

**Notice of a public Decision Session - Executive Member for  
Culture, Leisure & Tourism**

**To:** Councillor Ayre (Executive Member)

**Date:** Friday, 23 September 2016

**Time:** 3.30 pm

**Venue:** The Thornton Room - Ground Floor, West Offices  
(G039)

**AGENDA**

**Notice to Members – Post Decision Calling In:**

Members are reminded that, should they wish to call in any item\* on this agenda, notice must be given to Democratic Services by **4:00 pm on Tuesday 27 September 2016.**

\*With the exception of matters that have been subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Policy and Scrutiny Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **Wednesday 21 September 2016 at 5.00 pm**

## 1. **Declarations of Interest**

At this point in the meeting, the Executive Member is asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

## 2. **Minutes** (Pages 1 - 4)

To approve and sign the minutes of the Decision Session held on 22 July 2016.

## 3. **Public Participation**

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **Thursday 22 September 2016 at 5.00pm.**

Members of the public may register to speak on :-

- an item on the agenda
- an issue within the Executive Member's remit;

### **Filming, Recording or Webcasting Meetings**

Please note this meeting will be filmed and webcast and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at:

[http://www.york.gov.uk/download/downloads/id/11406/protocol\\_for\\_webcasting\\_film\\_and\\_recording\\_of\\_council\\_meetings\\_20160809.pdf](http://www.york.gov.uk/download/downloads/id/11406/protocol_for_webcasting_film_and_recording_of_council_meetings_20160809.pdf)

**4. Review of the Management of Chapman's Pond (Pages 5 - 12)**

The Executive Member is asked to consider a report which proposes transferring the management of the Chapman's Pond site to the Friends of Chapman's Pond on a trial basis to improve the long-term care of the site.

**5. Urgent Business**

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

Democracy Officer:

Name- Judith Betts

Telephone No.- 01904 551078

Email-judith.betts@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 and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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City of York Council

Committee Minutes

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|               |  |
|---------------|--|
| Meeting       | Decision Session - Executive Member for Culture, Leisure & Tourism |
| Date          | 22 July 2016   |
| Present       | Councillor Ayre (Executive Member)                                 |
| In Attendance | Councillor Waller (Executive Member for the Environment)           |

### **7. Declarations of Interest**

At this point in the meeting, the Executive Members were asked to declare if they had any personal, prejudicial or disclosable pecuniary interests not included on the Register of Interests that they might have had in respect of business on the agenda. No additional interests were declared.

### **8. Minutes**

Resolved: That the minutes of the Decision Session held on 24 June 2016 be approved and then signed by the Executive Member as a correct record.

### **9. Public Participation**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

### **10. Legal Actions - 1 October 2015 to 31 March 2016**

Consideration was given to a report which reviewed the results of legal actions undertaken by the following teams within the portfolios of;

- Public Protection (Environmental Health, Trading Standards and licensing)
- Regional Scambuster Team and National Trading Standards eCrime Centre,

- Housing Services

The Executive Members were informed that the majority of Public Protection cases in Public Protection were dealt through advice.

In regards to Scambusters and eCrime, whilst no cases had been concluded during this reporting period, the level of the cases was significant and would be reported in the next quarterly update.

Resolved: That the Executive Member for Culture, Leisure and Tourism in consultation with the Executive Members for Environment and Housing and Safer Neighbourhoods approve the legal actions undertaken within their portfolio areas.

Reason: To review formal enforcement activity undertaken by the aforementioned services.

## 11. **Future Direction for Physical Activity and Sport**

The Executive Member received a report which informed him of proposals;

For ensuring the legacy of sport and physical activity initiatives continued after Sport England and the Local Sustainable Transport Fund grant funding ended.

The report also updated him on sport and physical activity participation rates in the city and highlighted low participation communities. It asked him to approve the focus on these targeted groups as priority communities and the implementation of the new government strategy for physical activity and sport. He noted that these target groups would be the focus for initiatives in any sport and physical activity focused future external funding applications.

In addition the report sought support for the ongoing operation of the sports facilities at Burnholme community health campus during the redevelopment period.

Officers informed the Executive Member that:

### Legacy of Sports and Physical Activity Initiatives and Sports and Activity Participation Rates

- As grants from national government ended, instructors were taking over various Sports and Active Leisure classes.
- Data showed that the city had the lowest rate of non participation in sports per population in the north of England, however participation was lower in lower income groups. One factor for this could be the high proportion of private gyms and rowing clubs, which were expensive.
- New Sports England funding focused not only on team sports but on others including sports such as dance.

