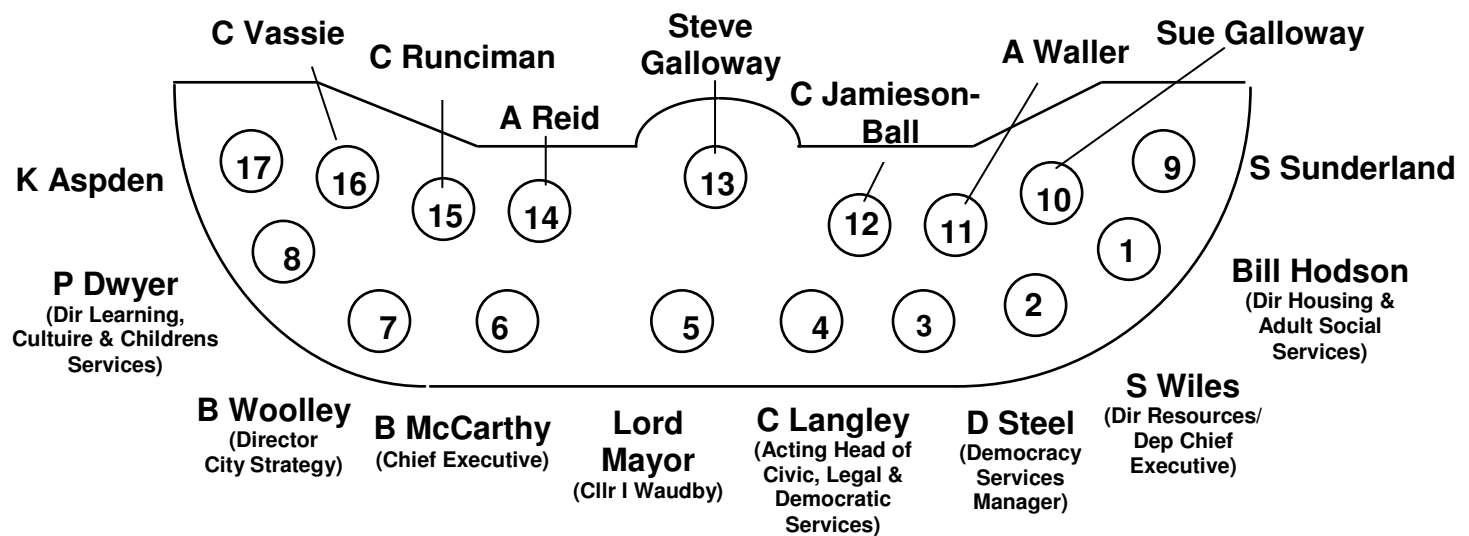
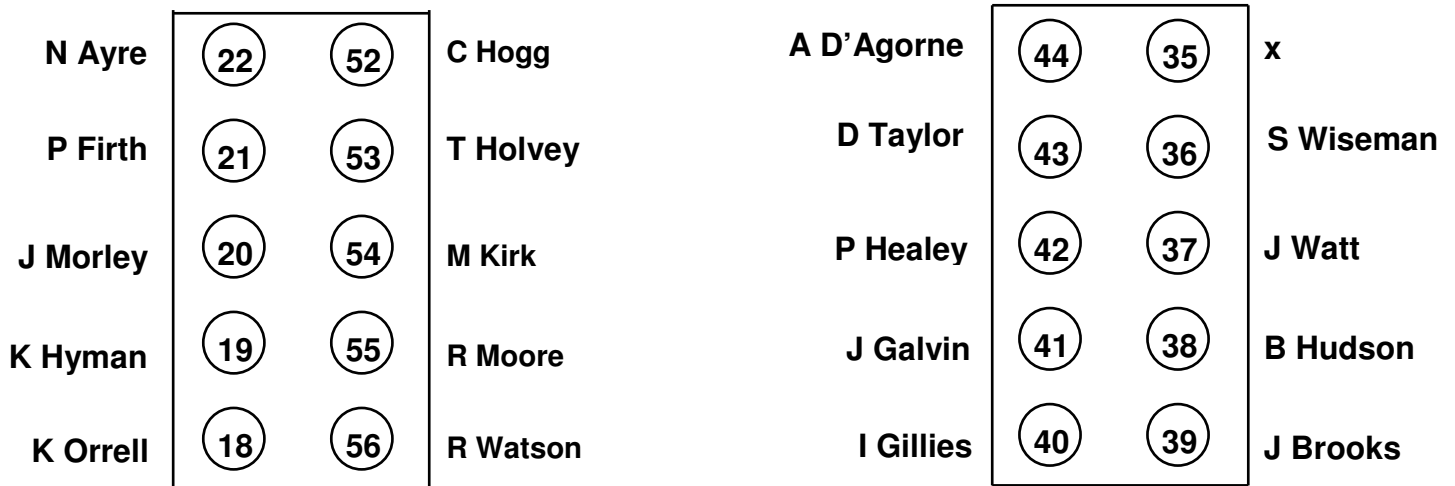
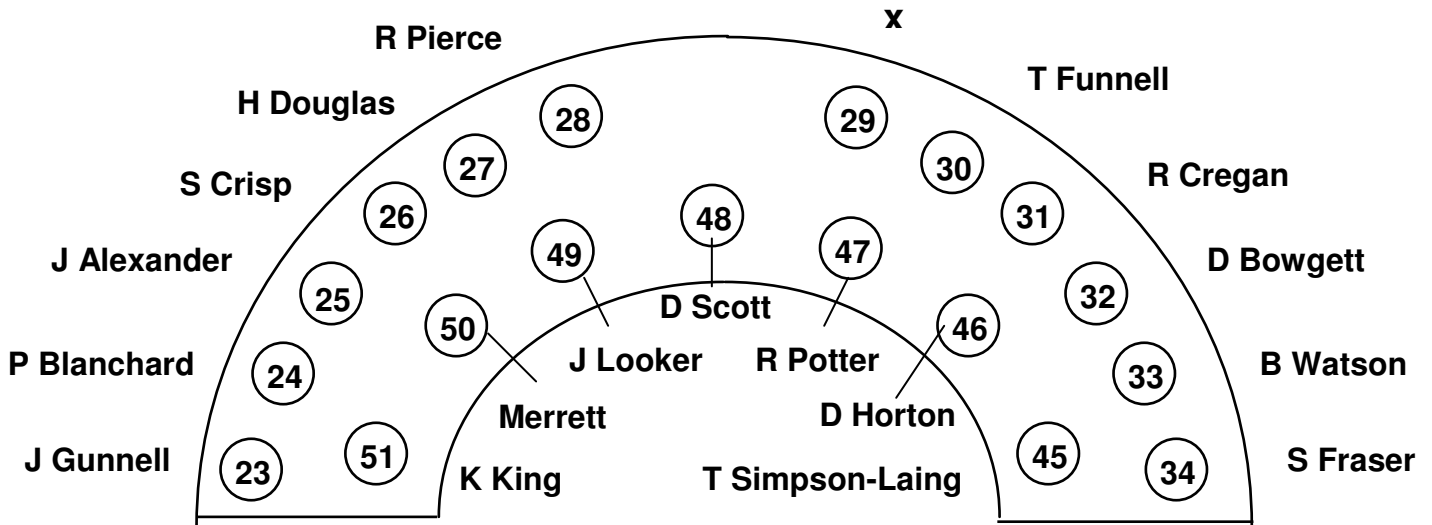


CITY OF YORK COUNCIL SUMMONS

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, 29 November 2007 at 6.35 pm, or immediately following the Special Meeting of Council scheduled to begin at 6:00 pm.

COUNCIL CHAMBER PLAN



A G E N D A

1. Declarations of Interest

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

2. Minutes (Pages 1 - 22)

To approve and sign the minutes of the Council meeting held on 4 October 2007.

3. Civic Announcements

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

4. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the remit of Council may do so. Anyone who wishes to register, or requires further information, is requested to contact the Democracy Officer for this meeting. Contact details are listed at the foot of this agenda. The deadline for registering is **5:00pm on Wednesday, 28 November**.

5. Petitions

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

- (i) Councillor R Watson, regarding speeding traffic on Towthorpe Road;
- (ii) Councillor Alexander, on behalf of residents of Leeman Road requesting removal of Back Park from the leisure land for possible sale list;
- (iii) Councillor D'Agorne, on behalf of the Open Planning Forum, regarding the Local List for York;
- (iv) Councillor Gunnell, calling for more recycling for residents of terraced areas of the City.

