on what sites have delivered under the 50% target, this is open to confusion and misunderstanding. Firstly, there's the difference between planning permissions granted under the policy and homes actually built/completed. Under any market conditions there is a time lag between permissions granted and homes delivered and this has been exacerbated by the housing market conditions since 2007. On planning permissions there are some good examples of achieving over 25% but less than 50% due to viability.

Due to the credit crunch and housing market conditions, since 2007 development across Yorkshire and England has slowed dramatically, leading to a range of initiatives from the previous government to kick-start the house-building industry, including HomeBuy Direct targeted at private developments that were stalled.

Locally, following a detailed study of economic viability, affordable housing targets have been reduced to 25% for brownfield sites and 35% for greenfield sites. These are again a target and if a development is not viable at these levels it will be reduced further. The long term target remains at 50% but will always be subject to viability.

The 50% target was introduced at the peak of the housing market. York has responded quickly to the national housing market crisis by reducing its targets which are now the lowest in North Yorkshire. These targets are also linked to market conditions so if the housing market improves, then affordable housing targets will go up, and if the market continues to suffer due to the lack of mortgages and finance, it will reduce further.

The affordable targets in neighbouring local authorities are Selby 40%, East Riding 40%, Ryedale 35%, Harrogate 40%. Even Rotherham which has a

low value housing market has a target of 25%. Due to the drastically reduced funding from the Homes and Communities Agency the Council will need to continue to have a policy of site by site negotiation. With this up to date factual information it leaves the Council in a good place to undertake site by site analysis as a means to achieve affordable housing for the city.

Last week at the National Housing Conference in Harrogate I asked the CEOs of Taylor Wimpey and Barratts if they had any problems delivering affordable housing and were targets stopping them building; they said no.

What was stopping their companies building was the issue of finance. The CEOs of Barratts, Taylor Wimpey and Stewart Basley, Chair of the House Builders Federation, all said that the lack of house building was a result of the lack of affordable mortgages for first time buyers and too high deposits – down from 600,000 4 years ago to 200,000 the last financial year; a reduction in Buy to Let mortgages from 346,000 in 2007/08 to 96,000 last year; as well as high land prices and that the current situation reflects the position of the economy more generally. It is therefore Government's role to stimulate the housing market and not Local Authorities' as it is Government that needs to tackle the lack of mortgage availability, lack of builder and consumer confidence and cuts in funding to the HCA, all of which are linked to the wider global economic recession.

- (xii) To the Cabinet Member for Health, Housing & Adult Social Services, from Cllr Healey:
“Could the Cabinet Member update Council on the track record of Community Energy Solutions in delivering residential solar schemes.”

Reply

I would like to thank Cllr Healey for this question as he obviously has concerns about the environment and for those in fuel poverty.

The approach that City of York Council and Community Energy Solutions is taking is to provide a fully funded scheme which creates a 'Community Profit Share'. This is an innovative scheme to bring

forward funding to support the provision of Solar PVs at no cost to the property owner and City of York Council, and Community Energy Solutions are leading the way. Community Energy Solutions is currently working with 5 other organisations within the Yorkshire & Humber Region to develop such schemes and install Solar PVs.

In relation to the York scheme, the Heads of Terms Agreement has been signed and surveying work of suitable properties is being undertaken. Priority is being given to family houses and 2,962 have been identified as potentially suitable for works. Further surveying work will take place, i.e. to check the structural stability of the roofs to ensure that the additional weight associated with the installation of solar PVs will not cause any problems. Work is ongoing to develop the roof access agreement and in it anticipated that installation will begin towards the end of the summer.

- (xiii) To the Cabinet Member for Health, Housing and Adult Social Services, from Cllr Cuthbertson
"Can the Cabinet Member confirm that the Cabinet will be reversing the decision to outsource the reablement service and explain how the subsequent £1.4m budget gap will be plugged?"

Reply

Councillor Cuthbertson is right to ask his question but I would suggest that it indicates that he has either not been briefed about the situation the Lib Dems created before the election or that he has not understood the situation since as Labour was unable to make any changes until 26th May, after Annual Council. By 19th May the authority had already Issued tender documentation to those organisations who had successfully passed through the PQQ evaluation process.

The timetable and budget position that Cllr Morley, Cllr Waller and their Group left the Council with was not reversible. Not to have made the changes would have left the Council with a budgetary deficit of £268K for 11/12 whilst any attempt to have stopped the process could have resulted in legal challenges from those who had put time and money into the

tendering process, and possible financial penalties. Councillor Cuthbertson should know this as his ex-colleagues had made it clear that there was no Plan B and that they were ploughing ahead regardless.

- (xiv) To the Cabinet Member for Health, Housing and Adult Social Services, from Cllr Aspden
“Does the Cabinet Member still support a 50% affordable housing target and does she agree with the Council Leader that targets should be reduced to ensure developments like Germany Beck are profitable for big developers?”

Reply

Again as I have said many times the Council does not and has never had a 50% affordable policy, but a target. However, due to the current economic situation the Council currently has an agreed policy with a target of 25% on brownfield and 35% on greenfield which will be based on a site by site economic viability assessment.

The 35% affordable housing requirement at Germany Beck was set by an Independent Planning Inspector in 2007/08 and agreed by the developer. However, if Persimmon feels that they are unable to deliver 35% affordable in the current market then they can approach officers who will work alongside them to review the viability, and if appropriate reduce the level of affordable housing required.

They were invited to do so many times when the Liberal Democrats were the controlling administration but did not take up the offer. The policy is clear that the level of affordable housing will only be set at a level that allows a developer profit of 20%, and if the developer can evidence that they can only get finance to build at 25% profit then the target will reduce again by 3.5%. These are accepted standard industry profits.

- (xv) To the Cabinet Member for Crime and Community Safety, from Cllr Healey:
“On what quantifiable success targets should the Cabinet Member be judged?”

Reply

Clearly the key issue on crime and community safety is to ensure that the recent trend of falling overall crime figures across the city is a continuing one. However, Council will be aware that the City Council is but one of the partners involved in dealing with crime and community safety. Amongst the other partners, the other main partner is of course the police and it is the Chief Constable who has day to day operational control over the allocation of police resources.

The creation of the post of Cabinet Member for Crime and Community Safety is to provide a sharper focus for the Council's involvement in the partnership with North Yorkshire Police and to seek to develop a clearer understanding of, and to better influence, the setting of the priorities in combating crime and anti-social behaviour.

It should also be recognised that, at a time of savage cuts by this Tory-led Government, with North Yorkshire Police set to lose 200 Officers and some 300 police civilian staff, the force will be severely stretched and its resources spread even more thinly. A further important indicator is the public's perception of crime and anti-social behaviour in the city and public confidence in feeling that York is a safe place to live remains a key measure. York is, in fact, a very safe city but community perception does not always reflect this. We will, therefore, work with all partners to improve community cohesion and to reduce the fear of crime.

(xvi) To the Cabinet Member for Crime and Community Safety, from Cllr Healey:

"What plans does the Cabinet Member have for enforcing 20 mph zones in residential areas?"

Reply

I assume Cllr Healey is referring to enforcement of the small number of 20mph zones reluctantly introduced by the previous administration.

As he will know, only the police have the authority to enforce traffic regulations in terms of moving vehicles and the police have always made it clear that they do not have the capacity to undertake such enforcement. This will only be exacerbated by his Government's

cuts to police funding, which will see a reduction of 200 Officers across North Yorkshire.

I have, however, already met with the Commander of the York area and discussed areas for closer collaboration and this has included enforcement issues generally.

However, given this administration's commitment to a city-wide 20mph limit in residential streets, and the fact that it has been demonstrated elsewhere, where such a blanket approach has been adopted, that this results in greater compliance with the reduced limit. It is therefore expected that enforcement will become less of an issue, than with the piece-meal approach adopted by the previous Lib Dem administration.

(xvii) To the Cabinet Member for Crime and Community Safety, from Cllr Aspden

"Can the Cabinet Member detail the budgets that are covered by his new portfolio, including the amount in each budget?"

Reply

The budgets that fall within the new portfolio of Crime & Community Safety currently include the following heads:

<u>Crime & Community Safety</u>			
	Expenditure	Income	Net
	£'000	£'000	£'000
Safer Neighbourhoods	632.8	-42.4	590.4
Licensing & Enforcement	703.8	-702.9	0.9
Env Health & Trading Standards	2,680.1	-601.1	2,079.0
Youth Offending	872.2	-858.2	14.0
Drug Action Team	1,850.9	-	102.2
		1,748.7	
Target Hardening	39.0	39.0	0.0
	6,778.8	-	2,786.5
		3,914.3	

(xviii) To the Cabinet Member for Corporate Services, from Cllr Steward:

“In what areas of current council services will the Cabinet Member be looking for greater external provision?”

Reply

Given the scale of the funding reductions being imposed upon this Council, which don't help the local economy and are totally unfair, we will need to consider all options in the delivery of services.

It is impossible to say at this moment which, if any, services we will be looking for external organisations to provide. Any such decision will need to be subject of a full options appraisal, and risk assessment. Only then will we be able to make clear decisions which aim to deliver the most efficient and effective services to our residents.

We are, however, very open to new ways of working, and are seeking to create innovative, cost-effective solutions to the challenges we face.

(xix) To the Cabinet Member for Communities and Neighbourhoods, from Cllr Reid (referred to Cabinet Member for City Strategy, whose area it covers)

“Can the Cabinet Member say what she expects the likely impact on air quality will be from the extra traffic generated by increasing the house building levels by 225 homes per year?”

Reply from Cabinet Member for City Strategy

In the absence of time to obtain a detailed analysis in response to your question, and bearing in mind previous answers to your question, the effect is likely to be more or less neutral, as providing sufficient houses within the 'greater urban area' of York (i.e. within the A1237 and A64) to keep pace with employment growth is likely to result in more sustainable travel compared to increased inward commuting otherwise. However, the real issue and concern is that congestion delay could almost double air pollution on both the previous and proposed versions of the LDF, even with all mitigation

measures in place, so there is potentially an absolute detrimental impact on air quality, which will need to be considered in its own right further.

- (xx) To the Cabinet Member for City Strategy, from Cllr Taylor

“Can the Cabinet Member justify the plans to build a new stadium at such an unsustainable transport location as Monk’s Cross, requiring the support of massive additional development which departs wildly from the retail strategy as set out in the Local Development Framework?”

Reply

Enabling development is development that would not normally be considered acceptable in planning terms but can be justified where there are overriding public benefits that could otherwise not be achieved, so by definition it involves some detriment. I agree the health of the City centre retail area is a very important issue, and we will need to make a very careful judgment about the stadium related proposals and their potential impacts on the City centre, on traffic and other issues. These assessments can not be made yet, as the planning application has not yet been submitted, but they will need to be thorough, as will the associated consultations, to enable members to make an informed decision.

- (xxi) To the Cabinet Member for City Strategy, from Cllr Runciman

”Can the Cabinet Member state when he expects a city wide 20mph zone to be in place and how much it is expected to cost?”

Reply

In response to the question at Council relating to delivery of 20mph limits across the city, officers are currently investigating in detail how this significant shift in policy will be implemented across the city. It is anticipated that a policy and implementation report will be presented to the Cabinet Member for City Strategy Decision Session in October. A report enabling the advance delivery of pilot areas will be submitted to the July Decision Session.

The current expectation is that the policy will be delivered in phases with the first areas implemented in 2011/12. The programming will form part of the review of the LTP3 capital programme that I have asked for.

(xxii) To the Cabinet Member for City Strategy, from Cllr Reid

"Can the Cabinet Member state when he expects that the FTR buses will be scrapped?"