### Future Service Direction-Wellbeing Service

- Both the Stop Smoking Service and GP Healthchecks would be delivered by the new York Wellbeing Service.
- GP Healthchecks would help to find levels of inactivity and would triage people on to the wellbeing service.
- There would be eight wellbeing officer posts in the new service. These had been redeployed Officers from other areas in the Council.

### Burnholme Community Health Campus

- New staff for the site would be absorbed from the current structure.
- It was noted that the cost of operating the facility during the interim period would be covered by the project budget.

The Executive Member highlighted the importance of physical activity to wellbeing. He also wanted to make sure that the service was integrated to ensure that early intervention was used as an approach across the service.

Resolved:

That;

- (i) The proposals for ensuring the legacy of Sport England funding in York be noted.
- (ii) That the priorities for York in response to new government strategy for physical activity and sport as outlined in the report be approved.

- (iii) That the ongoing operation of the sports facilities at Burnholme community campus during the redevelopment period be supported.

Reason: To build on York's high rate of physical activity and encourage those from the target communities to become more active. To also support the community sport infrastructure to create opportunities for residents to become more active, and enjoy the benefits of sport and physical activity.

Councillor Ayre , Executive Member

[The meeting started at 4.40 pm and finished at 5.05 pm].





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Decision Session - Executive Member for  
Culture, Leisure and Tourism

23 September 2016

Report of the Assistant Director (Communities, Culture & Public Realm)

## **Review of the Management of Chapman's Pond**

### **Summary**

1. This report proposes transferring the management of the Chapman's Pond site to the Friends of Chapman's Pond on a trial basis to improve the long-term care of the site.

### **Recommendations**

2. The Executive Member is asked to agree to grant the Friends of Chapman's Pond a three year lease to manage the site.

Reason: To ensure that site continues to improve as a desirable place for recreation and its management remains sustainable.

### **Background**

3. Chapman's Pond is a 2.6 ha site off Moor Lane in Dringhouses. The pond itself covers roughly a third of the site with other habitats including woodland and meadow (See Annex). It is managed by the Council with the assistance of the Friends of Chapman's Pond. The Friends are a long running group and have over the years carried out practical maintenance tasks and conservation enhancements. They have also assisted with fund raising, in particular for the circular path in 2011/12 and, for the last three years, in partnership with Love to Eat Café, a summer fair has taken place on site.
4. The pond is one several fishing waters owned by the Council including parts of the Rivers Ouse and Foss in the City centre, the Railway Pond off Tadcaster Road and Rawcliffe Lake. The latter two sites have been managed by the local angling clubs for several years, which includes the ability to levy a charge and patrol the site with fishery bailiffs.

5. Fishing at Chapman's Pond has never been managed either by the Council or the Friends. No fees have been charged for use and, as the site is open 24/7, fishing can take place at any time of the day. Lack of fishery management has at times enabled anti-social behaviour to occur whilst poor angling practices have contributed to poor fish health.
6. Following a large number of fish deaths in 2015 a group of anglers got together and formed a volunteer bailiff service to help monitor problems at the pond and to encourage and educate anglers to fish properly. This has been very successful, resulting in both a reduction in anti-social behaviour and site improvements. Many of the volunteer bailiffs have been trained as part of the Angling Trust's volunteer bailiff programme. See: <http://www.anglingtrust.net/page.asp?section=930>
7. Over the winter of 2015/16 discussions took place with the Friends of Chapman's Pond and anglers about how best to continue this good work. This included testing the idea of taking a lease for the site and introducing a charge for fishing to fund the site improvements. The anglers have now joined the Friends, setting up a fishing section. The Friends now wish to take on the management of the entire site.
8. For fishing to both thrive and to be sustainable the view of the Friends and the Council is that better facilities, organisation and management are required. Initiatives in-hand or envisaged include:
  - a) At the suggestion of the Environment Agency and with the support of the anglers the Council closed the pond during this year's spawning period resulting in a huge reduction in the number of fish deaths compared to last year. The anglers helped enforce the closure and monitor fish health.
  - b) Better facilities start with better fishing pegs. Work to improve these has begun with a successful grant awarded by the Angling Trust to replace 4 of the existing pegs. The ward team have also granted money to replace the old boundary fence, install bike racks and provide water monitoring equipment.
  - c) Better organisation would include the creation of an integrated coaching programme to bring juniors into the sport, develop talent and support recreational members. The Angling Trust have provided funding for 2 volunteers to become angling trust trained coaches and informal family friendly sessions are planned.