6. Notices of Motion

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

(i) From Councillor Kirk:

“This Council regrets the Government’s planned closure of 2,500 post offices across the UK. Council notes with concern the threat to post offices in York and surrounding areas. Council further notes that any closures in York will be announced by Post Office Counters Limited in November 2007.

This Council believes that post offices; fulfil both a social and economic role, offer a lifeline to many vulnerable and elderly customers, and contribute to viable, sustainable communities, especially in rural and suburban areas.

This Council believes that the closure programme is unnecessary and calls on the Government to:

- a) end the branch closure programme and open new branches where needed;
- b) remove the Royal Mail restrictions on the Post Office to open up further business opportunities for the network;
- c) stop removing government business from post offices;
- d) carry out a review of which additional government functions could be carried out through the post offices;
- e) invest in the Post Office Network.

This Council calls upon the Chief Executive and Leader of City of York Council to write to the Secretary of State for Business, Enterprise and Regulatory Reform to oppose the proposed branch closures in the City of York Council area.”

[Note:

In accordance with the Council’s Constitution, and subject to the consent of Council, notice has been received that Cllr Kirk will seek to amend the above motion to read as follows:

“This Council regrets the Government’s planned closure of 2,500 post offices across the UK. Council notes with concern the threat to post offices in York and surrounding areas. Council further notes that any closures in York will be announced by Post Office

Counters Limited in November 2007.

This Council believes that post offices; fulfil both a social and economic role, offer a lifeline to many vulnerable and elderly customers, and contribute to viable, sustainable communities, especially in rural and suburban areas.

This Council believes that the closure programme is unnecessary and calls on the Government to:

- a) end the branch closure programme and open new branches where needed;*
- b) remove the Royal Mail restrictions on the Post Office to open up further business opportunities for the network;*
- c) stop removing government business from post offices;*
- d) carry out a review of which additional government functions could be carried out through the post offices;*
- e) invest in the Post Office Network.*

This Council requests that;

(1) the Chief Executive and Leader of City of York Council write to the Secretary of State for Business, Enterprise and Regulatory Reform to oppose the proposed branch closures in the City of York Council area.

(2) Officers prepare a report, to be received by members within three months of this motion being carried, on negotiations with the Post Office, and the financial implications to the council, and residents, of expanding use of 'over the counter' transactions at sub-post offices for council services, bills and charges ”]

(ii) From Councillor Horton:

“Council notes:

- a) The shortage of good affordable housing in York to rent or buy;
- b) That York has two thriving Universities with increasing number of students living in the community, some in poor quality rented properties;
- c) That first-time buyers face increasing difficulties in gaining their first foot on the property ladder in the city. This has been exacerbated by the increase in the buy-to-let market and the building of a large number of high price flats in the City in recent years, at the expense of family housing;
- d) That owners of buy to let properties enjoy "tax breaks" which are not available to first-time buyers.

Council calls for the following action to be taken:

- a) That Council use its statutory powers to regulate the difficulties being experienced in areas of the City with large student populations and poor quality maintenance by landlords;
- b) That the Government be called upon to investigate and put in place legislation to enable first time buyers to mitigate the unfair tax advantage that is enjoyed by those buying solely to let and to strengthen Council's planning powers in terms of maintaining sensible housing mix.
- c) That Council establish a task force of representatives from the universities, students' unions, landlords and ward members to consider the effectiveness of voluntary, market and regulatory strategies to improve living conditions for long-term residents and students;
- d) That the task force make recommendations for practicable solutions within six months of this meeting;
- e) That Council also join other university cities in their lobby, via the Local Government Association to central government, for specific powers to enable local authorities to address the impact of the proportion of students residing in specific geographical areas."

(iii) From Councillor Brooks:

"This Council instructs the appropriate officer or officers to negotiate with the Post Office a scheme for payment of all Council service charges and fees at local Post Offices and that a report be brought back to the Council on the outcome of such negotiations within three months".

[Note: On 23 November, 2007, the above Notice of Motion was withdrawn and replaced by the following:

(iii) From Councillor D'Agorne:

"This Council notes:

- a) *The adoption at the Nov 22nd Planning Committee of an Interim Planning Statement for York for Sustainable Design and Construction with references to a minimum 10% on site generation of renewable energy for new developments, in line with policy adopted by Merton and other local authorities.*
- b) *The proposed removal of the specific on site target for renewable energy in the Secretary of State's recommended*

changes to the draft Yorkshire and Humber Regional Spatial Strategy.

c) That the target was established in consultation with all key regional agencies and local authorities. It had successfully passed through the Examination in Public stage and was endorsed in the recommendations put forward by the Independent Panel.

d) That only 5 months earlier a similar policy in the North East Regional Spatial Strategy passed through virtually unchanged in the Secretary of State's list of proposed changes to that document.

e) That once the Planning Policy Statement on Climate Change is published (in its current proposed form) it may become more difficult for Councils to implement as policy the modest 10% minimum on site renewable energy targets for new developments.

f) That as a percentage renewable energy target, the policy encourages greater energy efficiency in new developments and is a driver to reduce carbon emissions.

g) That the policy has been proven to be effective by those councils already implementing this policy such as the London Borough of Croydon, which has now applied it to over 130 planning applications.

This Council calls on the Chief Executive to write to the Minister for Housing and Planning, (with copy to Chair of Yorkshire and Humber Assembly) calling on the Minister to:

a) Give an unequivocal statement that the forthcoming Planning Policy Statement on Climate Change will allow Councils to set at least a minimum 10% on site renewable energy targets in new developments;

b) Reconsider her recommendation to delete the specific on site renewable energy target in new development from the Yorkshire and Humber RSS.”]

(iv) From Councillor Simpson-Laing:

“Council agrees that Bus Cross Ticketing, within the City of York Council boundary, is adopted as a primary objective of Council's desire to further develop public transport usage in the City. Council calls for Council Officers to negotiate with local bus operators to achieve this, with a target implementation date being set as being no later than January 2009.”

(v) From Councillor Aspden:

“City of York Council notes;

- The huge amount of voluntary work that is done in the City.
- The success of the York Press organised *Community Pride Awards* in giving public recognition to many of the City’s unsung heroes.
- The positive role model for children and young people that volunteering provides and assists with the development of active citizenship.
- That the devolution of budgets and decision making to the neighbourhood level assists with voluntary work in the City.

City of York Council welcomes;

- The ongoing work of the Council for Voluntary Services, health and environmental voluntary groups, Youth Clubs and sports club, Neighbourhood Watch, school governors, and other volunteering groups around the City.
- York Cares, which is actively supported by; Benenden Healthcare Society, City of York Council, Corus, CPP, Garbutt & Elliott, HSBC, Langleys, Mott MacDonald, Norwich Union, Shepherd Building Group, The Partners Group, The University of York, York and County Press and others.

City of York Council calls upon;

- The City, residents and employers to celebrate International Volunteer Day on 5th December as part of a continuing process to improve the opportunities for volunteering in York.
- Employers in the City to recognise the value in volunteering.
- The media to encourage participation with links like the BBC Action Network.”

7. Report of Executive Leader and Executive Recommendations (Pages 23 - 34)

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

Meeting	Date	Recommendations
Executive	6 November 2007	Minute 98 – City of York Local Development Framework - Adoption of the Statement of Community Involvement. <i>[Note: the draft Statement of Community Involvement can be viewed on the Council's website by clicking on this link http://democracy.york.gov.uk/ieListDocuments.asp?CId=102&MId=2600&Ver=4 Copies may also be obtained on request from Democratic Services.]</i>

8. Report of Executive Member (Pages 35 - 38)

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

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

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

- (i) To the Executive Leader, from Cllr B Watson:
"Could the Leader of the Council explain his definition of 'mischievous'?"
- (ii) To the Executive Member for Neighbourhood Services, from Cllr Potter:
"Would the Executive Member now reconsider his objections to lobbying the Government to ban or tax the use of plastic bags in the UK and sign our petition which we will be sending to the Secretary of State for Environment, Food and Rural Affairs, requesting that the Government bans or taxes plastic bags, and is he aware that Brighton

and Hove City Council and Norwich Council have recently voted to ask the Government to ban plastic bags?”

(iii) To the Executive Member for Youth and Social Inclusion, from Cllr Fraser:

“Would the Executive Member for Youth and Social Inclusion outline one ambition for his coming year in office?”

(iv) To the Executive Member for Youth and Social Inclusion, from Cllr Ayre:

“Could the Executive Member report on any success that the Council and young people had in taking part in the national Take Over day on 23 November 2007?”