Reply

I have had an initial meeting with First, and this was one of the issues I raised, along with our other commitments to improving public transport in the City and tackling poor air quality that you failed to adequately address in office. I have also flagged our ambition to the recent Bus Quality Partnership meeting of making a step change improvement in local public transport that will see the implementation of smart and integrated ticketing, help bus reliability through tackling of congestion and bottlenecks, and other measures to develop a single integrated service from the bus users point of view in York. We have a significant set of issues to address here and I am working closely with officers towards developing a comprehensive approach to them and to working with our partners in the bus industry to deliver it.

Councillor D Horton, LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 10.05 am]

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in The Guildhall, York on Thursday, 4th August, 2011, starting at 6.30 pm

Present: The Lord Mayor (Cllr David Horton) in the Chair, and the following Councillors:

ACOMB WARD

Simpson-Laing

BISHOPTHORPE WARD

Galvin

CLIFTON WARDDouglas
King**DERWENT WARD**

Brooks

**DRINGHOUSES &
WOODTHORPE WARD**Hodgson
Reid**FISHERGATE WARD**

Taylor

FULFORD WARD

Aspden

GUILDHALL WARDLooker
Watson**HAXBY & WIGGINTON WARD**Cuthbertson
Firth
Richardson**HESLINGTON WARD**

Levene

HEWORTH WARDBoyce
Funnell
Potter**HEWORTH WITHOUT WARD**

Ayre

HOLGATE WARD

Alexander
Crisp
Riches

HULL ROAD WARD

Barnes
Fitzpatrick

HUNTINGTON & NEW
EARSWICK WARD

Hyman
Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Warters

RURAL WEST YORK WARD

Gillies
Healey
Steward

SKELTON, RAWCLIFFE &
CLIFTON WITHOUT WARD

Cunningham-Cross
McIlveen
Watt

STRENSALL WARD

Doughty
Wiseman

WESTFIELD WARD

Jeffries
Burton
Williams

WHELDRAKE WARD

Barton

Apologies for absence were received from Councillors Scott,
Semlyen and D'Agorne

DECLARATIONS OF INTEREST

25. Members were invited to declare at this point on the agenda any personal or prejudicial interests they might have in the business on the agenda – that is, the petition and notice of motion relating to Union Terrace Car Park.

The following **prejudicial** interests were declared:

Councillor	Description of Interest
Looker	Employed by York St John University (YSJU)

Cllr Looker left the Chamber at this point and took no further part in the meeting.

The following **personal** interests were declared:

Councillor	Description of Interest
Alexander	Member of GMB Union, which has premises on Gillygate Former employee of YSJU, working on widening participation in higher education
Barnes	Member of Unite
Crisp	Member of retired section of Unison
Cuthbertson	Former member of YSJU staff, on a sessional/termly basis
Douglas	Lodger a student at YSJU
Fraser	Member of retired section of Unison and Unite (ACTS/TGWU Sections)
King	Retired member of TGWU, which has premises on Gillygate
Richardson	Member of Unite
Hodgson	Member of Unison
Simpson-Laing	Member of Unison Working for a charity which receives funding from YSJU's 'Aim Higher' programme
Williams	Member of Unison and Unite

PUBLIC PARTICIPATION

26. The Lord Mayor reported that a total of eleven members of the public had registered to speak at the meeting in relation to Union Terrace Car and Coach Park, one of whom would be presenting the petition referred to at agenda item 3A. Each was invited to speak for three minutes, in accordance with the Council's Public Participation Scheme.

Dr Catherine Snape voiced the concerns of patients, doctors and staff at the Gillygate surgery that closure of the car park would prevent vulnerable patients from being able to see the doctor when they needed to. She urged withdrawal of the proposed development or, at the least, a full impact assessment of its effect on local people and access to health care.

Mr Matthew Greenwood expressed the view that the information to be presented to Cabinet was of poor quality and stated that an independent expert on coach safety had advised that none of the proposed consultation options was feasible in terms of coach parking.

Mrs Jill Richards spoke as the co-owner of Wackers on Gillygate and a member of the Save the Union Terrace Car Park group. She highlighted the importance of tourism to York's economy and the number of jobs at risk and urged Members to vote for withdrawal of the planned sale.

Mr David Richards, also a co-owner of Wackers, expressed concerns about the five proposed consultation options in terms of their safety and potential to disrupt traffic. He urged Members to abandon plans to sell any part of the site.

Mr John Cook spoke as the general manager of Barnitts, commenting on the detrimental effect that closure of the car and coach park would have upon Barnitts and other businesses in the city centre, which already had to contend with reduced parking facilities and competition from out of town developments.

Mrs Regina Longjaloux spoke as the proprietor of a tour guide company, highlighting the benefits of Union Terrace for coach tour operators and the effect that closure would

have upon York's reputation as a tourist destination.

Mr Mike Fisher commented that the proposal was based upon two false assumptions; firstly, that YSJU would continue to expand and secondly that it could expand only onto the Union Terrace site.

Mr Dennis Martin spoke in favour of exploring alternative options for the site in an objective manner, highlighting the drawbacks of Union Terrace car park in terms of occupancy, pedestrian safety and toilet facilities.

Mr David Chesser, Pro Vice Chancellor (Resources) at YSJU, gave a statement outlining the university's reasons for wishing to expand onto the Union Terrace site, the cultural and economic contribution made by YSJU to York, and the work being done to address the concerns expressed by objectors to the sale.

Mr Trevor Fenwick, of the Save the Union Terrace Car Park group, raised concerns that the matter had been discussed at a Labour Group meeting to which objectors had not been invited and stated that the consultation proposals should include an option not to sell the site.

Mrs Anne Braithwaite, also representing the Save the Union Terrace Car Park group, outlined the launch of the campaign and presented a petition, signed by over 22,000 people, protesting against the sale.

UNION TERRACE CAR PARK

27. **A** Petition

The petition presented by the last speaker on behalf of the Save Union Terrace Car Park group was debated by Members, in accordance with the Council's agreed process for petitions signed by more than 1,000 people. Following debate, it was

RESOLVED: That the petition be referred to the Cabinet meeting scheduled to follow the Extraordinary meeting of Council, for Cabinet to take into account when determining their

decision in respect of the Union Terrace Car and Coach Park site.

B Notice of Motion

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

“Council notes the proposed sale of Union Terrace Car Park to York St John University an in light of the regrettable lack of public consultation and the widespread opposition to this scheme from across the city, calls on Cabinet to agree that the current proposal for the sale of this valuable asset be withdrawn.”

A named vote was then requested and taken on the motion, with the following result:

For	Against	Abstained
Aspden	Alexander	Watson
Ayre	Barnes	
Barton	Boyce	
Brooks	Burton	
Cuthbertson	Crisp	
Doughty	Cunningham-Cros	
Firth	Douglas	
Galvin	Fitzpatrick	
Gillies	Fraser	
Healey	Funnell	
Hyman	Gunnell	
Orrell	Hodgson	
Reid	Horton (Lord Mayor)	
Richardson	Jefferies	
Runciman	King	
Steward	Levene	
Taylor	McIlveen	
Warters	Merrett	
Watt	Potter	
Wiseman	Riches	
	Simpson-Laing	
	Williams	
20	22	1

The motion was therefore declared LOST by 22 votes to 20 and it was

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

Councillor David Horton
LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 9.10 pm]

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Councillor James Alexander
Labour Leader of City of York Council
Report to Full Council – October 2011

Community Covenant

I have been working with Brigadier Bibby and colleagues regarding the role of the military in York and the wider region. The Brigadier explained to me Conservative-Liberal Democrat Government cuts to the size of the armed forces has led to redundancies here in York. He also explained the Government's desire to increase the numbers that serve in the Territorial Army. This creates significant pressure on employers and those either leaving or entering the military. This is because more military personnel will be leaving the armed forces and endeavouring to pursue civilian jobs. This means a significant transition. The second is that employers will come increasingly into contact with a workforce that may serve time abroad. It is concerning that those serving in the Territorial Army are often scared of explaining this responsibility on job applications in case it is seen as a negative by the employer. In response to this situation as well as issues of a level playing field for military personnel in accessing public services, the Brigadier is endeavouring to ensure the armed forces play more of a role in the community. After several meetings, I have been keen to pursue a Community Covenant which recognises the contribution the armed forces make to York. This is largely symbolic and gives no preference in access to public services. I am also investigating the council taking on an individual who will be leaving the armed forces under the Defence Career Partnership programme. This will give the individual experience in a civilian setting as a part of their transition and allow the council to gain access to invaluable experience from another sector of employment.

I was informed on Wednesday last week by officers that the Covenant should come to this Full Council as there are deadlines relating to access to government funding for a covenant. This can include funding for youth services in areas where there are high numbers of military personnel. I also think that the issue of the Covenant is at a level of importance that this report should outline the work being carried out in this area accurately. I therefore decided that this report should be submitted after my scheduled meeting on Friday with Group Leaders, in order to first discuss this important civic issue. On Friday Group Leaders agreed to take the issue back to their Groups and pursue an agreement to pass the Covenant through Staffing and Urgency Committee, to meet the deadlines for a Government funding bid. In December the Covenant can then be passed at Full Council to give the Covenant the formal approval it requires.

Freezing of Council Tax

I have seen and welcome the announcement at the Conservative Party conference that the Government is looking at reimbursing councils who look to a 2.5% council tax increase or less. This is what happened last year. Labour was the first party in York to

call for such a freeze and this policy parties.

by the now two main opposition

The announcement is welcome in that it gives the council choice and serious consideration will be given to this announcement during the budget process. The Labour Group will be discussing this at our next Group meeting.

I am, however, concerned over where this money is coming from and what happens when the funding no longer appears in the base budget due to the Government withdrawing it. I would have personally preferred this funding of £850m to go towards employment schemes targeting young people.

Beyond the next year where the Government funds a council tax increase, the decision actually represents further cuts to the council in future years beyond the 28% already agreed by Government to 2015, by not adding to the council's base budget. This represents a another real terms cut that we can ill afford, so this must be considered very carefully.

Apprenticeships

The number of apprenticeships in the council has risen dramatically with almost 50 positions taken up in the first few months of the Labour administration. Almost 200 have been achieved through the successful Press campaign.

The increase in number coupled with the additional funding we committed shows a very clear commitment of this Labour administration to apprenticeships. This also satisfies a key manifesto pledge.

Increasing Jobs and Economic Growth

This still remains the top priority of this administration and I welcome an economic climate being fostered by this council that has led to interest in new hotel applications, new leisure opportunities, new retail opportunities and new research and development.

York is in the top ten cities in the UK for retail performance and our unemployment is less than both the regional and national averages.

However, unemployment has increased in York in the last two successive months just as it has in most other areas of the country.

I do not believe Government economic policy is working to address the economic situation we find ourselves in. I am also concerned that a third of the long-term unemployed are 18-24 and that unemployment for women has increased at a faster rate than for men. Both these characteristics are again in line with national findings.

This underlines the importance in getting developments started across York.

This administration is focussed on making the city centre more attractive to local residents and visitors to the city. This is why Reinvigorate York and Digital York have come to prominence and why funds have been committed this financial year towards the demolition of the Parliament Street toilet and office building. We are also investigating payment-on-exit car parking solutions that have been called for by retailers for a number of years. Furthermore with a greater focus on the city centre, areas like Piccadilly become all the more important in moving forward and playing a part in the city centre offer.

Community Stadium

A planning application has been submitted for a community stadium at Monks Cross as a new home to York Knights and York City. The application includes genuine community facilities and is part paid for by the associated retail development.