- d) Better management will require the Friends to be a robust group with a vision for the future that incorporates all the uses of the site. Granting the Friends a greater role will demonstrate to the wider community that local residents have a role in the management of the site and helpfully will increase their membership. The Friends are fully constituted, hold insurance and have a bank account.
- e) Whilst the Friends have successfully been awarded money for improvements more funding is required for both the ongoing day to day care and further site improvements. The Friends have asked that anglers are now charged to fish with the income this generates being used for these purposes. The suggested charges would be £3 per day or £15 per year for adults, £1 a day or £5 a year for 13 – 16 years olds and free for under 12s. This level of charging is comparable with the nearby Railway Pond. Any increase in future years would be agreed by officers in line with the above prices.

### **Consultation**

- 9. Consultation has been carried out with a wide range of local stakeholders. The Friends and local ward team are in support of a lease and the introduction of pay to fish arrangements. The police support the scheme as a way to help reduce anti-social behaviour problems. The Environment Agency support it as it will help them to monitor those who are fishing without a valid rod licence.

### **Options**

- 10. Two options are available:
  - a) To grant the Friends of Chapman's Pond a three year lease at a peppercorn rent allowing them to manage the site and charge for fishing.
  - b) Not to grant the Friends a lease and continue with the site being managed by City of York Council.

### **Analysis**

- 11. Option a) would place the asset in community control on a trial basis and support the principle of volunteers assisting with the care of the city's open spaces. It would bring the pond into line with other Council sports assets that are managed by the community including tennis, football, rugby, cricket and bowls. Should the trial be a success then a longer term arrangement can be explored in the future.

12. All day to day management and maintenance (except responsibilities for trees and waste bin emptying) would be transferred to the Friends. This would save on both ad hoc day-to-day costs and staff time, allowing that staff time to be redirected to supporting and developing other community groups. All funds raised through fishing would be used to improve the site, with accounts available for inspection.
13. The fishing would be better managed with volunteer bailiffs able to check that anglers have rod licences which is a legal requirement for anyone over 12 fishing in the UK. At the moment the volunteers bailiffs can't check people fishing have a rod licence.
14. Option b) This would retain the site for management by City of York Council. The volunteer and site management would continue to take up staff time and no income would be raised from angling for future site improvements and care.

### **Implications**

15. **Financial Implications:** There are no immediate financial implications but it should be noted that under a lease the costs of site improvements such as fishing peg repairs and tree management will be borne by the Friends. As the lease will be at a peppercorn rent there will be no income to the Council but, equally, no loss of revenue.
16. **Property implications:** Option a) will provide a trial to find the best solution in terms of long term asset management.
17. **Equalities:** An initial Equalities Impact Assessment (EIA) screening highlighted potential issues of access for those on limited income. The introduction of a charge may be detrimental to those on low income. As the proposed charges are in line with the nearby Railway Pond this is not thought to be unreasonable.
18. **Crime and Disorder:** Since the introduction of the volunteer bailiff scheme residents surrounding the site have noticed a marked reduction in anti-social behaviour. It is hoped that the increased site presence and management will continue this trend. Should charging be introduced it will be possible to stop those fishing illegally without a rod licence as the bailiffs will be able to check the angler has a valid rod licence before they sell a ticket.
19. The report has no additional implications relating to: Human Resources, Legal or Information Technology.

### Council Plan

20. The proposals in this report are in line with the Council Plan priorities that ensure valued community facilities are protected and the Council works with other organisations to deliver the best services for residents.

### Risk Management

21. In compliance with the Council's risk management strategy the main risks that have been identified with the proposals contained in this report are that the Friends withdraw from any future lease and hands the site back to the Council. This may damage the Council's reputation. The level of risk is assessed as "Very Low". This means that periodic monitoring is required of the operation of the new arrangements.