(v) To the Executive Member for Housing Services, from Cllr Merrett:

“Could the Executive Member for Housing Services explain the reasons for the large number of boiler replacements (indicated in the Press article on Friday 10/11/07) and how much this has cost?”

(vi) To the Executive Member for Children’s Services, from Cllr Healey:

“Will the current review under way for Home to School Transport include those children who attend school out of their catchment area, so that free transport for children who do not have a ‘safe route’ to school is not restricted to their catchment area school but any that has an existing bus service? This will bring the policy in line with recent appeal decisions and avoid the time and cost for both parties in future.”

(vii) To the Executive Member for Adult Social Services, from Cllr Hogg:

“Would the Executive Member please update Council on the current situation regarding joint working arrangements with the PCT?”

10. Recommendations from the Gambling & Licensing Acts Committee (Pages 39 - 40)

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

Meeting	Date	Recommendations
Gambling & Licensing Acts Committee	5 October 2007	Minute 12 – Review of Licensing Policy (Licensing Act 2003) <i>[Note: The report to the Committee, with the amended draft Policy attached, can be viewed on the Council’s website by clicking on this link: http://sql003.york.gov.uk/ieListDocuments.asp?CId=606&MId=3081&Ver=4&J=3 Hard copies can be obtained from Democratic Services on request.]</i>

11. Amendment to Delegation Scheme - Restoration of Common Land and Village Greens (Pages 41 - 44)

To consider a report by the Interim Head of Civic, Legal and Democratic Services seeking to amend the delegation scheme within the Constitution to make provision for the carrying out of functions in relation to the registration of common land and village greens by the Licensing and Regulatory Committee and the Director of City Strategy.

12. Scrutiny - Report of the Chair of the Scrutiny Management Committee (Pages 45 - 46)

To receive a report from Councillor Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC.

[Report attached to re-published agenda 23/11/07]

13. 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/mqListOutsideBodies.asp?bcr=1>

Copies may also be obtained by contacting Democracy Support Group at the Guildhall, York (tel. 01904 551088).

- Association of North Yorkshire Councils - 12/9/07
- York & North Yorkshire Waste Management Partnership - 11/7/07
- Yorkshire & Humber Assembly - 12/7/07 and 4/10/07
- Regional Transport Forum - 6/9/07
- Safer York Partnership - 10/10/07
- Pension Fund Sub-Committee - 27/9/07
- Police Authority - 24/9/07

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

14. Appointments and Changes to Membership (Pages 47 - 48)

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

15. Urgent Business

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

Democracy Officer for this meeting:

Name: Fiona Young

Contact details:

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

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

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

Contact details are set out above.

This page is intentionally left blank

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 4th October, 2007, starting at 6.30 pm

Present: The Lord Mayor (Cllr Irene Waudby) in the Chair, and the following Councillors:

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

HUNTINGTON & NEW EARSWICK
WARD

Hyman
Orrell
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Gillies
Healey
Hudson

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

Moore □ Watt □

STRENSALL WARD

Kirk
Wiseman

WESTFIELD WARD

Steve Galloway
Sue Galloway
Waller

WHELDRAKE WARD

Vassie

Apologies for absence were received from Councillor Funnell

28. FORMER COUNCILLOR BILL BENNETT

Members observed a minute's silence in respect of former Councillor Bill Bennett, who had died in July.

29. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

30. MINUTES

The minutes of the special and ordinary Council meetings held on 28 June 2007 were agreed as a correct record and signed by the Lord Mayor, subject to an amendment to the attendance list in the latter, to list the Lord Mayor once, in the chair, and not under Members for Skelton, Rawcliffe & Clifton Without Ward.

31. CIVIC ANNOUNCEMENTS

The Lord Mayor announced receipt of the following gifts:

- A picture from Australia displayed at the bottom of the stairs in Guildhall Reception;
- A blue flag presented by visitors from the USA.

A golf trophy won by Fulford Golf Club, in a tournament against Riverton Country Club, USA, was also on display in the Council Chamber.

32. PUBLIC PARTICIPATION

The Lord Mayor reported that there had been three registrations to speak at the meeting under the Council's Public Participation Scheme.

Alice Gomez addressed the meeting on behalf of the Save Yearsley Bridge Group, regarding the proposed closure of Yearsley Bridge Day Centre.

Tina Fernie spoke in support of a petition to stop anti-social behaviour in Rawcliffe.¹

Mark Warters spoke regarding City of York Council Public Footpath Osbaldwick No.6 Extinguishment Order June 2006 and the Planning Inspector's findings thereon.

Action Required

1 Refer petition to appropriate committee.

KS

33. PETITIONS

The following petitions were presented by Members under Standing Order 7:

- i) A petition presented by Cllr Potter, on behalf of the Save Yearsley Bridge Group, regarding the proposed closure of Yearsley Bridge Day Centre;¹
- ii) A petition presented by Cllr Potter, on behalf of residents in Penyghent Avenue, requesting speed humps and traffic calming on the avenue;²
- iii) A petition presented by Cllr D'Agorne, on behalf of local residents, objecting to the proposal to demolish the Christian Science Church at the junction of Kilburn Road and Fulford Road and the plan to build 8 town-houses on the site, and calling for the Conservation Area to be extended to include this site;³
- iv) A petition presented by Cllr Scott, on behalf of residents at High Cliffe Court, regarding traffic issues;⁴
- v) A petition presented by Cllr Horton, on behalf of York residents, requesting more affordable housing in the City;⁵
- vi) A petition presented by Cllr Fraser, on behalf of businesses on Bishopthorpe Road, calling for CCTV coverage for the area;⁶
- vii) A petition presented by Cllr Aspden, on behalf of residents of Fulford, calling for Chapel Alley snicket to be adopted by the Council;⁷
- viii) A petition presented by Cllr Holvey, on behalf of residents of Woodthorpe, calling for the closure of the alleyway leading from Carrfield, between numbers 24 and 26 to Heron Avenue.⁸

Action Required

1 Refer petition to appropriate committee;

LE

2-8 Refer petitions to appropriate committees.

JB

34. NOTICES OF MOTION

Six notices of motion had been received. Councillor Steve Galloway therefore moved, Councillor Scott seconded and Council agreed a motion to suspend Standing Order 11(b), which limited the number of notices of motion to be discussed to five, so that all of the notices of motion could be considered.

(i) **Sale and Production of Foie Gras**

This motion had previously been referred to the Executive for consideration in accordance with Standing Order 11(a)(ii):

“Council notes that:

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

Council believes that:

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

Council resolves to:

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

As the proposer of the motion, Cllr Blanchard put forward an alteration with Council’s consent:

“Delete the final two bullet points after ‘Council resolves to’ and replace with:

- *‘Instruct the Chief Executive to write to Lord Rooker, the Minister for Sustainable Food and Farming and Animal Health, stating the council’s concern regarding the sale of foie gras in the UK and requesting a review of central government policies on animal welfare issues;*
- *Ban the procurement of foie gras by the council;*
- *Ban sale of foie gras by the council on its premises;*
- *Place a link to the website of Compassion in World Farming on the council website;*
- *Inform representative hospitality organisations in the city of its view.’”*

The altered motion was then moved by Cllr Blanchard, and seconded by Cllr Scott:

“Council notes that:

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

Council believes that:

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

Council resolves to:

- Instruct the Chief Executive to write to Lord Rooker, the Minister for Sustainable Food and Farming and Animal Health, stating the council's concern regarding the sale of foie gras in the UK and requesting a review of central government policies on animal welfare issues;¹
- Ban the procurement of foie gras by the council;²
- Ban sale of foie gras by the council on its premises;³
- Place a link to the website of Compassion in World Farming on the council website;⁴
- Inform representative hospitality organisations in the city of its view.⁵

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

"To add an additional bullet point at the end, to read, 'Inform Market stallholders applying to supply deli/ continental food that the council has passed this motion and urge them to respect the views of the elected members of this city.'"

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

[2 votes for the amendment, 19 votes against the amendment, 24 abstentions.]

[Note: Cllrs D'Agorne and Taylor requested that their votes in support of the amendment be recorded.]

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

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

[44 votes for the motion, 0 votes against the motion, 2 abstentions.]

(ii) **Police Funding**

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

"Council places on record its support for the Chief Constable of North Yorkshire in his efforts to ensure that adequate government grant is provided to his force to ensure that, at least, as many Police Officers and PCSOs are available, to enforce the law on the streets of York, as are currently allocated".⁶

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

RESOLVED: That the above notice of motion be approved.

[46 votes for the motion, 0 votes against the motion, 0 abstentions.]