This application is the outcome of work since circa 2003 regarding this project. For the last twelve months or so I, the Cabinet Member for Leisure, Culture and Social Inclusion, her predecessor, the leader of the main opposition and former Executive Member for City Strategy have been informed of the progress on this project and taken part in discussions over the direction of the project. The application is the culmination of these discussions and reflects the policy of both the Liberal Democrat and Labour administrations. There has been no change in policy over this project in the transition but more of an emphasis in pursuit from the Labour administration.

The scheme will see a number of new jobs created should planning permission be granted.

There is clearly some fear from city centre retailers regarding the impact of this development. Any concerns should be evidence-based, as should the case for retail expansion at Monks Cross.

York Central

The council is now part-landowner of the site and as such has a much bigger influence over any proposed development. I am still pursuing Tax Increment Financing (TIF) as a method of paying for the infrastructure-related financial gap that exists due to poor geographical access.

I have pushed for the Leader of the Liberal Democrat Group, Carol Runciman to be a member of the board and kept up to date as I feel that such an important development needs buy-in from all parties.

I am pleased to say that there is no change in policy regarding York Central from the previous Liberal Democrat administration and I believe the three main parties are all, at least at the moment, aligned in pursuit of getting this development off the ground.

Local Enterprise Partnerships

Since my last report I have become the Labour Vice-Chair of the Leeds City Region (LCR) Local Enterprise Partnership (LEP) Leader's Board. I am also now the Vice-Chair of the Employment and Skills Board.

I have also pursued York having a bigger voice in the LEPs through the Cabinet Member membership. Therefore my Deputy, Councillor Tracey Simpson-Laing is now on the Housing Board and Councillor Dave Merrett on the Transport Board. Each of these memberships helps us to stand up for York and makes its case both regionally and nationally.

I attended the Leeds city Region LEP summit in Leeds and contributed to a panel discussion on employment and skills.

I attended a meeting with Minister for Cities, Greg Clarke MP where he outlined the Government's economic policies for LEPs. It is clear that the Government is willing to take a back seat with regard to LEPs but expects results. It is also clear that Government economic policy for growth is based on the eight largest cities in the UK growing and others surrounding those cities benefiting from this growth. I am concerned that this is the same trickle-down economics that was so disastrous when last employed in the 1980s. I am also concerned that places like York will not receive the necessary Government attention. I have been contacting Ministers to get this redressed.

There is also confusion from Government over which cities are target areas for growth. For example, the top ten largest cities will get directly elected Mayors. Eight is where the Government believes economic growth will come from and eight will get localised transport funding. So what happens to the other two cities, and more importantly to York?

In the York, North Yorkshire and East Riding LEP I have been kept up to date on the work of task and finish groups. The Chair will soon be facilitating a meeting between myself, Welcome to Yorkshire and Visit York regarding the future of both organisations.

Reinvigorate York

I have asked Sir Ron Cooke to work in an advisory capacity to the Cabinet on what improvements need to occur in the public realm of the city centre. Sir Ron believes that a lot can be achieved within existing budgets by the council using our finances more wisely. However, the Labour administration is also keen to see future investment in the city centre.

Sir Ron is consulting with many retailers, organisations, individuals, Members and officers to pursue vigorously the aim of this administration to reinvigorate the city centre.

Digital York (City Centre Free W-F)

During business week in November, a pilot scheme will be switched on that will see free open access to our dark fibre network for shoppers, visitors and businesses along Coney Street and St Helen's Square. We are consulting with businesses on whether this would be worth pursuing throughout the city centre. The feedback from the Retail Strategy Group was positive.

Such an innovative project will put us on the map nationally and internationally. It will also show how forward thinking the new administration is and how ambitious we are for York.

If the scheme is successful we would like a company to run the front homepage, to pay for maintenance costs and for the council to receive a cut of advertising revenue.

Council Plan

The Council Plan will underpin the workplan of officers over the coming four years as the council implements Labour's election manifesto. Already around a quarter of our manifesto has been delivered, with many more pledges likely to be delivered on in the coming months.

We take seriously the mandate Labour has been given and will deliver on the pledges we made to the electorate.

York's Fairness Commission

The Fairness Commission is having both public meetings and staff meetings and is beginning to formulate its interim report. This will give the Cabinet some focus as to where the public's priorities are that should be considered by the council with respect to expenditure in a tight economic climate due to Government cuts. I am ensuring the Fairness Commission is given all budget options that we considered for 2011/12 budget. This will be the first time these options will have been made public and not just to councillors.

Open Council

I have requested that the council's full asset register be published online for public scrutiny. I am also looking at other pieces of information that can be published that until now have only been available to councillors.

Councillor James Alexander
Labour Leader of City of York Council
3rd October 2011

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City of York Council

Committee Minutes

MEETING

CABINET

DATE

19 JULY 2011

PRESENT

COUNCILLORS ALEXANDER (CHAIR),
CRISP, FRASER, GUNNELL, LOOKER,
MERRETT, POTTER AND SIMPSON-LAING
(VICE-CHAIR)

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**14. TAKING FORWARD THE 2011/12 BUDGET PRIORITIES**

Members considered a report which outlined how the Council intended to structure its work programme during 2011/12 to ensure that key priority actions were initiated. This report had been added to the Cabinet agenda under formal Urgency procedures, as it was not listed on the Forward Plan and involved a key decision. An urgent decision was required to enable these priorities, including changes arising from the amendments made to the Council's budget on 30 June 2011, to be developed for incorporation into the Council Plan as soon as possible.

The five key priorities, detailed in paragraphs 4 to 10 of the report, were as follows:

- Create jobs and grow the economy
- Get York moving
- Build strong communities
- Protect vulnerable people
- Protect the environment.

Approval was sought to develop these priorities into a Council Plan and Delivery Plan in the format attached as Annex A to the report, for submission to the next Full Council meeting in October.

Members noted the comments made under Public Participation on this item, made a number of suggestions for amendments to the draft Plan and

RESOLVED: That approval be given to develop a Council Plan and Delivery Plan, for submission to Full Council.

REASON: To ensure that the Council delivers the priorities set out in the report.

J Alexander, Chair

[The meeting started at 5.30 pm and finished at 7.45 pm].



Full Council

6th October 2011

Report of the Chief Executive

Council Plan – 2011 to 2015 – Delivering for the People of York.

Summary

1. This report seeks Council approval for the Council Plan.

The Council Plan sets out the priorities for City of York Council over the next four years. It has been informed by the Sustainable Communities Strategy and previous CYC Corporate Strategy, which it now replaces. The Plan is built around 5 specific priorities;

- Create jobs and grow the economy
- Get York moving
- Build strong communities
- Protect vulnerable people
- Protect the environment

The plan also looks at how the Council needs to work in the future in order to achieve the objectives set out in the plan. These underpinning qualities have been incorporated into a set of core capabilities;

- A confident, collaborative organisation
- Completely in touch with our communities
- A relentless focus on our priorities

Background

2. The Council faces some significant challenges in the next four years, both from the Government's broad agenda on Local Government and from existing city wide issues such as transport. All of this is set within the tightest budget framework for years.
- 3 The Council Plan responds to this challenge by focusing on 5 key priorities –

Create jobs and grow the economy

- 4 A strong and growing economy will provide new job opportunities and the ability for residents to achieve a high quality of life for themselves and their families. The Council will work with businesses to create an additional 1000 jobs per annum with an emphasis on employment in high tech or science and financial, creative or professional services. Work will be taken forward to ensure that the city is at the forefront of digital connectivity.

Get York moving

- 5 An effective transport system is critical to the success of York. Supporting and developing public transport services and enabling and encouraging more walking and cycling provide a means to tackle congestion. An emphasis moving forwards on these more sustainable transport options will bring wider benefits – air quality will improve, people will be healthier, pollution will reduce, access for disadvantaged communities will be better and our built environment will be enhanced.

Build strong communities

- 6 York wants to be a cooperative, enabling council that harnesses the enterprising spirit of local people to remodel council services including new delivery mechanisms. Communities will increasingly be empowered to influence and shape the services they receive and to know that any issues they raise with the council will be responded to quickly and effectively.

Protect vulnerable people

- 7 Over 7000 vulnerable adults benefit from an adult social care service in York – a number that will grow given demographic changes. The council's objective is to safeguard such adults, to

promote their independence, enable them to make real life choices, and give them control over their daily lives. Although York's residents overall enjoy better health than the national average, there are still quite startling inequalities between different parts of the city. The council is working to tackle the inequality and poverty that is at the heart of disadvantage for so many vulnerable people.

Protect the environment

- 8 The council recognises its fundamental responsibility to future generations to promote and invest in sustainability. Activities have been initiated at a local level to contribute to national and international commitments to reduce carbon emissions, recycle or minimise the impact of waste and prepare for the impact of a changing climate on our communities.
- 9 In order to deliver the Council Plan it will be necessary to drive consistently high performance from across all services and to encourage new ways of delivery. In response to this, the Council will embed as core capabilities a confident and collaborative approach to delivering results from our customers, a complete understanding of communities and a relentless focus on our priorities. In areas, like social work, where there are skills shortages nationally, there will be a focus will be on recruitment and retention.

Consultation

- 10 The Council Plan has been developed through a process of consultation with officers in the Council, partners in the city and the Cabinet.

Corporate Priorities

11. When agreed, the Council Plan would represent the corporate priorities of the Council. It will replace the previous corporate strategy. The Council Plan would also initiate the development of supporting strategies such as the Workforce Development Strategy and Procurement Strategy. It will also influence the direction of statutory strategies such as the Homeless Strategy.

Implications

- 12 **Financial** – The Council Plan reflects the work set in train through the 2010/11 budget process. Initiation of work within the Council Plan will be subject to the normal budgeting processes.

Human Resources (HR) – The Council Plan will inform the Workforce Development Strategy. Council Plan objectives will also be incorporated in individual staff PDRs.

Equalities – The Council Plan is intended to promote activities to make York and even fairer city. Initiation of work will be subject to the normal equalities impact assessments.

Legal -

Crime and Disorder - None

Information Technology (IT) - None

Property- None

13 Recommendations

The following decisions are sought -

- Council is requested to approve the Council Plan and the priorities it sets for the next 4 years.

Contact Details

Author:
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Office of the Chief Executive
01904553402

Chief Officer Responsible for the report:
Chief Officer's name
Kersten England
Chief Executive

Report Approved



Date 28/09/11

MEETING	CABINET
DATE	19 JULY 2011
PRESENT	COUNCILLORS ALEXANDER (CHAIR), CRISP, FRASER, GUNNELL, LOOKER, MERRETT, POTTER AND SIMPSON-LAING (VICE-CHAIR)

PART B - MATTERS REFERRED TO COUNCIL

26. CAPITAL PROGRAMME OUT-TURN 2010/11 AND REVISIONS TO THE 2011/12-2015/16 PROGRAMME

Members considered a report which outlined the Council's capital programme out-turn position for 2010/11 and sought approval for changes to the programme and slippage resulting from under or overspends.

The current approved programme amounted to £64.926m, financed by £35.020m external and £29.906m internal funding. Capital expenditure in 2010/11 totalled £53.932m, representing a decrease of £5.458m on the previous year's expenditure and an underspend of £10.995m against the budget. There were requests for budgets totalling £9.721m to be carried forward (re-profiled) into future years. Details of these requests and of programme variances within individual departments were set out in paragraphs 8 to 34 of the report. They included an overspend on building works at Clements Hall, detailed in paragraphs 25 to 29, for which additional resources of £65k, in the form of prudential borrowing, were sought.

The re-stated capital programme for 2011/12-2015/16, split by portfolio, was illustrated in table 4, at paragraph 37 of the report, with individual scheme level profiles in Annex 1.

RECOMMENDED: (i) That Council approve the re-stated 2011/12 to 2015/16 capital programme, as summarised in Table 4 at paragraph 37 of the report and detailed in Annex 1.