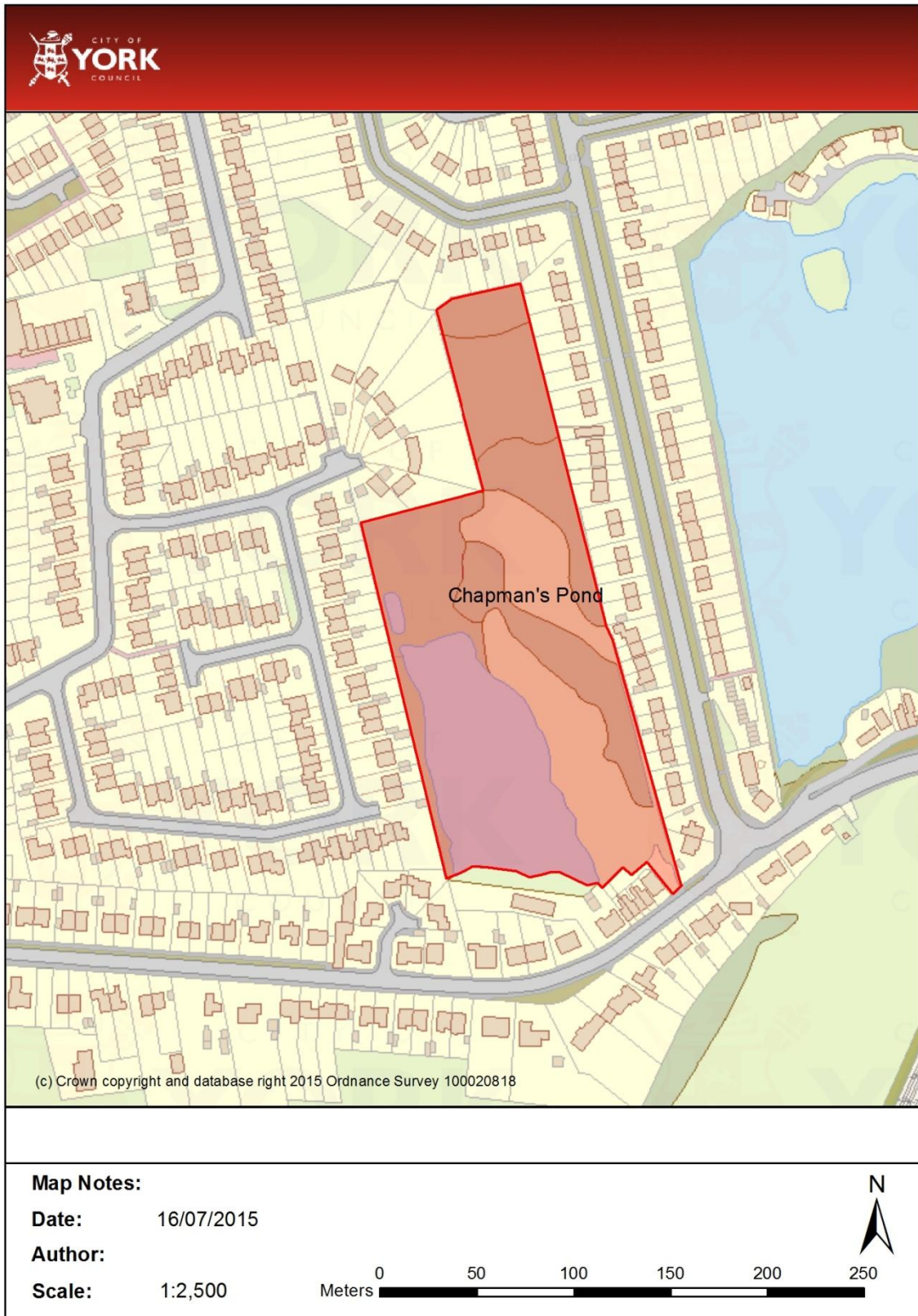
### Annex – Plan of Site

#### Contact Details

|  |  |   |   |             |                |
|--|--|---|---|-------------|----------------|
| <b>Author:</b>   |  | <b>Chief Officer responsible:</b>   |   |             |                |
| Dave Meigh<br>Operations Manager – Public Realm<br>Tel: (01904) 553386         |  | Charlie Croft<br>Assistant Director (Communities, Culture and the Public Realm) |   |             |                |
| Jenny Cairns<br>Environment and Community Officer - Communities and Equalities |  | <b>Report Approved</b>  | ✓ | <b>Date</b> | 10 August 2016 |
| <b>Specialist Implications Officers:</b>                                       |  |   |   |             |                |
| <b>Wards Affected:</b> Dringhouses and Woodthorpe                              |  |   |   | <b>All</b>  |                |
| <b>For further information please contact the author of the report</b>         |  |   |   |             |                |

**Background Papers:** EIA screening held by Dave Meigh

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