(iii) **Flooding**

It was moved by Cllr Kirk and seconded by Cllr Waller that:

"Council notes with concern the flooding caused around York this summer as a result of drainage systems being unable to cope with the level of rainfall.

Council calls for the government to introduce a statutory duty on the private water companies to review and upgrade drainage in line with the increased needs due to climate change, as well as to maintain drainage systems properly and make pumping stations proof against flooding."

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

"To add the words 'blocked gullies and the' to the first sentence after the words 'as a result of'.

To add two additional sentences at the end of the first paragraph to read:

'Council recognises that it has a duty to ensure that all the gully's in the City work to their maximum capacity. This should include not being blocked with detritus or not maintained due to roads or sewers also needing maintenance.'

To add an additional paragraph between the existing first and second paragraphs to read:

'Council firstly calls on CYC Officers to take an urgent review of the Gully Cleaning process in the City and report to Councillors all gullies which are damaged or blocked and need urgent work undertaken. Secondly, that Officers bring forward a scheme to undertake a maintenance program to ensure the situation is not repeated again.'

In the final paragraph, to add the words, 'usage of modern life and to investigate future capacity level changes and environmental security of

infrastructure, including pumping stations, which may result from' after 'increased', and delete the words, 'needs due to'.

To delete the words, 'as well as to maintain drainage systems properly and make pumping stations proof against flooding' and replace them with an additional sentence, to read, 'It is requested that funding for any work undertaken must not be funded through any increase in charges but from their profits.'"

As proposer of the amendment, Cllr Simpson-Laing put forward an alteration to the amendment with Council's consent:

"To no longer include an additional sentence at the end, to read, 'It is requested that funding for any work undertaken must not be funded through any increase in charges but from their profits.'"

[24 votes consenting to the alteration, 22 votes objecting to the alteration 0 abstentions.]

The altered amendment now read as follows:

"To add the words 'blocked gullies and the' to the first sentence after the words 'as a result of'.

To add two additional sentences at the end of the first paragraph to read:

'Council recognises that it has a duty to ensure that all the gully's in the City work to their maximum capacity. This should include not being blocked with detritus or not maintained due to roads or sewers also needing maintenance.'

To add an additional paragraph between the existing first and second paragraphs to read:

'Council firstly calls on CYC Officers to take an urgent review of the Gully Cleaning process in the City and report to Councillors all gullies which are damaged or blocked and need urgent work undertaken. Secondly, that Officers bring forward a scheme to undertake a maintenance program to ensure the situation is not repeated again.'

In the final paragraph, to add the words, 'usage of modern life and to investigate future capacity level changes and environmental security of infrastructure, including pumping stations, which may result from' after 'increased', and delete the words, 'needs due to'.

To delete the words, 'as well as to maintain drainage systems properly and make pumping stations proof against flooding'."

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

[26 votes for the amendment, 20 votes against the amendment, 0 abstentions.]

The motion, as amended, now read as follows:

"Council notes with concern the flooding caused around York this summer as a result of blocked gullies and the drainage systems being unable to cope with the level of rainfall. Council recognises that it has a duty to ensure that all the gully's in the City work to their maximum capacity. This should include not being blocked with detritus or not maintained due to roads or sewers also needing maintenance.

Council firstly calls on CYC Officers to take an urgent review of the Gully Cleaning process in the City and report to Councillors all gullies which are damaged or blocked and need urgent work undertaken.⁷ Secondly, that Officers bring forward a scheme to undertake a maintenance program to ensure the situation is not repeated again.⁸

Council calls for the government to introduce a statutory duty on the private water companies to review and upgrade drainage in line with the increased usage of modern life and to investigate future capacity level changes and environmental security of infrastructure, including pumping stations, which may result from climate change.”⁹

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

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

[26 votes for the motion, 2 votes against the motion, 18 abstentions.]

(iv) **Police Funding**

It was moved by Cllr Potter and seconded by Cllr Scott that:

“City of York Council calls upon North Yorkshire Police Authority to set a budget that adequately reflects the policing needs of York. Central area including York has 47% of the total crime in the area covered by NYP yet only received 33% of the total budget. This does not reflect the need for a higher level of policing in the York area due to the higher crime rate and is therefore not adequate. A redistribution of funding would ensure more Police on the streets of York to reduce crime and increase detection rates in the City.”¹⁰

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

RESOLVED: That the above notice of motion be approved.

[44 votes for the motion, 0 votes against the motion, 0 abstentions.]

(v) **Business in the Peripheral City Centre Streets**

It was moved by Cllr Fraser and seconded by Cllr Looker that:

“Council is concerned that, whilst businesses in the inner core of the City are thriving, some of the peripheral streets, such as Goodramgate, Micklegate and, to a lesser extent Fossgate, are not benefiting from this prosperity, and are, in some cases, taking on a somewhat “run down” look.

Further, Council notes that a review of the City’s footstreet scheme is currently underway, and determines that regard should be had to this issue, in the conduct of that review.

Finally, Council resolves to allocate adequate resources, including Officer time, to research this problem, and to develop an Action Plan, to include an economic regeneration strategy, to address this issue and to encourage a culture of vibrancy and prosperity, in these streets.”

Cllr Reid then moved, and Cllr Steve Galloway seconded, referral of the motion to the Executive for consideration with an officer report, under Standing Order 11(a)(ii)(b). On being put to the vote, the proposal to refer the motion to the Executive was CARRIED and it was

RESOLVED: That the above notice of motion be referred to the Executive.¹¹

[46 votes for referral, 0 votes against referral, 0 abstentions.]

(vi) **Dualling of the Northern Ring Road**

It was moved by Cllr Gillies and seconded by Cllr Watt that:

"We call upon The City of York Council to petition the Secretary of State for Transport, with immediate effect, to provide funding for the dualling of the York Northern Ring Road at the earliest opportunity."

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

"Delete the words, 'We call upon' at the start of the motion.

Delete the words, 'to petition' and replace them with, 'will seek immediate discussions, between the Leaders of the ruling and main opposition parties with'.

Delete the words, 'with immediate effect, to provide', and replace them with, 'to request the provision of'.

Delete the words, 'for the dualling', and replace them with, 'at the earliest opportunity, to upgrade junctions and other aspects'.

Add the words, 'for the benefit of all road users', at the end of the existing motion.

Add a further additional paragraph, to read:

'The City of York Council requests this increased funding in the light of the Future York report, and recent Government proposals to increase housing and economic development planning targets for York, which have increased the need for urgent additional public investment, via the Regional Funding Allocation or other funding opportunities, to pay for major improvements to transport systems in the City. Such discussions should recognise that any upgrading of the ring road will be part of a comprehensive approach to traffic management in the whole city, as part of a programme of overall traffic reduction and sustainable transport priority within the A1237/A64 ring, while also protecting York's economic success and ensuring the protection of its environment'."

On being put to the vote, the amendment to the above notice of motion was declared CARRIED.

[39 votes for the amendment, 7 votes against the amendment, 0 abstentions.]

The motion, as amended, now read as follows:

“The City of York Council will seek immediate discussions, between the Leaders of the ruling & main opposition parties with the Secretary of State for Transport, to request the provision of funding, at the earliest opportunity, to upgrade junctions and other aspects of the York Northern Ring Road, for the benefit of all road users.¹²”

The City of York Council requests this increased funding in the light of the Future York report, and recent Government proposals to increase housing and economic development planning targets for York, which have increased the need for urgent additional public investment, via the Regional Funding Allocation or other funding opportunities, to pay for major improvements to transport systems in the City. Such discussions should recognise that any upgrading of the ring road will be part of a comprehensive approach to traffic management in the whole city, as part of a programme of overall traffic reduction and sustainable transport priority within the A1237/A64 ring, while also protecting York's economic success and ensuring the protection of its environment.”

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

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

[39 votes for the motion, 0 votes against the motion, 7 abstentions.]

Action Required

1 Letter to Lord Rooker;	SC
2 Ban on procurement of foie gras;	SA
3 Ban on sale of foie gras by the Council;	KS
4 Add website link;	KS
5 Contact hospitality organisations;	KS
6 Letter to Chief Constable;	KS
7 Review of gully cleaning process and report to Members;	JB
8 Bring forward maintenance program scheme;	JB
9 Letter to government;	JB
10 Letter to Police Authority;	KS
11 Report to the Executive;	JB
12 Seek discussions with the Secretary of State.	JB

35. REPORT OF EXECUTIVE LEADER AND EXECUTIVE RECOMMENDATIONS

A written report was received from the Leader, Cllr Steve Galloway, on the work of the Executive. He then moved, and Cllr Jamieson-Ball seconded, the minutes requiring confirmation from the Executive meeting on 25 September 2007, namely:

- Minute 64 – Setting out the long-term direction for the Council: Corporate Strategy 2007-2011.¹

RESOLVED: That the above minutes and the recommendations of the Executive be approved.