(ii) That Council approve the use of additional resources in the form of prudential

borrowing at a value of £65k, to fund the overspend on Clements Hall.

REASON: To allow the continued effective financial management of the capital programme from 2011/12 to 2015/16.

J Alexander, Chair

[The meeting started at 5.30 pm and finished at 7.45 pm].

MEETING	CABINET
DATE	6 SEPTEMBER 2011
PRESENT	COUNCILLORS ALEXANDER (CHAIR), CRISP, FRASER (PRESENT FOR AGENDA ITEMS 6-10 ONLY; MINUTES 36-40 REFER), GUNNELL, LOOKER, MERRETT, POTTER AND SIMPSON-LAING (VICE- CHAIR)

PART B - MATTERS REFERRED TO COUNCIL

40. CAPITAL PROGRAMME - MONITOR ONE

Members considered a report which informed them of the likely out-turn position of the Council's 2011-12 Capital Programme, based upon the spend profile and information to June 2011, and sought approval for changes to the programme resulting from overspends, underspends or slippage.

The current approved capital programme for 2011-12 amounted to £66.099m, financed by £29.700m of external funding and £36.399m of internal funding. The report detailed an increase of £5.436m to this programme, made up of:

- Adjustments to schemes, increasing expenditure by £1.587m
- Net re-profiling of £3.849m of schemes from future years to the current year.

Variances against each portfolio area were outlined in Table 2 in paragraph 5 of the report and detailed in paragraphs 8 to 30. It was noted that capital spend up to the mid point in August had been £19.95%, representing 19.95% of the revised budget.

Requests for increases and additions to the programme, and for funding from contingency, were presented in paragraphs 15, 16 and 21-30. It was noted that the contingency fund was already included in the capital programme and the revenue implications were supported in the treasury management budget.

Having noted:

- The 2011/12 revised budget of £71.535m, as set out in the report at paragraph 4 and Table 2 and

- The re-stated capital programme for 2010/11-2014/15 as set out in paragraph 26, Table 3, and detailed in Annex A, it was

RECOMMENDED: That Council approve:

- (i) The net adjustments of an increase of £5.436k in 2011/12 and a reduction of £3.849k in 2012/13, as detailed in the report and contained in Annex A.
- (ii) The increase of £38k in the Travellers' electricity units scheme, funded by prudential borrowing and supported by existing revenue budgets (paragraph 15).
- (iii) The addition to the capital programme of the Howe Hill Hostel scheme at £50k, to be funded from RTB capital receipts not committed elsewhere in the housing capital programme (paragraph 16).
- (iv) The use of the £300k contingency fund to fund the following schemes, totalling £170k:
 - St Clements Hall - £30k (para 23)*
 - 29 Castlegate - £35k (para 24)
 - Decent Homes standard - £69k (paras 25-27)
 - Fishergate Postern - £20k (paras 28-29)
 - Castle Mills Car Park - £16k (para 30)

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

**Note: a separate vote was taken in respect of the funding to St Clements Hall, during which Cllr Merrett left the room, having declared a prejudicial interest (Minute 31 refers).*

J Alexander, Chair

[The meeting started at 5.30 pm and finished at 6.15 pm].

MEETING	CABINET
DATE	4 OCTOBER 2011
PRESENT	COUNCILLORS ALEXANDER (CHAIR), CRISP, FRASER, GUNNELL, MERRETT, POTTER AND SIMPSON-LAING (VICE- CHAIR)
APOLOGIES	COUNCILLOR LOOKER

PART B - MATTERS REFERRED TO COUNCIL

53. CITY OF YORK COUNCIL: COMMENTS ON THE DRAFT NATIONAL PLANNING POLICY FRAMEWORK

Members considered a report which informed them of the content of the draft National Planning Policy Framework (NPPF) and asked them to consider a potential response to consultation thereon.

The NPPF was intended to replace current extensive planning policy guidance in a single, succinct document. It would also incorporate the new planning policy on traveller sites, previously issued as a separate document for consultation in August. The Council's response to that consultation (attached at Annex B) would be submitted alongside its response to consultation on the NPPF. The NPPF itself had been made available on the Council's website as Annex A to the report.

Key objectives of the NPPF, as identified in the Foreword to the document, included a presumption in favour of sustainable development as the basis for every plan. Three levels of plan making were identified; National planning policies as set out in the NPPF, Local Plans prepared by councils in consultation with the community and Neighbourhood plans prepared by communities themselves.

The Council's draft response to consultation, as set out in Annex C and summarised in paragraphs 52-75 of the report, welcomed in principle the NPPF's commitment to sustainable development but expressed concerns around the definition of that term, suggesting that more clarity was needed on this and on the issue of transitional arrangements. Further concerns

were expressed with regard to the policies on town centres, transport, minerals planning, climate change / flooding, nature conservation and protection of the historic environment. The draft response had been considered by the Local Development Framework Working Group, whose comments were circulated at the meeting.

RECOMMENDED: (i) That Council approve the attached response to the consultation on the National Planning Policy Framework, as amended by the changes recommended by the LDF Working Group at their meeting on 3 October 2011, for submission to the Department of Communities & Local Government.

(ii) That Council delegate to the Director of City Strategy, in consultation with the Cabinet Member for City Strategy, authority to make any changes to the submission that are necessary as a result of the above recommendation.

REASON: So that representations on the NPPF can be made within an appropriate timescale.

J Alexander, Chair

[The meeting started at 5.30 pm and finished at 6.55 pm].

Annex C:

**City of York Council Response to
The draft National Planning Policy Framework**

Headline Comments

- (i) The Council welcomes reference to the planning system playing an active role in guiding sustainable development but believes that the definition of sustainable development included within the draft NPPF is limited. The starting point for a definition of sustainable development should be the principles and priorities set out in the UK Sustainable Development Strategy – Securing the Future (2005)
- (ii) The Council supports a local evidential approach to assessing and meeting local development needs and the emphasis on this in the draft guidance is welcomed.
- (iii) The streamlining of national guidance is also welcomed in part and it is accepted that there is a need to make national policy more concise and readable as a whole. However, in achieving this aim the NPPF has become over-reliant on concepts which have not been clearly defined and in some cases are contradictory.
- (iv) It is considered essential that the transitional arrangements are established to ensure that the gap between the new NPPF being in place and the adoption of Local Plans does not result in damaging or inappropriate developments being approved. This is particularly important given the proposal that in the case of silent or absent plans, planning permission should be granted.
- (v) The issue of transitional arrangements is also important from the point of view of SPDs which have a key role in terms of Development Management and securing planning gain. It is important that this role is recognised and consider that SPDs should not be diminished including their ability to propose appropriate financial obligations on developers.
- (vi) With regard to both the Natural and Historic environment we support the protection afforded to designated assets, but have concerns that undesignated assets such as local green space have not been afforded the necessary level of protection. While we accept that much of this could be established through preparation of Local and Neighbourhood plans, we feel the current policy gap could result in damage to locally significant assets.

- (vii) It is considered that there needs to be a greater emphasis on the requirement for affordable housing as it is not highlighted as one of the key objectives listed under paragraph 107 of the NPPF.
- (viii) The Council raises concerns over the omission of a Brownfield target as previously included in national planning policy. This weakens the general 'brownfield first' approach that has been in place for a number of years and could potentially threaten Greenfield land.

Delivering Sustainable Development

1(a) The Framework has the right approach to establishing and defining the presumption in favour of sustainable development.

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

1(b) Do you have comments?

Paragraphs 9 and 10 - The Council welcomes in principle the commitment to Sustainable Development but these paragraphs together provide a limited definition of the elements of sustainable development (with the exception of references made to paragraph 13 below) but we do support paragraph 11 which sets out the Government's intention to pursue sustainable development in an integrated way. Generally, the Council welcomes reference to the planning system playing an active role in guiding sustainable development but the Council believe that the starting point for a definition of sustainable development should be the principles and priorities set out in the UK Sustainable Development Strategy – Securing the Future (2005):

Principles:

- Living within environmental limits.
- Ensuring a strong, healthy and just society.
- Achieving a sustainable economy.
- Promoting good governance.
- Using sound science responsibly.

Priorities:

- Sustainable production and consumption.
- Climate change and energy.

- Natural resource protection and environmental enhancement.
- Creating sustainable communities.

Paragraph 13 - The Council understand and support the view that planning has a key role in encouraging economic growth. However, it is concerned that in applying 'significant weight' to the need to support economic growth through the planning system the NPPF does not advocate a balanced assessment of whether development is sustainable. The Council feel particularly that the definition of sustainable development is limited in relation to environmental capacity, and is concerned that this could lead to economic growth at the expense of local social and/or environmental objectives.

Paragraph 14 - The Council would like to emphasise their strong concern that the general presumption in favour of development 'wherever possible' could undermine plan preparation. This is particularly important given that the NPPF indicate that permission is to be granted where plans are absent. The development plan produced for an area should be the definition of what is sustainable development for that area based on a local evidential approach and an understanding of local economic, social and environmental issues. This needs to have reference to longer term objectives – an individual development decision may initially appear to deliver sustainability objectives, but may in the longer term generate long term costs.

Paragraph 17/18 - The Council welcomes Neighbourhood Plans. The organisational structures required to effect neighbourhood planning are not clear, particularly in terms of achieving appropriate levels of participation and involvement etc.

Plan-making

2(a) The Framework has clarified the tests of soundness, and introduces a useful additional test to ensure local plans are positively prepared to meet objectively assessed need and infrastructure requirements.

Do you:

*Strongly Agree/Agree/**Neither Agree or Disagree**/Disagree/Strongly Disagree*

2(b) Do you have comments?

Paragraphs 40 and 43 - Viability and deliverability are important elements of plan making, however they can vary over the short, medium and long term and can be influenced by factors beyond planning. Whilst the Council supports the broad principle of ensuring that there is a reasonable prospect of infrastructure being delivered, seeking to undertake detailed infrastructure planning (requirements, timescales, costs and setting CIL rate) as part of the production of the Local Plan may be difficult when preparing a 15 year plan. For example, development costs will change over this timescale. The Council therefore consider that the NPPF should acknowledge the difficulties in assessing infrastructure requirements over the longer term and a more flexible approach to infrastructure planning be adopted which takes account of the changing economic cycle.

Paragraph 48 - It is considered that the reference to unmet needs in neighbouring authorities requires further clarification. For example, in what circumstances would it be appropriate for a Local Authority to have 'unmet demand'. This could be clarified through additional guidance or by adding in reference to the 'planning strategically across boundaries' section of the NPPF, and in particular paragraph 47. It would also be helpful to refer to joint working under the 'positively prepared' test of soundness. This could then be linked to the duty to cooperate referred to elsewhere in the document. This is itself however requires further definition and clarification.

Joint Working

The policies for planning strategically across local boundaries provide a clear framework and enough flexibility for councils and other bodies to work together effectively.

2 (c) Do you:

Strongly Agree/Agree/Neither Agree or Disagree/**Disagree**/Strongly Disagree

2(d) Do you have comments? (please begin with relevant paragraph number)

Paragraph 45 - The Council welcomes the requirement for Local Authorities to work collaboratively to ensure that strategic priorities across boundaries are properly coordinated and reflected in Local Plans; albeit, this will be harder for those areas that do not have a history of

working across boundaries. It is presumed from the limited detail that it will be for Local Authorities to establish ways of joint working.

Paragraph 46 and 47 - The Council feels that it may also be difficult for some Local Authorities to demonstrate evidence of having successfully cooperated. Local Authorities are at varying stages in preparing their development plans and as such it may be difficult to properly coordinate joint working. It may also be the case that neighbouring authorities have competing priorities, which cannot be negotiated. Further guidance on how to undertake joint working when neighbouring Local Authorities are at different stages (particularly where there are authorities where a plan is already adopted) would be helpful. The Council also considers that the objectives, policies and principles within the Framework have not yet been set out clearly enough to guide collaboration.

Development Management

Decision Taking

3a: In the policies on development management, the level of detail is appropriate.

Do you:

Strongly Agree / Agree / Neither Agree or Disagree / **Disagree** / Strongly Disagree:

3b: Do you have comments? (Please begin with relevant paragraph number)

General - The Council consider that the level of detail in the draft NPPF is not useful in directing Development Management. The resource implications of speeding up process and entering into pre-application discussions should be recognised.

Paragraphs 65 and 66 - conformity with the overall objectives of the Local Plan should be made a stated aim of all aspects of Development Management.

4a: Any guidance needed to support the new Framework should be light-touch and could be provided by organisations outside Government:

Do you:

Strongly Agree / Agree / Neither Agree or Disagree / **Disagree** / Strongly Disagree

4b: What should any separate guidance cover and who is best to provide it?

General - Given the size and scope of the draft NPPF and level of detail it contains, there will need to be supplementary guidance to many of the sections in order for it to provide useful guidance for local planning authorities. Without further guidance, the lack of clarity will lead to more scope for appeals, and determination by the courts.

The status of extra guidance should be made clear especially if published by external organisations. If external organisations were to produce separate guidance, they may not have the same consistency as

current PPGs/PPSs. If additional guidance is produced externally it is important that it does not reflect the interests of specific organisations and is subject to wide consultation and stakeholder involvement.

Business and Economic Development

5a *The ‘planning for business’ policies will encourage economic activity and give business the certainty and confidence to invest.*

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

5b *Do you have comments? (Please begin with relevant paragraph number)*

Paragraph 72 - refers to achieving ‘sustainable economic growth’. The Council considers that for economic growth to be truly sustainable, it must be a medium/long term process to ensure that the right type of growth occurs in the right locations and is developed and constructed in a sustainable way. This needs to be made clear throughout this section.

Paragraph 73 - The economic development policies need to protect what’s unique to the Local Authority that gives it its niche or marketability. For example, in York, the Council would want to avoid developments that risk changing the unique selling point which makes York attractive to investors – its historic character and setting.

Paragraph 73 - The NPPF should encourage local authorities to identify and plan for new or emerging sectors that are *needed* in the area e.g. more skilled, better quality jobs.

Paragraph 74 - suggests that planners should be assisting developers in bringing forward sites and helping them overcome any issues. Para. 75 goes on to suggest that employment land/floorspace should not be protected in the long term – The Council feels that this conflicts with earlier paragraphs which set objectives to plan proactively (72) and identify strategic sites (73) and will bring extra transport and environmental impacts and costs. Most local authorities will have undertaken employment land reviews or similar studies which identify a collection of potential employment sites to meeting the need of future economic growth; these are then adopted in an Allocations DPD and are protected for that use for the length of the plan period. If we remove this

aspect of planning for economic development, it will make planning proactively very difficult, including the identification and delivery of infrastructure and take away the certainty for businesses to invest.

Paragraph 75 - Contemporary “market signals” can be an unreliable basis for medium to long term planning. This should be recognised in guidance.

5c *What market signals could be most useful in plan making and decisions and how could such information be best used to inform decisions?*

General - The Council considers that the following information should aid plan/decision making:

- Information currently included in employment land reviews. This shows an understanding of market preferences in terms of locations for types of employment. Using this information, the local planning authority can balance market conditions against other sustainability factors.
- The use of retail studies will assess the capacity for convenience and comparison retail alongside the health of existing centres.

6a *The town centre policies will enable communities to encourage retail, business and leisure development in the right locations and protect the vitality and viability of town centres.*

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/**Strongly Disagree**

6b *Do you have comments?*

Paragraph 76 - The expansion of city centres should not compromise the vitality and viability of the existing centre – it needs to be made clear in the policy that a phasing approach should be taken. It should also be highlighted that functional links need to be established between the existing city centre and any expansion. There is little incentive to redevelop derelict land in town centres or to adapt the existing stock for reuse if relaxations are allowed in peripheral areas which have fewer development constraints. Short term gains particularly will be at the cost of real “sustainable development” damaging the quality of town centres.

The document fails to recognise the importance of sustaining and enhancing the quality of town centre environments.

Paragraph 77/78 - Office developments no longer need to apply the sequential test although they seem to be recognised as a town centre use elsewhere in the framework. The Council feels that this will encourage edge/out of centre office parks which could be damaging to the vitality and viability of city centres and are significantly less sustainable in terms of public transport and access to facilities. This will therefore have a negative effect on wider climate change objectives and could lead to traffic problems.

Paragraph 79 - The Council considers that the requirement for out of centre retail proposals to undertake an impact assessment only if the floor space exceeds a locally set threshold (or, if this is not available, a default threshold of 2,500 sq m) has the potential to be very damaging to the vitality and viability of city centres. It is often the out of centre smaller units that will compete directly with city centre. Furthermore, stating a default threshold is overly prescriptive given the locally-driven direction of the NPPF.

Transport

7(a) The policy on planning for transport takes the right approach

Do you:

*Strongly Agree/Agree/Neither Agree or Disagree/Disagree/**Strongly Disagree***

7(b) Do you have any comments?

General

The council strongly disagrees that the policy for transport takes the right approach. Sustainability is achieved through a balanced consideration of economic, social and environmental aspects that comprise sustainability. Placing a presumption on one – in this case ‘Economy & Growth’ and planning a transport system to realise this without giving due consideration to the other aspects could lead to development that is unsustainable. This is particularly relevant for edge of centre or out of centre development, which, in the past, has proven to be difficult to access by the more sustainable forms of transport such as walking cycling and public transport. City of York Council (through its Local Transport Plan and emerging Local Development Framework) is seeking

to implement strategies and policies that seek to:

- Minimise the need to travel
- Maximise the use of more sustainable forms of transport to travel (if travel is necessary)
- Ultimately tackle congestion, fulfil its obligations to reduce CO2 emissions and improve local air quality

The framework, as it stands, will strongly dilute the ability of the council to realise these objectives through the planning process. Therefore, it needs to:

- Restate the objectives in PPG13 to:
 - promote more sustainable transport choices for both people and for moving freight
 - promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and
 - reduce the need to travel, especially by car
- Give more practical guidance, such as a 'policy toolkit' for example to demonstrate how these could be realised (in York)
- Be more compelling - i.e. use 'must' rather than 'shall' or 'should' (see Para. 85) or use 'take full account of' rather than 'consider' (see Para. 89).
- Give more guidance as to who is responsible for establishing 'local criteria' etc.
- The more flexible approach put forward will potentially make it more difficult to assess overall infrastructure requirements for specific areas and then create effective funding mechanisms

Communications Infrastructure

8a Policy on communications infrastructure is adequate to allow effective communications development and technological advances.

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

8b Do you have comments?

Whilst the Council recognises that the approach taken in the NPPF will allow for communications development and technological advances. At present there is a lack of detail in policy and therefore it is not clear what the impacts might be. The Council has concerns about the implications of the policy approach for cities like York with areas of high quality urban design and significant historic character of conservation value. This is particularly important in the context of conservation areas and listed buildings.

Minerals

9a The policies on minerals planning adopt the right approach.

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

9b Do you have comments?

General - Mineral planning guidance is very well established through the Mineral Policy Statements, Minerals Policy Guidance and the Planning and Minerals Practice Guide. It has provided strong guidance for many years. The intention is that Local Planning Authorities will have sufficiently robust Local Plans and Neighbourhood Plans to provide local interpretation and detail. The document gives little guidance on how to achieve the desired position. The Council suggests that, due to its nature, minerals planning should be assessed at the regional and sub-regional level. This should be highlighted in the NPPF.

Paragraph 100 - There are no references to prudence, conservation of supplies or limits of the environment, and the focus on material input growth above all factors; all imply an acceleration of extraction, without concern for prudence or conservation, and without concern for the natural limits set by geology. This could be seen to be promoting an unsustainable approach to minerals, in effect a presumption in favour of unsustainable development in this field. It is felt that prudent management of mineral resources is a critical part of sustainable development. It is considered that the recycling of suitable minerals to minimise the requirement for new primary extraction should be a first principle as opposed to the other way around which is currently being proposed.

Paragraph 102 - the Council welcomes the reference to safeguarding areas of local minerals of importance to heritage assets.

Paragraph 103 - The Council considers that this should refer to enhancement and after-use as well as restoration, and should make reference to obligations as well as conditions, which would ensure good quality restoration and after-use over time.

Housing

10(a) The policies on housing will enable communities to deliver a wide choice of high quality homes, in the right location, to meet local demand.

Do you:

*Strongly Agree/Agree/Neither Agree or Disagree/**Disagree**/Strongly Disagree*

10(b) Do you have comments?

General

The Council supports the ambition to increase the delivery of new homes where this is in line with a local evidential approach. The Council strongly supports the emphasis on an evidence based approach (i.e. an ongoing role for SHMA, SHLAA etc) and would welcome the publication of more practice/methodological guidance to help steer a more consistent approach to evidence and studies such as the SHMAs to allow for greater comparability between areas (i.e. comparable data sets etc).

Current guidance gives considerable emphasis to affordable housing and it is noted that this isn't picked up in the objectives highlighted. Given the importance of this issue, in achieving the social objectives of sustainability this appears to be a substantial omission. The Council is concerned that the approach highlighted in the NPPF would lead to a reduction in the amount of affordable housing delivered.

Paragraph 107 - It is important that funding is available to support the regeneration and renewal mentioned in this paragraph.

Paragraph 109 - The position taken on windfall sites is overly prescriptive. The Council considers that this decision should be left to Councils to take a local approach to reflect local circumstances, and may reduce the burden on Greenfield sites. The paragraph could also usefully include a statement on empty and underused homes, including space above shops.

Sustainable Communities

Planning for schools

11(a) The policy on planning for schools takes the right approach.

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

11(b) Do you have comments?

Paragraph 129 – Whilst agreeing with the broad approach it is felt essential that adequate protection is given to recreational land such as school playing fields. The Council feels that the development of open space or recreation land (such as school playing fields) should only ever happen in exceptional circumstances, and where alternative facilities are provided. The Council also would suggest that it should be acknowledged where such facilities are deficient this should be addressed.

Design

12(a) The policy on planning and design is appropriate and useful.

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

12(b) Do you have comments or suggestions?

Paragraph 114 - there should be an additional clause promoting the use of local materials as a way of stimulating the local economy. The link between design, construction and training apprentices should also be made.

Paragraph 116 - The Council supports the reference to underpinning design policy through better understanding of local character, which reflects York's stance on Heritage policy, but suggest the removal of 'optimise the potential of the site to accommodate development', as this is unnecessary and should be determined by local characteristics and site circumstance. Policy should refer to amenity space, high quality architecture and urban design as part of well designed places, reflecting

a local sense of place. The Council suggests alternative text, as follows: “...while not constraining creativity or discouraging new architectural additions to the townscape or rural landscape”.

It is difficult to gauge how a two tier system will work in the case of general design policy. For example, a local plan may establish policy supporting new and innovative design, and a neighbourhood plan within the same authority could enforce a conservative representation of local style or vice versa.

Paragraph 123 - The Council does not support the subjective approach taken to controlling advertisements. Leaving the requirement for a detailed assessment to an individual’s definition of ‘appreciable impact’ is not sufficient, and could lead to the harmful degradation of centres. This is particularly important in a city such as York which has many areas that are high quality in terms of urban design and historic character. The Council particularly consider that the character of conservation areas and setting of listed buildings can be significantly damaged by such signage – control of advertisements is justifiable on conservation as well as amenity grounds.