[27 votes for the motion, 0 votes against the motion, 18 abstentions.]

Action Required

1 Implement the refreshed Corporate Strategy. GR

36. REPORT OF EXECUTIVE MEMBER

A written report was received from Cllr Reid, the Executive Member for City Strategy.

Notice had been received of 9 questions put by Members in accordance with Standing Orders, as follows and as set out on the list circulated around the Council Chamber:

(i) From Cllr Hyman:

"Can the Executive Member outline the reasons for the projected overspend in the Concessionary Fares budget?"

"Members will be aware that, despite the original negotiations with all the bus companies and a government grant that reflected the outcome of those negotiations the Concessionary Fares system allowed bus companies to appeal. First appealed nationally and were successful. The Council was required to pay additional £274k reimbursement to First York in 2006/07 which was funded by a one-off release from reserves. However no provision is available for 2007/08.

As you will see from my report there has been a further increase in the number of passes issued compared to that of tokens. A significant increase in bus usage by eligible pass holders and increased bus fares have lead to additional claims for reimbursement.

*The forecasted overspend is made up of:-
£274k unfunded costs arising from appeal decision,
£43k inflationary increases by First York,
£51k of additional claims settled by the North Yorkshire Concessionary Fares partnership affecting CYC,
£372k worth of growth in the number of journeys.*

To put this in context in 2005/06 when the fare was 50p return there were 1 million journeys on First buses. 3 million journeys are forecasted for 2007/08.

Although welcoming this increase in bus patronage we are in the same situation as many other Local Authorities in that we have a deficit budget through no fault of our own. When the Government offers free bus travel for pensioners then it should at least have the decency to

fully fund it rather than expecting the general taxpayer to pick up the difference.

We will no doubt be in a similar difficult financial situation next year when the national scheme is introduced.”

(ii) From Cllr Simpson-Laing:

“Can the Executive Member map out the timetable, up to 2011, for work on LTP3 including her envisaged levels of public consultation?”

“Cllr Simpson-Laing is, of course, aware that although LTP is funded until 2011 the process involved us indicating our plans for a 15 year period up to 2021. Therefore we will not be starting from scratch but rather building on what we are doing now.

To support that, the Dft have stated that they expect the local transport plan process to carry on beyond 2011, however, this assumes that there will be no change in government.

Clearly if Labour were to lose power changes could be the expected. So far no guidance has been received from the DfT and it would be foolish to waste resources and undertake work now in advance of any official guidance which will come from the Dft in due course.

The guidance, if it is as detailed as previous LTPs, will give a detailed timetable of the process and what is expected from Local Authorities, including consultation, and which priorities the plan should address such as Accessibility, Road Safety, Congestion and Air Quality.

Normally preliminary discussion into the production of an LTP would commence towards the end of the third year of the plan. This would, however, depend on whether a provisional plan needed to be submitted prior to the full plan, as has been the case with both previous LTP's. To give a detailed timetable of what we propose to do when we are only part way through the second year of the current plan would be pre-empting the process.

It is envisaged that a similar level of consultation to that undertaken for both LTP1 and LTP2 would take place to gauge the opinions of the York population and other key stakeholders. I would remind members that our consultation process for LTP2 was cited as best practice by the Dft and I have no reason to suspect that we will not be equally successful next time.”

(iii) From Cllr Simpson-Laing:

“With regard to Park & Ride patronage can the Executive Member give the anticipated levels of use that would have been achieved if the A59 Park & Ride had not been delayed and explain what effect this removal of vehicles would have had on the Peak Am traffic flows on the A59, inside the Outer Ring Road, and the Inner Ring Road?”

“Estimating the anticipated park and ride usage is dependant upon a number of factors including traffic flow on the A59 and adjacent routes, the fares scheme, the journey time and the standard of the service.

Morning peak hour usage was expected to be in the region of 100 cars when the site was originally proposed in 2002. This compares to an average of 550 peak hour cars at Rawcliffe Bar, 500 at Askham Bar, 600 at Monks Cross. I would assume that the majority of those 100 would normally be accessing the City Centre so that would be a reduction of 100 cars on the A59. However, modeling work showed that there would be some movement from existing P & R sites so some of those 100 vehicles might not actually be using the A59 now. It was anticipated that there would be a reduction in traffic on the A59 at peak times and an improvement to air quality in the area but perhaps not as great as the raw figures might suggest. Cllr Simpson-Laing will be aware that the Faber Maunsell report showed that until the York Central development was in place the viability of this site was questionable.

The latest transport model suggests a predicted am peak usage of 400 cars in 2021 with all projected developments in place and improvements to the public transport system undertaken. Detailed information using the latest transport model is not available for variations to current traffic levels as the scheme is not programmed to be implemented before 2011.”

(iv) From Cllr Richard Watson:

"Can the Executive Member give more details of the Road Safety Programme?"

“We are delighted that the Road Safety grant has allowed a coordinated programme to be drawn up targeting known “at risk” groups.

Work related driving under the banner Your Driving Your Business has focussed on employers who require employees to drive as part of their job. We have worked in Partnership with the Chamber of Commerce on targeted road safety campaigns, developing a toolbox resource on managing road risk and Business Travel Plans. The latest campaign was entitled “Don’t get Blood on your hands ”to help employers understand safer business driving.

For Young drivers/passengers there is a campaign entitled Alive2Drive which includes posters and street theatre; a Young driver image campaign; powered-two-wheel training; a Pass Plus discount scheme which is course for young drivers after they have passed their test and we are also working towards an Interactive DVD.

Work in schools is ongoing with a primary school Be Safe Be Seen campaign, Road Safety theatre in education and the provision of resources to compliment road safety training and the school travel

service. In Secondary schools there has been Smart Risk productions and Bereaved parent workshops.

To complement the Main route speed campaigns we have produced Community Speed Watch materials.

The next campaign to be launched in October "It's not me. It's other drivers" is aimed at experienced drivers and includes a "test your driving event" in the City Centre.

Partnership work with North Yorkshire Police supports additional targeted enforcement in support of campaign work and we worked with North Yorkshire Fire & Rescue Service when the changes to child car seats requirements were introduced.

The Council also supports national campaigns such as those based on based on DfT research into the most common contributory factors in road crashes and analysis of over a thousand fatal crashes. There are also 4 projects per year as part of the National THINK! Campaign. The funding also allows us to undertake qualitative research to assess the impact of the programme."

The Guillotine fell at this point in the meeting and Members agreed to accept written answers to the remaining questions.¹

(v) From Cllr Scott:

"Will the Executive Member pledge to work towards increasing the age usage for YoZone Cards up to 18 yrs, as a way to encourage bus usage, and look to extend the 9.30pm barrier to at least 10pm to help many young people who attend evening activities across the City?"

(vi) From Cllr Merrett:

"Can the Executive Member explain why First have withdrawn the 10 ticket and give Council details of her discussions with First over this matter?"

(vii) From Cllr Moore:

"I note that the dig at Hungate is the biggest archaeological project in the City since Coppergate, are there are plans for educational visits to this dig?"

(viii) From Cllr Simpson-Laing:

"With regard to road safety, can the Executive Member explain the increase of both traffic on York's roads, as recently reported at the Traffic Congestion Scrutiny, and the increase in KSI number's as recently reported to the Executive?"

(ix) From Cllr Simpson-Laing:

"Whilst the Executive Member is keen to report the success in the area of Car Parking can she comment and explain the reason for its outstanding failure, that being compared with other similar Local

Authorities CYC has more Parking Attendants who issue less PCN's, and spend less of their working day on patrolling?"

Action Required

1 Circulate written answers to questions.

GR

37. EXECUTIVE KEY DECISIONS TAKEN UNDER FORMAL URGENCY PROCEDURES

In accordance with Section 5 of the Council's Access to Information Protocol, the Leader, Cllr Steve Galloway, moved, and Cllr Jamieson-Ball seconded, receipt of a report detailing the key decisions which had been taken by the Executive and Executive Members between 1 April 2007 and 30 September 2007 under formal urgency procedures.

RESOLVED: That the report be received.

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

In accordance with Standing Order 10(c)(i), the following questions had been put and the following written responses had been given, as set out on the list circulated around the Council Chamber:

(i) To the Executive Member for Youth & Social Inclusion, from Cllr Fraser:

"Would the Executive Member for Youth & Social Inclusion outline one ambition for his coming year in office?"