Green Belt

13a *The policy on planning and the Green Belt gives a strong clear message on Green Belt protection.*

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

13b *Have you comments to add?*

Paragraphs 130-132 - The introduction of a Local Green Space designation will not provide complete protection from development. The Council is concerned this could lead to the loss of land with high recreational and amenity value for local communities. It could also prevent their registration as a Town and Village Greens. Further clarification needed, given the recent consultation by Defra on changes to Town and Village Green registration. The Council feels that Local Green Space should be given adequate protection recognizing their values to local communities.

Paragraph 135 - The Council supports the Government’s approach to

Green Belt which remains largely the same as in previous national guidance, although the Framework takes a more positive view towards enhancing the beneficial uses of Green Belt, which is a welcome addition. This supports the Council's approach to Green Infrastructure, which recognises that Green Belt should be viewed as more than a planning constraint.

Paragraph 136 - The Council recognises that, as the general extent of Green Belts across the country are already established, it should not be necessary to designate new Green Belts except in exceptional circumstances. However, the Framework includes a list of criteria that LPAs should meet when proposing new Green Belts – this is welcomed particularly given the York context.

Paragraph 144 and 145 - The Council supports the inclusion of a list of exceptions/forms of development appropriate for the Green Belt. It provides a clear direction for LPAs on which to base decisions.

General

York's Green Belt has existed since the 1950s with its general extent recognised through relevant sub regional and regional plans. Its detailed inner boundaries have however never formally being adopted. York's ongoing LDF process will lead to adopted boundaries for the first time. Given the abolition of RSS the Council's feel it is important that the principle of York having a Green Belt is acknowledged.

Climate Change, Flooding and Coastal Change

14a The policy relating to climate change takes the right approach.

Do you:

*Strongly Agree/Agree/Neither Agree or Disagree/ **Disagree**/Strongly Disagree*

14b Do you have comments?

General - Within the strong focus of facilitating economic growth, this Council feels that cutting carbon emissions appears to be a secondary goal. For example, the core principles (paragraph 19) have no reference to climate change adaptation or mitigation. It is considered that this is a major omission. There seems to be an objective to help to deal with

climate change but no delivery mechanism to make sure it happens.

There seems to be very little reference to air quality and low emissions within the Climate Change section.

14c *The policy on renewable energy will support the delivery of renewable and low carbon energy.*

*Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree*

14d *Do you have comments?*

Paragraph 150 - Whilst the Council supports a local led approach, it is useful to have national standards for renewable energy and sustainable design and construction. The second bullet point indicates that, to support the move to a low-carbon economy, local planning authorities should set the local requirement for building's sustainability. The intention is that Local Planning Authorities will have sufficiently robust Local Plans and Neighbourhood Plans to provide local interpretation and detail. Development Management will find it difficult to enforce local targets with no national backing. There is also a need to strengthen non-domestic targets. This framework could be a key tool in undertaking this.

Paragraph 151 - The heritage protection review (which resulted in PPS 5) urged a more holistic approach to the environment i.e. that undesignated heritage assets should be given more consideration and protection, especially if recognised as being of local value. This draft Framework goes against this intention in giving weight only to designated assets (in most clauses).

Paragraph 152&153 - The Council feels that it should be recognised that some areas are not suitable for this type of development and that an assessment of local character and setting should be undertaken.

14e *The draft Framework sets out clear and workable proposals for plan-making and development management for renewable and low carbon energy, including the test for developments proposed outside of opportunity areas identified by local authorities.*

Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

14f Do you have comments? (Please begin with relevant paragraph number)

The Council considers it is important that the approach to renewable energy is considered strategically through the Local Plan for an area and this gives clear direction on how an authority will address it's energy needs in a sustainable way. It is also essential that this approach is evidential.

14g The policy on flooding and coastal change provides the right level of protection.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

14h Do you have comments?

General - Flood risk is covered by what is essentially an executive summary of PPS25 comprising 14 short paragraphs and 3 footnotes. Given the importance of flood risk this seems inadequate. The key principles are unchanged and seek to steer development away from flood risk areas. The Council welcomes this approach, however there is little in the way of detailed guidance. This replaces PPS25, which has generally been regarded as a practical and useful working document.

Paragraph 155 - Currently the City of York Council's SFRA is read in conjunction with PPS25, providing local and more detailed interpretation of the flood risk information provided by the Environment Agency. With the withdrawal of PPS25 and the absence of detail in the NPPF it seems likely that this Council will have to review its SFRA and specifically incorporate those parts of PPS25 into it which we consider relevant to make it a freestanding document.

Natural Environment

15a Policy relating to the natural and local environment provides the appropriate framework to protect t and enhance the environment.

Do you:

*Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/**Strongly Disagree***

15b Do you have comments?

General - The Council considers that the NPPF lacks strength from a nature conservation perspective and will provide little support for wildlife/biodiversity protection policies at the local level. The emphasis (weight) given to national and international designations comes at the apparent expense of locally important sites, which contradicts the laudable statements in paras 164 and 167 (see below). The framework places a lot of emphasis on LPAs setting policies and making judgements, which is good on one hand, however the lack of national backing and defined national policy will make it harder for Development Management to defend decisions.

Paragraph 164 (& 167) - The Council considers that the framework's coverage of 'valued landscapes' relating just to National Parks, AONB's etc is not wide enough. The document should aim to promote landscape protection, management and planning in the wider sense. The document should refer to the European Landscape Convention (ELC), which suggests that all landscapes are valuable and should receive a measure of protection. A policy to support landscape character assessment/recognition and strategy to promote landscape management, protection, enhancement and creation (in addition to green infrastructure and designated landscapes) should be included.

Paragraph 167 - requires LPAs to give great weight to protecting certain landscapes. However, the Council feels that the suggested approach is weaker than previously, as the term 'overriding public interest' is replaced with 'public interest', and where detrimental effect on the environment used to have to be 'overcome', it now just needs to be 'moderated'. There is also no mention of Landscape Character Areas or the desirability of enhancing degraded landscapes (eg former industrial landscapes).

Paragraph 166 - The requirement that LPAs should make distinctions between the hierarchy of wildlife sites could be potentially damaging to other important wildlife sites that are not nationally designated. The Council considers that all designated sites should be given equal protection when it comes to development proposals.

In order for Green Corridors to be established and to function as they

should, they require protection. This is important in order to maintain the wildlife network. New sites provide and enhance linkages/stepping stones with existing sites. These are essential to many species.. The Council consider that there should be a presumption against the development of existing locally designated sites except in exceptional cases. This is referred to within the Government's recent White Paper on the environment and the supporting documents with regard to offsetting, but is lost here.

Historic Environment

Q16a This policy provides the right level of protection for heritage assets.

Do you:

Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree

Q16b Do you have comments?

General - This draft generally encompasses the spirit of PPG5 and picks up one or two of its elements that were dropped from the published versions, which this Council supports. However, as with the natural environment, the balance is hugely in favour of nationally designated assets. Locally designated or recognised assets are hugely important, especially to a place like York, and should be recognised in policy. Reference should be made to the historic environment planning practice guide for how to implement the stated approach.

The importance of the historic environment to the economy is also not mentioned, although as in PPS5 – PPS5 in HE7.4 explains that LPAs should take account of the positive contribution that conservation of heritage assets and the historic environment generally can make to the establishment and maintenance of sustainable communities and economic vitality by virtue of the factors set out in HE3.1).

Paragraph 177 - we note the weight given to Historic Environment Records, though this would clearly have resource implications. Other means of securing the information would need to be explored.

Paragraph 183 - to assist with determining harm in conservation areas, the Council feel that appraisals should be a requirement.

Paragraph 185 - the loss of the “presumption in favour of conservation” of valued non designated assets would make assets vulnerable to local political agendas especially in view of the strong presumption in favour of development through-out the document.

Paragraphs 187 and 188 -The Council supports this reintroduced reference to ‘substantial harm’, which elevates the significance of non-designated assets that contribute to the character of conservation areas. The reference to enhancement for Conservation Areas is also positive, and should be extended to cover the approach to all heritage assets.

The Council suggests using English Heritage’s stated ‘Conservation Principles, Practice and Guidance’ as the basis for describing significance. The lack of reference to communal value in particular could mean that the significance of locally valued assets is overlooked. This change should also be made to the Glossary.

Paragraph 191 - could be taken to mean that assets which have not been subject to recording are more open to degradation. Suggest that rewording should instead explain (as is intended) that an asset’s record should not be considered as an appropriate substitute for maintaining that asset in all cases. This paragraph has also dropped mention of publication as part of mitigation through recording and dissemination of results. HE12.3 of PPS5 states, “developers should publish this evidence...”. The Council feels this should be reinstated.

Impact Assessment

17a The Framework is also accompanied by an impact assessment. There are more detailed questions on the assessment that you may wish to answer to help us collect further evidence to inform our final assessment. If you do not wish to answer the detailed questions, you may provide general comments on the assessment in response to the following question:

Is the impact assessment a fair and reasonable representation of the costs, benefits and impacts of introducing the Framework?

Q B.3.1. What impact do you think removing the national target for brownfield development will have on the housing land supply in your area? Are you minded to change your approach?

The removal of the national brownfield target should not be damaging in itself provided that the general approach states that brownfield sites should be reused ahead of Greenfield. The approach on this should be clear in order to create a level playing field. This would obviously be open to scrutiny through the public examination process.

Q B 3.2. Will the requirement to identify 20% additional land for housing be achievable? And what additional resources will be incurred to identify it? Will this requirement help the delivery of homes?

The requirement to identify an additional 20% of sites against the housing target in the first five years to ensure choice and competition is overly prescriptive. Although the Council recognises the importance of maintaining a degree of flexibility, it should be left to the local planning authority to decide the amount based on local circumstances. Again the approach taken would be open to scrutiny through the public examination process.

Q B 3.4. Will you change your approach to the delivery of affordable housing in rural areas in light of the proposed changes?

We agree with the proposed approach in principle and think this could go some way to enhance the mix on rural sites.

City of York Council

Committee Minutes

MEETING	AUDIT & GOVERNANCE COMMITTEE
DATE	26 JULY 2011
PRESENT	COUNCILLORS JEFFRIES (CHAIR), BARNES, BROOKS (VICE-CHAIR), BURTON, CUTHBERTSON, STEWARD AND SIMPSON-LAING (SUBSTITUTE)
APOLOGIES	COUNCILLORS WATSON

PART B - MATTERS REFERRED TO COUNCIL.**21. CONSTITUTIONAL CHANGES.**

[See also Part A minute]

Members considered a report which proposed constitutional changes relating to the Council Procedure Rules to Financial regulations and to various protocols which are in the Constitution.

The Monitoring Officer outlined the report and asked the Audit and Governance Committee for their views prior to the changes being presented to Council.

Some Members expressed concern over the wording in paragraph 2.1 of the report which suggested that all Group Leaders had agreed to amend the rule to allow 4 rather than 5 motions to be routinely presented to Council. Certain Members felt that the blanket statement 'the mechanism has been agreed' was not entirely true but were happy to agree the recommendation.

RECOMMENDED: (i) That Council amend the Council procedure rules to allow for four rather than five motions to be routinely presented to Council.

(ii) That Council remove the following protocols and policies from the Constitution:

- Protocol on report writing
- Electronic Communications policy

- Whistle blowing policy
- Protocol on Councillor Working Groups.
- Anti Money Laundering Guidance.

(iii) That Council increase the Chief Finance Officer's authority to write off debts to sums up to and including £30,000.

REASON:

To ensure that the Constitution remains up to date and fit for purpose.

Councillor Jeffries, Chair

[The meeting started at 5.30 pm and finished at 6.45 pm].