"I am enjoying working with a wide range of people and community groups as Executive Member for Youth and Social Inclusion. It is vital that the Council continues to promote good community relations, and many developments, such as the revised Social Inclusion Working Group, the new Children and Young People's Champion and the recent equalities conferences, build on the Council's progress on this area. One ambition, as previously reported, will be in developing the next Equality Strategy (2008-11) for the Council. The new Strategy will be launched in April. There is a lot of work being done over the next 6 months to make sure it includes key issues from local minority communities and work to support staff in making equalities improvements in both service provision and employment."

(ii) To the Executive Member for Youth & Social Inclusion, from Cllr Holvey:

"Could the Executive Member report on progress, especially internet based progress, for the Youth Offer?"

"The YorOK website will be developed with two sections, a service directory which is a searchable online directory by categories,

keywords, postcode and A-Z, and information and guidance pages, a series of pages more like a traditional website. The service directory will host the youth offer, whereby children and young people will be able to search, for example, for activities and groups within their local areas. We will be able to test the site for functionality and errors in October, meaning that the website will be launched to children and young people in November.”

(iii) To the Executive Leader, from Cllr D’Agorne:

“In view of the possibility of an October General Election, what action is being taken to ensure that students are not dis-enfranchised by the inconvenient timing and what budgetary contingencies are being made for the administrative costs of a General Election?”

“No special registration arrangements have been made in respect of an October General Election. The date for announcing such an election has now, in any event, passed. Any General Elections costs, which may not be reimbursable, will be accommodated from reserves as has always been the practice.”

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

“Would the Executive Member for City Strategy explain whether she is satisfied that the highways drainage system is adequate in capacity and maintenance terms to prevent flooding in the light of the predicted higher rainfalls expected with global warming?”

“Our concerns about the drainage systems in the city have been clearly highlighted by the motion before Council tonight but there are technical issues underlying the problems.

The City's highway drainage system is principally served by Yorkshire Water's sewerage system but there are isolated systems that are the responsibility of the Highway Authority. Many of the sewerage systems for the historic core of the city were constructed in the early part of the previous century and not surprisingly are of inadequate capacity and of variable condition. Modern developments have been constructed to modern standards, have better capacity and are generally in better condition.

Over time existing drainage systems can become affected by a build up of silt, ground movement and settlement as well as damaged by tree roots and work carried out on the highway. This reduces capacity but often doesn't become apparent for some time. The heavy rainfall at the end of June brought a number of such problems to light.

Historically the only pro-active maintenance carried out to drainage systems is gully emptying although Yorkshire Water do carry out limited maintenance work to their sewerage system.

Drainage systems are designed to cater for rainfall of a particular intensity and duration. They have never been designed to cater for all rainfall events with differing intensity and duration.

However, there will be an increasing number of locations around the city where localised flooding of roads and some properties may occur if climate change results in rainfall events of increased intensity or duration.

The highway drainage system will not always be adequate enough to prevent flooding problems occurring for every rainfall event and if those events increase in frequency then the likelihood of flooding will also increase.”

(v) To the Executive Member for City Strategy, from Cllr Brian Watson:

“Will the Executive Member for City Strategy confirm what will be the actual floor space, at ground level, for the community space in Hungate?”

“There will be a Focal Building of approximately 37,456 sq ft of which no more than 8,000 sq ft will be provided for community space uses. This is the requirement of the S106. As it is likely to be part of a larger building further information won’t be known until the detailed designs are submitted and hence it is not possible to say what proportion of the community space could be provided at ground floor level.”

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

“Can the Executive Member for City Strategy explain to Council how she is planning to improve the staffing levels in City Strategy, which are at a low point, so that staff job satisfaction levels do not dip below 50% again, a result of the huge pressure currently being placed on staff due to the current workloads?”

“The City Strategy Directorate does have a significant workload, particularly in relation to major development sites, Local Development Framework, 2 PFI schemes and Future York group work.

However Cllr Simpson-Laing is incorrect when she quotes staff satisfaction levels at below 50%. The recent staff survey shows overall job satisfaction in City Strategy to be at 61%. The lowest level was in September 2002, when it was 55%, when Cllr Simpson-Laing was the Executive Member.

The Directorate takes the staff survey very seriously and the management team has issued a newsletter, showing an initial analysis of the issues raised in the recent staff survey. It is progressing an action plan to address specific concerns particularly in relation to recognition of good work, communications, job security and personal development and training.

There were some very positive aspects of the staff survey results, particularly in relation to working well with colleagues and managers, information and communication, working corporately and the lack of bullying and harassment across the directorate.

(vii) To the Executive Member for City Strategy, from Cllr D'Agorne:

“What would the cost of 'dualling the outer ring road' be, what would that represent in terms of council tax increase per household and what would be the merits or otherwise of prioritising such expenditure over more sustainable transport measures for the whole city?”

“The 2004 report suggested a cost of £140 million which is approximately equivalent, using prudential borrowing, to a Council Tax increase of 28%. The Local Transport Plan outlines a balance package of measures which includes improving the ring road junctions and developing more sustainable transport measures. As our LTP grant is less than £20m over 5years, having an extra £140 million to spend, would, I believe enable us to deliver a first class transport system across the city.”

(viii) To the Executive Member for Corporate Services, from Cllr Looker:

“The public are becoming concerned at the continuing increase in the costs of the new 'Town Hall'. Can the Executive Member for Corporate Services assure the Council that the arrangements for project and cost control are sufficiently robust to ensure that sufficient, suitable offices will be provided on time and within the latest approved costs?”

“As Cllr Looker will no doubt be aware the report to the Executive on 24th July indicated that the net affordability of the Accommodation Project has improved with greater long term savings now forecast than previously. The project is being closely monitored by an all party working group.”

(ix) To the Executive Member for Corporate Services, from Cllr D'Agorne:

“In view of the £65m funding from the government towards the waste PFI, is the Executive Member now convinced that the 'affordability gap' on top of the other short term budgetary pressures can be bridged, without increasing council tax beyond the capping limit in any one year?”

“The Council, through the Executive, has agreed to fund the affordability gap to make the Waste PFI project viable at its meetings on 12 June 2006, 27 March 2007 and 26 June 2007. When compared with the other options available, the cost of the PFI project has been found to be £192m less expensive than doing nothing.”

(x) To the Executive Member for Neighbourhood Services, from Cllr Firth:

"How much Landfill Tax has been collected from York, and how much has been returned as grants for recycling to date?"

"Since 1996 City of York Council has paid almost £13 million in Landfill Tax, with £3.25 million so far in grants. However it is worth informing members that so far there has been no sign that the £494,200 we are due to receive in grants this financial year will be continuing in further years which will put severe pressure on the recycling budgets."

(xi) To the Executive Member for Neighbourhood Services, from Cllr Taylor:

"Several residents of Fishergate and other city centre Wards have mentioned to me that the City of York Council is still failing to provide a full recycling service to all residents. The Council automatically provides waste collection services to all new flats but not the collection of recyclables. Would the Executive Member act swiftly to redress this issue, particularly in respect of new blocks of flats which could easily accommodate communal recycling facilities?"

"I am pushing officers to fully utilise all available resources to address this issue and there is a report going to Executive on 9th October which details the long term costs of additional recycling rounds which I hope will receive all party support."

39. SCRUTINY - REPORT OF THE CHAIR OF THE SCRUTINY MANAGEMENT COMMITTEE

A written report was received from Cllr Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council on 28 June 2007.

40. ACTIVITIES OF OUTSIDE BODIES

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

- *Yorkshire and the Humber Strategic Health Authority (minutes of meetings on 1 May 2007, 5 June 2007 and 3 July 2007);*
- *Pension Fund Committee (minutes of meeting on 17 May 2007);*
- *North Yorkshire Police Authority (minutes of meeting 25 June 2007);*
- *Association of North Yorkshire Councils (minutes of meeting on 14 March 2007);*
- *North Yorkshire Fire and Rescue Authority (minutes of meetings on 26 March 2007 and 18 June 2007);*
- *Regional Transport Board (minutes of meetings on 20 April 2007 and 15 June 2007);*
- *Local Government Yorkshire and Humber (minutes of meeting on 29 June 2007);*
- *Safer York Partnership/Drug Action Team Partnership Board (minutes of meetings on 11 April 2007 and 30 July 2007).*

41. APPOINTMENTS AND CHANGES TO MEMBERSHIP

- RESOLVED: (i) That a variation to the proportionality on Planning Committee and Gambling & Licensing Acts Committee be approved, whilst maintaining the overall proportionality and political balance of the Council, as set out in a report circulated with the Council summons, and the revised list of appointments and changes to membership of committees and outside bodies, circulated around the Council Chamber, be approved;¹
- (ii) That amendments to the Council's current policy on the appointment of Honorary Aldermen be approved, to include county council service, as set out in a report circulated with the Council summons.²

Action Required

- | | |
|---|----|
| 1 Update membership details on committee management system and notify outside bodies; | GR |
| 2 Arrange special meeting of Council to appoint additional Honorary Alderman. | GR |

Councillor Irene Waudby
LORD MAYOR OF YORK

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

This page is intentionally left blank

1 There have been 4 meetings of the Executive since the last meeting of the Council.

2 **1 First Performance and Financial Monitor - 2007/08**

3 Residents will be pleased to note that the **Council is on target to outturn at budget level.**
4 Usually at this stage in the year there are emerging pressures which need to be addressed
5 but most Directorates are managing their budgets well this year and our thanks go to officers
6 for their hard work.

7 We are well on the way to achieving a major income boost for the City by meeting a
8 challenging set of targets for LPSA2

9 The Executive continues to judge success mainly on objective measures of public service
10 quality, speed and value for money.

11 **Customer satisfaction** is a high priority for the Council.

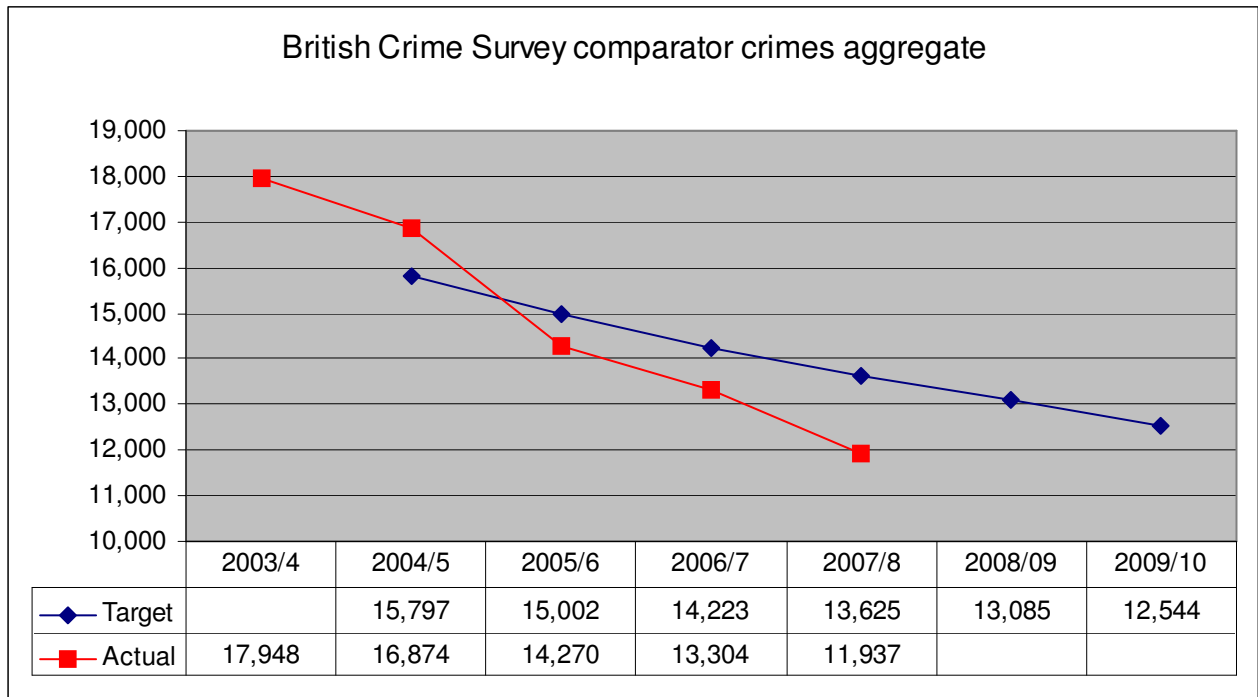
12 With the **lowest Council Tax level in the region** it is not always easy to give public service
13 priorities the resources that they need to meet increased demands but the performance
14 reports demonstrated the continuing success that we are having.

15 In particular -even based on central governments somewhat arbitrary series of performance
16 indicators – the basket of measures presented to the Executive indicated a **generally stable**
17 **position.**

18 Executive members had previously noted the **additional business rates** income won
19 through the law courts and which is worth over £500k to the City this year. In recognition of
20 the contribution made by business in the City, and taking into account that it was not
21 possible to make any budget allocation for erecting the **cross street Christmas lights** in
22 this years budget, an allocation of £20,000 from this rebate was directed into the lighting
23 activity. This action has the support of local City centre traders and the City Centre
24 Partnership.

25 There have been some very significant improvements in public service standards over the
26 last year. Outstanding amongst them has been the improvement in the Safe City indicators.

27 **Our target for 2007/08 was 13,600 crimes or less. Current forecasts predict that we will**
28 **end up with around 11,900 crimes. If achieved, this would represent a 35% reduction**
29 **over the period which started with nearly 18,000 crimes in 2004/05.**



30

31 There are two areas of concern.

32 The first relates to City Strategy where much of the forecast £1.2 million overspend is
 33 accounted for by the **failure of central government to fully fund the costs of the “free”**
 34 **pensioners bus pass**. Representations have already been made to the Minister and the
 35 Executive added its voice to the calls for fair treatment for local government on this issue.

36 Adult Social Services, while generally achieving improved budgetary control, are still
 37 forecasting a deficit. This is a consequence of a continuing increase in demand for services
 38 for the elderly and those with disabilities.

39 **2 Capital Programme - Monitor One**

40 This years capital programme is the largest ever attempted by the Council, £52 million
 41 represents a major investment in public services and buildings in the City.

42 The monitor indicated good progress on the schemes with any change in capital receipt
 43 levels being offset by programme slippage.

44 The main highlights of the report were:

- 45 • The completion of the £5.5m **Huntington Secondary School** extension incorporating
 46 performing arts block;
- 47 • The confirmation of funding for the £27m replacement of **Joseph Rowntree** Secondary;
- 48 • A successful transition of pupils at **York High** from the Oakland's site to Lowfield to allow
 49 commencement of the new £12.2m York High School;
- 50 • The £2.8m **Danesgate Skills Centre** is almost complete.

- 51 • Work is progressing well on the £3.5m **Moor Lane Roundabout** which is on target to be
52 completed by the end of the financial year;
- 53 • £0.3m of Road Safety improvements on the **A166 Murton Lane** junction have been
54 completed;
- 55 • The £2.7m annual **resurfacing** programme is progressing well with the majority of work
56 expected to be completed by December;
- 57 • The £0.9m refurbishment of **Yearsley Swimming Pool** has started and is on target for
58 reopening in October;
- 59 • The replacement of 160 heating systems to **modernise local authority homes**;
- 60 • The £0.7m **Explore@Acomb** Library Learning Centre project is on target for completion for
61 February 2008.

62 **3 Waste Management Strategy 2007/2008 - 2013/2014**

63 The Executive considered what actions needed to be taken during the period from 2007/2008 to
64 2013/2014 to help meet challenges relating to waste management, prior to the Waste Private
65 Finance Initiative (PFI) contract becoming operational. Members considered a range of
66 recommendations and initiatives aimed at reducing the risk of the Council incurring fines through
67 the Landfill Allowance Trading Scheme (LATS).

68 The Council has been successful in significantly reducing the amount of waste being sent to landfill
69 over the last four years. This has been essential in meeting our government set targets for landfill,
70 and reducing the impact of Landfill Tax and LATS penalties.

71 However, looking further ahead, the Council is facing even tougher targets to reduce landfill, and
72 the requirement to collect two or more recyclable materials from virtually all properties by 2010. At
73 the same time the Council is facing significant budget pressures, coupled with a very low per capita
74 grant for public services.

75 Significant progress has been made during recent years, especially with the roll out of alternate
76 weekly collections. Below is a table contrasting the predicted penalties from LATS with the current
77 figures versus the EMAP figures from 9th November 2005.