Council

6 October 2011

Report of the Assistant Director of Governance & ITT

Annual Scrutiny Report 2010-11

Summary

1. This annual scrutiny report is presented to Council by the Chair of Scrutiny Management Committee, on its behalf, and summarises the work of the five Overview & Scrutiny Committees for the period June 2010 – May 2011.

Background

2. This committee is charged with monitoring overall performance in relation to scrutiny review work and providing an annual report to Full Council. The last annual report was produced in June 2010 for the period June 2009 – May 2010.

Consultation

3. Consultation was not required for the production of this annual report. However, consultation is an important element of Overview & Scrutiny and is regularly carried out in support of scrutiny reviews.
4. The final reports produced for each of the reviews completed during the period June 2010 – May 2011 detail all of the work undertaken, including any consultation carried out. Those final reports and all supporting information can be viewed in full at:

<http://democracy.york.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13029&path=13028>

Options

5. Having considered the Annual Report, Members may choose to:
 - agree any amendments required to the report
 - approve the report for presentation to the meeting of Full Council on 6 October 2011

Completed Scrutiny Reviews in 2010-11

6. The following scrutiny reviews were completed by the Overview & Scrutiny Committees in the last municipal year:
7. Taxi Licensing Policy Review
The Community Safety Overview & Scrutiny Committee carried out their review of the Council's Taxi Licensing Policy between November 2010 and March 2011. The aim of the review was to ensure the council had an up to date policy which was robust and fit for purpose. The original policy is currently being re-drafted to take account of the recommendations arising from the review, and it will be presented for approval to the Gambling, Licensing & Regulatory Committee before the end of this municipal year. The key outcomes arising from the review were the decision not to de-regulate taxis in York and to re-instate a 24 hour taxi rank in Duncombe Place.
8. Newgate Market Review
In January 2011, the Economic & City Development Overview & Scrutiny Committee completed their review of York's daily market. The aim of the review was to identify improvements to the existing stall market and its surrounding area. Many of the recommendations from the review centred on improvements to the general cleanliness and visual aspects of the market. As a result of the review, a Service Level Agreement was implemented for cleaning the market and surrounding area, and a programme of reinvestment was agreed to achieve long term improvements.
9. Customer Complaints Review
Between November 2010 and March 2011, the Effective Organisation Overview & Scrutiny Committee reviewed the Council's handling of customer complaints. The purpose of the review was to inform the development of a new Customer Complaints Policy, improve the customer experience, and thereby reduce the number of common or repeat complaints, and complaints to the Ombudsman. The new policy was recently presented to the Corporate Management Team. The expectation is, that once implemented, a reduction in the number of complaints received and efficiency savings will be achieved.
10. Carers Review
Between November 2010 and March 2011, the Health Overview & Scrutiny Committee carried out a review of support given to carers in

the city, with the aim of promoting the valuable work they do and improving the way the Council and its key partners identify them and provide access to information and support. The key outcomes sought were improvements in partnership working and a consistency in the way information is provided.

11. Edible York Review

An Ad-hoc Scrutiny Committee was set up in December 2010 to carry out a review with the aim of improving the Council's support of community food growing, and identifying additional areas of land in the city suitable for such use. As a result of the review, Council policies relating to green space management (including amenity and communal housing areas) now encourage the use of available space for food growing and the Council now actively promotes local food growing by providing information on its website and in a number of its publications.

Supporting the Council's Corporate Strategy

12. All of the reviews completed during 2010-11 (identified above) took account of the Council's need to be inclusive and ensure equality in accessing the services being reviewed. Each of the reviews also supported a number of the council's other improvement priorities and direction statements:

13. Taxi Licensing Policy Review & Newgate Market Review

Both reviews supported the Thriving City theme of the Corporate Strategy 2009/2012 i.e. 'We will continue to support York's successful economy to make sure that employment rates remain high and that local people benefit from new job opportunities.'

14. The Taxi Licensing Policy review also supported the Safer City theme i.e. 'We want York to be a safer city with low crime rates and high opinions of the city's safety record'.

15. Customer Complaints Review

Supported the Council's Effective Organisation theme of the Corporate Strategy 2009/2012 i.e. 'We shall be a modern council with high standards in all we do, living up to our values and be a great place to work'.

16. Carers Review

Supported the Council's Healthy City theme of the Corporate Strategy 2009/2012 i.e. 'We want to be a city where residents enjoy long,

healthy and independent lives. For this to happen we will make sure that people are supported to make healthier lifestyle choices and that health and social care services are quick to respond to those that need them’.

17. Edible York Review

Supported the ‘Sustainable City’ theme of the Corporate Strategy 2009/2012 i.e. ‘We aim to be clean and green, reducing our impact on the environment whilst maintaining York’s special qualities and enabling the city and its communities to grow and thrive.’

18. In addition it was recognised that the Edible York Review supported the wider sustainability agenda and the Sustainable Community Strategy. Specifically, it supported the Sustainable City chapter which aims to reduce York’s ecological and carbon footprint and support local food growing initiatives, and the city’s climate change framework and action plan.

Performance & Finance Monitoring

19. Throughout 2010-11 the Overview & Scrutiny Committees each received quarterly monitoring reports relating to the council’s performance and finance management, in service areas specific to their individual remits. In some cases this led to individual Committees requesting detailed reports on some of the exceptional issues identified and the initiatives being put in place to address them.

20. In addition, they also received other monitoring reports specific to their individual terms of reference, as detailed below:

21. The Community & Safety Overview & Scrutiny Committee received:

- Quarterly performance reports from the Safer York Partnership & North Yorkshire Police;
- Presentations from North Yorkshire Police & the Probation Service on their contributions to the Safer York Partnership;
- Updates on the Capable Guardian Pilot, and an overview of other CYC initiatives inc. the ‘Area Based Working Pilot’;

22. The Economic & City Development Overview & Scrutiny Committee received:

- Bi-annual update reports on major developments within the city and on major transport initiatives and issues arising from them;

- Updates on a Visit York pilot scheme on the use and acceptance of Euros;
 - Progress reports on York Northwest, and traffic arrangements at York railway station.
23. The Effective Organisation Overview & Scrutiny Committee received:
- Presentations on Customer Services and ICT;
 - Briefings from Legal Services, Procurement and Equalities;
 - Updates on 'More for York' and the 2011/12 Budget;
 - Monitoring reports on the new Workforce Implementation Plan
24. The Health Overview & Scrutiny Committee received:
- Updates on NHS North Yorkshire & York's Universal Services Review (post maternity)
 - Presentations from the PCT on 'Transforming Community Services' & the Joint Strategic Needs Assessment;
 - Presentations from LINks & York Health Group
25. In addition, they were also consulted on a number of proposed service changes e.g. in children's cardiac services in the region and the Public Health White Paper.
26. The Learning & Culture Overview & Scrutiny Committee received:
- Bi-annual service level agreement performance update reports from the York Museums Trust and York Theatre Royal;
 - Updates on the future provision of Youth Services in the city;
 - Reports on 'adult participation in sport in the city' and 'opportunities for public art at the Council's new headquarters';
 - A referral from the Executive on 'Looked After Children';
 - Updates on the Playbuilder Scheme;
 - A tour and presentation on York Explore and Archives

Acting as Critical Friend

27. During the municipal year 2010-11 each of the Overview & Scrutiny Committees met with the relevant Executive Members to hear about their challenges and priorities for the year. They also met with the council's appropriate statutory partners to discuss their contributions to achieving the 'Local Area Agreement' priority targets, and to hear about their priorities and challenges.

Monitoring Previous Recommendations

28. Finally, each of the committees received bi-annual updates on the implementation of any outstanding approved recommendations arising from the scrutiny reviews they had completed in the previous municipal year.

Calling - In

29. Throughout the municipal year 2010-11 there were 15 Executive/ Executive Member decisions called-in for consideration by the Scrutiny Management Committee (SMC). SMC agreed to refer back 10 of those decisions for the Executive's reconsideration – see list of items at Annex A.

Implications

30. There are no known Legal, HR and financial implications associated with the recommendation within this report. The cost of producing and publishing the completed review booklets and this annual scrutiny report has been met from within the scrutiny budget.

Risk Management

31. There are no known risks associated with the recommendation in this report.

Recommendations

32. Having considered the information within this covering report, Members are asked to note the Annual Scrutiny Report which covers the period between June 2010 and May 2011.

Reason: To enable its presentation to Full Council, in line with Constitutional requirements

Contact Details

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Report Approved ✓ **Date** 12 August 2010

Specialist Implications Officer(s) - None

Wards Affected:

All

✓

For further information please contact the author of the report

Background Papers: None

Annexes

**Annex A – List of Executive / Executive Member Decisions Called-In
During Municipal Year 2010-11**

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Decisions Called-In During 2010-11

Call-In Date	Called-In Item	Decision of SMC
14 June 2010	20mph Speed Limit Petitions For Sovereign Park & Dodsworth Avenue	Referred Back to Executive
	Water End Cycle Scheme Evaluation	Referred Back to Executive
	Low Emission Strategy for York	Referred Back to Executive
27 September 2010	Exit Provisions & Pension Discretions	Not Referred Back
8 November 2010	Community Statement Update Report	Not Referred Back
20 December 2010	Water End/Clifton Green Review -	Referred Back to Executive
10 January 2011	CYC Local Transport Plan 3 – Draft Framework Consultation Responses	Referred Back to Executive
	Reablement Service in York	Not Referred Back
28 February 2011	CYC Local Transport Plan 3 – Summarised Draft	Referred Back to Executive
	20mph Speed Limits – City Results & Policy Development Update	Referred Back to Executive
21 March 2011	Local Sustainable Transport Fund	Referred Back to Executive
	City Strategy Capital Programme 2011/12 Budget Report	Not Referred Back
	Development of the Explore Vision in Libraries	Not Referred Back
4 April 2011	Reablement Service	Referred Back to Executive
	Draft Framework for York Low Emission Strategy	Referred Back to Executive

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Report to Council from Cabinet Member for Education, Children and Young people's Services October 2011

I would like to start this report by looking at the wonderful achievements of children and young people in this City. Pupils at our secondary schools celebrated their success in this year's Key Stage 4 examinations achieving the best ever set of results. Provisional results show that 85% of young people achieved five or more A*-C grades, an impressive improvement on last year's result by 4 percentage points. The percentage of pupils gaining five or more A*-C grades, including English and Maths GCSE, is 62%; again an increase on last year of 3 percentage points.

Provisional results for York school sixth forms show that 29% of entries were awarded an A*/A grades, which is an increase on last year and significantly higher than the national figure. Over 79% of entries were given a top grade of A*, A, B or C; again significantly better than national figures.

In the Primary sector KS2 results at Level 4+ continued to be well above the national average. In English, 83% pupils achieved Level 4 or above (2% above the national average) and in Maths the figure was 83% (3% above the national average). Results at Level 5 were also all significantly above the national average, and place the authority as the best-performing authority in the region. In English, 36% of pupils achieved Level 5 (7% above the national average) and in Maths the figure was 43% (8% above the national average). Some schools have had their highest ever results with other schools achieving way above their original targets. I am delighted that York has significantly improved upon the successes of last year and would like to congratulate all pupils on their success. I would also like to thank all members of staff, governors and families in supporting their young people with their achievements. More detail is attached as an Annex to this report.

The results of the 2011 bullying survey have just been received. The survey was conducted in June and 29 schools, all 10 secondary and 19 primaries, participated. From these schools 3917 pupils completed the surveys, comprising 2426 secondary school children and 1491 primary school pupils. The key findings are:

Primary

93% of pupils reported feeling safe in school
92% of pupils reported they liked playtime at school
84% of pupils reported they liked going to school
40% of pupils reported that they felt lonely in school
4% of pupils reported being physically bullied at least once a day
5% of pupils reported being verbally bullied at least once a day
3% of pupils reported being emotionall bullied at least once a day
2% of pupils reported being cyberbullied at least once a day

Secondary

92% of pupils reported feeling safe in school
87% of pupils reported they liked breaktimes at school
74% of pupils reported they liked going to school
43% of pupils reported that they felt lonely in school
2% of pupils reported being physically bullied at least once a day
9% of pupils reported being verbally bullied at least once a day
2% of pupils reported being emotionally bullied at least once a day
1% of pupils reported being cyberbullied at least once a day

The results of the survey have been presented to individual schools so that they can use the information to address school specific issues. The full report was presented to the Children's Trust Board last month and will be used to inform policy and practice development.

The new Children's Service 'Front Door' (The Advice, Assessment & Early Intervention Service) is providing a single route for both professionals and members of the public to obtain advice and information about services for children and young people who are vulnerable and at risk. In seeking to support and enable practitioners in undertaking timely assessments of need and ensuring the provision of early help and support to children and young people, the service is a key

component in the maintenance, development and implementation of integrated working and early intervention arrangements across Yor-OK partner agencies. The Service combines roles and functions that were previously discharged by the children's social care Referrals & Assessment Team, the children's trust unit's Integrated Working Team, and the Education Welfare Service, to provide a single 'front door' for a wide range of children's services. There is one phone number (551900) and one team responding to all incoming enquires regardless of the age of the child or the nature of the concern. In the first three months 1800 calls have been received.

Sadly, we have had an increase in the number of children looked after by the local authority earlier this. The work of the new front door will be vital in ensuring early intervention to prevent family breakdown. However, this trend is national where a 20% increase is reported. Later this month an event organised by looked after children to celebrate foster carers will be taking place in the Guildhall. The young people are very inspiring and want to thank foster carers for the work that they do. I want to thank the Learning, Culture and Heritage scrutiny committee for taking on a piece of work to look at how we undertake our role as corporate parents. I hope that all Councillors will be able engage with this.

York's children's social care services were visited on 11 and 12 August 2011 by two Ofsted Inspectors who came to look at overall safeguarding practice and in particular at the way good practice is supported at the frontline. The inspectors spoke to over 50 staff across children's social care services and to some partners. The visit was also informed by the results of an online survey. In feeding back at the end of their visit, the inspectors said they had found a highly committed, skilled and loyal workforce. The team identified many strengths and were able to easily identify a culture of 'collective ownership of the children and young people we serve' throughout the organisation. Feedback from this Ofsted visit and the recent Peer Review provide a really helpful basis from which to prepare for the forthcoming safeguarding inspection, due to take place by the end of July 2012.

The newly restructured services of Children's Centres, Early Years, and Childcare Strategy started on 1 October. All nine Children Centres remain open and will continue to provide both universal and increasingly targeted services. The key priorities for all three services remain supporting the most vulnerable families, providing high quality services, achieving high standards of performance, and working in partnership with providers, schools and settings, and partners to achieve these aims.

I want to continue to see the development of relationships with partners so that collectively children, parents / carers and families receive a co-ordinated service at both strategic and operational levels. I am keen to see a robust system of monitoring outcomes from the children centres looking at their impact in increasing school readiness, reducing teenage pregnancy, reducing drug and alcohol dependency and domestic violence.

A needs assessment on child poverty in York has recently been completed and a Child Poverty Strategy will be launched in the autumn with the aim of reducing the number of children living in poverty in line with national targets. There are 42,678 children and young people aged 0-19 living in the City of York (2009 data). Of these 4450 (2008 data) are living in poverty. This is a smaller percentage of children (12.8%) than the regional (21.4%) or national (20.9%) figure. However, it is still above the target levels as set out in the Child Poverty Act (10%). There are five wards above the regional and national average with regards to Child Poverty for all children. These are (by number of Children (percentage of total children in area in brackets):

1. Westfield (795) (25%)
2. Clifton (585) (27%)
3. Heworth (510) (21%)
4. Hull Road (395) (25%)
5. Acomb (270)

These wards account for nearly 60% of children who are in poverty. There are several smaller areas (LSOA's) that have significant levels of poverty. There are 10 'hotspots' which are over twice the level of the ward average. These include areas within Huntington and New Earswick, Holgate, Micklegate and Acomb.

Work is well under way to complete a Children's and Adolescents Mental Health Strategy (CAMHS) for the city. The report - *Children and Young People's Mental Health Strategy Part 1: Review and Future Challenges* highlights the need for sustained strong multi agency collaboration as agencies work in a period of significant change with reduced resources. The report also highlights the need to:

- build on existing arrangements to systematically capture the voice and participation of users and carers.
- deliver equality and diversity

- maintain a strong commitment to and focus on early intervention and prevention.

Building from the messages a multi agency stake holder event will take place in December to produce *Part 2: Our Priorities and How we will Deliver Them*. This event will draw on wider consultation with young people and their families and produce a clear statement of objectives. Part 2 of the strategy will be presented to the March Yor-ok Board meeting.

The Transition Zone is a new base for the multi agency Transition Team at Applefields School. The multi agency team supports disabled young people with Special Educational Needs as they become adults. They work to find out the young persons hopes and aspirations and provide support to access individual budgets, appropriate courses or work experience, access to training to increase independent travel still and develop plans to live in their won homes. The team works in partnership with the young people and their families. The Transition Zone is officially opening on the 7 October.

Clifton with Rawcliffe Primary School opened for infant pupils on Monday 5 September. Pupils from the junior site on Rawcliffe Lane will move in to the new school by the end of the year. The school will be fully operational with all the pupils on the new site by January 2012.



I am also pleased to report good progress in the development of the new Our Lady Queen of Martyrs School with the building on line to be ready as planned early in 2012.

City of York Key Stage Results for the Academic Year 2010/2011

Fore-note: The 2011 results are based on available data and are provisional. National results have yet to be released for certain key stages.

Key Stage 2 Results

York results summary

Subject	% of pupils achieving Level 4 (expected level) or above			% of pupils achieving Level 5 (Higher level)			% points difference between 2011 and 2010	
	2011	2010	2009	2011	2010	2009	Level 4+	Level 5
English	83	84	81	36	36	36	-1	0
Reading	85	86	86	49	55	50	-1	-6
Writing	78	75	72	25	20	25	+3	+5
Maths	83	83	80	43	38	36	0	+5
English + Maths	78	78	74	28	24	24	0	+4

National results summary

Subject	% of pupils achieving Level 4 (expected level) or above			% of pupils achieving Level 5 (Higher level)			% points difference between 2011 and 2010	
	2011	2010	2009	2011	2010	2009	Level 4+	Level 5
English	81	80	80	29	33	29	+1	-4
Reading	84	83	86	42	50	47	+1	-8
Writing	75	71	68	20	21	20	+4	-1
Maths	80	79	79	35	34	35	+1	+1
English + Maths	74	73	72	21	23	20	+1	-2

Headlines

The results of tests taken by pupils in May 2011 show that the percentage of 11 year old pupils in York schools achieving the expected level or above has remained stable over the last few years. Results in all subjects are above the national average and place York in the top 30% of Local Authorities (LAs) and one of the top LAs in the region. Results for the percentage of pupils achieving the higher level are very high and place York in the top 6% of LAs in England. The only subject to see a significant decrease at the higher level is in Reading which has decreased by 6 percentage points from 2010. However, this is a better performance than the national trend which shows a decrease of 8 percentage points. York remains 7 percentage points above the national average.

The results for one of the Department of Education's key performance indicators – the percentage of pupils achieving the expected level or above in both English and Maths has sustained the improvement made in 2010. The York result is 4 percentage points above the national average and in the top 12% of LAs.

Key Stage 2 Results by pupil characteristics

Free School Meals

The gap in attainment between those pupils known to be eligible for free school meals (194 pupils) and those

Not eligible for free school meals (1468 pupils) in 2011 has increased. 49 per cent of pupils eligible for free school meals reached the expected level or above in both English and Mathematics compared with 81 per cent of pupils who were not eligible. This results in an attainment gap of 32 percentage points. This compares to an attainment gap of 27 percentage points in 2010 when 58 per cent of pupils eligible for free school meals reached the expected level or above compared to 80 per cent of pupils who were not eligible.

Special Educational Needs

Combining the SEN categories into one group, 30 per cent of all pupils with SEN achieved the expected level or above in both English and Mathematics in 2011, this compares to 90 per cent of pupils with no identified SEN. This result is an increase on the 2010 result where 23 per cent of all pupils with SEN achieved the expected level or above.

Children Looked After by the LA

The cohort number of pupils looked after by the LA and who are eligible to sit the tests was small, less than 20 pupils. Of this small cohort, 67 per cent of eligible children looked after by the LA achieved the expected level or above in English and 56% achieved the expected level or above in Maths.

Key Stage 4 Results

	% of pupils achieving 5 or more A*-C grades			% of pupils achieving 5 or more A*- C grades including English and Maths GCSE			% points difference between 2011 and 2010	
	2011	2010	2009	2011	2010	2009	% 5+A*-C	% 5+A*-C inc En + Ma
York	85	81	73	62	59	59	+4	+3
National		75	70		53	50		

Headlines

The 2011 results show a significant increase on the 2010 results for the headline indicators - 85 per cent of pupils attending a York school achieved 5 or more GCSEs at grade A*-C or the equivalent, an increase of 4 percentage points from 2010. 62 per cent of pupils achieved 5 or more GCSEs at grade A*-C or the equivalent including English and mathematics GCSEs, an increase of 3 percentage points.

Key Stage 5 Results (A level results only)

	% of pupils A*- A grades			% of pupils A* - C grades			% points difference between 2011 and 2010	
	2011	2010	2009	2011	2010	2009	% A*- A	% A* - C
York (School sixth forms)	29	28	27	79	76	77	+1	+3
National	27	27	27	76	75	75	0	+1

York College's A Level Faculty announced its best ever A Level results this year. There were 1,325 A2 Level exam entries this summer at York College. The overall pass rate is 99.3%. This means that York College's A Level results are well above the national average for the seventeenth consecutive year

Headlines

The 2011 results for York school sixth forms show that 29 per cent of entries were awarded an A* or A grade, which is an increase on last year and significantly higher than the national figure. 79 per cent of entries were given a top grade of A*, A, B or C; again significantly better than national figure.

Produced by:

Management Information Service (Adults, Children and Education)

Membership of Committees, Working Groups and Outside Bodies

Committees/Working Groups

Environment Appeals Committee

To appoint Cllr Healey in place of Cllr Richardson.

Community Safety Overview and Scrutiny Committee

- To appoint Cllr Gillies in place of Cllr Galvin.
- To appoint Cllr Hodgson as 1st Labour substitute in place of Cllr Semlyen.

Health Overview & Scrutiny Committee

To appoint Cllr Jeffries as 2nd Labour substitute in place of Cllr Fitzpatrick, who is now a full member of the Committee.

Staffing Matters & Urgency Committee

To note that, due to a mistake on the list approved at Annual Council, Cllr Simpson-Laing was incorrectly appointed as Vice-Chair of the above committee and is in fact a substitute on the committee.

Outside Bodies

Local Authority Commission on Asylum and Migration (LACAM)

To appoint Cllr Crisp

Consultation Meetings with looked After Children “Show Me That I Matter”.

To appoint Cllr Brooks in place of Cllr Wiseman.

Local Government Information Unit

To note that this body's constitution now only requires one nomination rather than two and to confirm the appointment of Cllr Alexander as the one representative and Cllr Merrett as substitute.

Association for Public Service Excellence (APSE)

To appoint Cllrs Alexander and Crisp.

Trustee of York Citizens' Advice Bureau

To appoint Cllr Jeffries in place of Cllr Crisp