LATS penalties		
	Oct-07	Nov-05
2008/09		1,144.5000
2009/10	1,065.0000	2,622.0000
2010/11	1,911.0000	3,471.0000
2011/12	2,757.0000	4,320.0000
2012/13	3,604.0000	5,170.5000
2013/014	3,903.0000	5,472.0000
	13,240.0000	22,200.0000

78 There will be further pressures on recycling figures;

- 79 • Increases in the number of households – new build since the date at which the
80 targets were set will bring additional waste
- 81 • Increasing affluence resulting increased consumption and increasing levels of
82 waste presented per household

83 The Executive agreed to commence the roll out of **additional recycling facilities by instituting a**
84 **pilot** scheme in The Groves area.

85 The Executive also considered a report on the process to allow the disposal project to be
86 progressed following the allocation of the **PFI credits**.

87 If we wish to proceed with the project it is necessary to have in place an Inter-Authority agreement
88 to protect the Councils position as the project proceeds. The report noted that we are now in the
89 procurement phase and that the prospective bidders will begin to incur costs. The agreement will
90 set the parameters of the responsibilities of the 2 authorities as the project progresses.

91 **4 Review of Parking Services**

92 A review report was considered which summarised the outcome of a review of parking services,
93 outlined the results of an in depth review of the enforcement, administration and management of
94 parking services and recommended opportunities for improvements. It included consideration of
95 and recommendations on a number of parking issues from the Policy Prospectus.

96 This is partly a **review report** and partly a forward programme item which looks at how car parking
97 arrangements are administered in York.

98 **Most car parking charges have reduced** in relative terms in the City over the last 4 years (see
99 table).

100 **Actual car park charges that have applied since 1999.**

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

101 In ResPark areas low emission & short vehicles enjoy a 50% discount on permit costs.

102 The Executive recognised that at the moment it is not practical to give low emission vehicle drivers
103 a discount on a "casual use" basis and that financial constraints limited the opportunities to
104 introduce "pay on exit".

105 Although some commentators had claimed that ResPark charges were relatively high, these reflect
106 the enforcement costs. In many other Cities there is no routine enforcement of these restrictions.

107 Parking income remains buoyant and the number of penalty notices issued is falling.

108 If York lost any of its car parking income it would mean higher Council Tax levels or major cuts in
109 public service standards.

110 Any incentive for more vehicles to drive into the centre of York would result in more traffic
111 congestion, and increased air quality problems, in the City.

112 The Executive recognised that there are issues to be addressed within the parking team. Sickness
113 levels and inflexible working practices were both matters of concern. However the Executive would
114 be loath to put the service out to the private sector as we see the wardens having an
115 ambassadorial role in the City, while private security firms often have a negative image.

116 The Executive agreed to support a marketing programme aimed at encouraging more people to
117 pay by phone.

118 An annual parking report will be presented in the future.

119 **5 Review of the Leisure Facilities Strategy (Swimming)**

120 This **review report** set out the background to the development of the Council's leisure facilities
121 strategy, an update on schemes already approved, strategic issues and choices now facing the
122 Council, and options for an updated leisure facilities strategy.

123 This was a significant "review report". The proposal was referred to the SPP and fully debated in
124 an all party forum.

125 Attempts to modernise swimming facilities in the City have been dogged for over 7 years with
126 conflicting views about what was practical and affordable for our City.

127 As the report made clear, there has been a growth in the amount of recreational "pool" space
128 constructed in the City over the last 15 – 20 years. As well as commercial facilities such as the
129 various health clubs which have become established in the City, many hotels and some schools
130 now have their own pools. This meant that usage of municipal pools, in the early part of the
131 decade, fell into decline.

132 Pools like the Barbican were sustained only with high levels of public subsidy.

133 With a pool tank and associated plant normally coming to the end of their service lives after 25
134 years operation, the municipal pools had, by 2000, reached a crisis point.

135 They were in poor and unreliable condition with falling usage figures.

136 One of the few areas of agreement at that time was that "doing nothing" was not an option. Drastic
137 action – after years of neglect – was required.

138 What happened next has been well chronicled but following the election result last May, 6 months
139 has been spent reviewing the options available.

140 It became increasingly clear that there is no alternative to the Heslington option if we were to
141 provide a competition standard pool in the City. While the provision of a swimming pool forms part
142 of the outline planning permission for the extension of the Heslington campus, without direct
143 Council partnership involvement in the project, we would have no influence on the detailed design,
144 charging, opening hours or resident preferential terms that might be available.

145 Critically we would have much less influence over when, within the campus building programme,
146 the pool was scheduled.

147 We would potentially be in competition with the Heslington pool if we provided another pool
148 elsewhere in the City centre and, with much of the Barbican pool attendances known to have been
149 dependent on the University, we would face escalating running costs with potentially catastrophic
150 consequences for Council Taxpayers.

151 The Heslington option offers affordable capital and running costs for a facility which – with the
152 associated fitness and sports facilities – would be much more extensive than we could ever hope to
153 provide from purely Council funding sources.

154 While the search for alternative City Centre locations for a pool was an inevitable consequence of
155 having a balanced Council, it became rapidly very clear that there were no alternative locations
156 available at the present time. Hungate was too small and St Georges Field subject to flooding.
157 Adding in the need to sustain parking spaces to serve the City centre economy, a price tag of £15
158 million was the possible cost of pursuing the St Georges Field option.

159 It would have been unlikely, in any event, to have gained planning consent as the Environment
160 Agency would have objected because of the effects that any flood barriers on the site would have
161 had on upstream residential areas.

162 The position now is that we have finished the refurbishment of the Yearsley Pool which has
163 reopened to general acclaim.

164 The new replacement for the Edmund Wilson pool was stalled in the planning process but has now
165 received the "go ahead". The new pool at the York High school is an essential feature of what is a
166 coherent strategy to provide accessible sports and leisure facilities across the whole City.

167 The Heslington pool will satisfy the demand for competition standard facilities. It has excellent
168 public transport access and is only a relatively short distance from the Barbican site.

169 We are pleased to be able to work in partnership with the University to provide regional standard
170 sports facilities part of which will be a pool which will be of a far higher standard than anything that
171 the City of York has seen in its history.

172 Partnership means accepting joint responsibilities and sharing risks. The £2 million will unlock for
173 York residents this excellent new facility on terms similar to those available at municipal facilities
174 elsewhere in the City.

175 In making the decision to commit fully and finally to this project the Executive applied the following
176 conditions.

- 177 • The University/Council partnership adopting a project plan which will deliver the pool for
178 public use before the end of 2011
- 179 • Satisfactory arrangements being agreed regarding the location of, public opening hours and
180 access arrangements for, the pool
- 181 • Agreement on arrangements for York residents wishing to use the facility which must meet
182 the Councils requirements including a pricing structure which must be commensurate with
183 other Council owned pools (e.g. provide a discount for York Card holders and recognise the
184 special requirements of families, disabled groups etc.)
- 185 • Full details of the operating costs of the facility, and any Council liability related to such costs,
186 to be agreed in principle before contracts are signed and any capital payment made.

187 The provision of a "Community" pool in the City Centre area will remain an ambition of the Council,
188 and Council officers will actively seek partners to provide such a facility. Progress reports will be
189 made to Group Leaders meetings at not less than 6 monthly intervals

191 This report sought Executive approval for a proposed Sustainable Street Lighting Strategy, which
192 aimed at ensuring that the effects of street lighting are minimised in terms of the use of natural
193 resources for the supply of equipment and services, the use of energy to power the lights and the
194 light pollution produced.

195 Some misinformation had been published about the report which simply sought to position street
196 lighting options in a strategic context.

197 The Council has no plans to “switch off” street lighting or to reduce illumination levels in a way that
198 would compromise public safety.

199 However, technology is becoming available which will allow the Council to tailor lighting levels to
200 address particular issues. In some cases this will involve raising illumination levels in vulnerable
201 locations where crime, or fear of crime, is a concern.

202 “Smart” lighting columns, though, offer the option to reduce power consumption when, for example,
203 ambient light levels, produced by other sources, mean that street lighting offers no incremental
204 improvement.

205 It is the intention of the Executive to pursue a policy which ensures that appropriate and reliable
206 lighting levels are maintained and which also achieve public safety, environmental and economic
207 objectives.

208 **7 Park & Ride (P & R) Bus Contract**

209 The Executive considered the results of the tender process for the new P & R contract which took
210 into account a number of improvements that we felt would enhance the current service. It is
211 important that, in order to continue to increase passenger numbers we are able to offer an
212 attractive service which encourages people to leave their cars on the edge of the city. The
213 improvements that are suggested do allow the service to continue to provide an attractive option
214 and also support environmental improvements that will reduce emissions and have a positive
215 impact on air quality.

216 The officer recommendation was to accept First York as the preferred operator. Key features of the
217 new deal will include

- 218 • A £2.20 return fare
- 219 • Average peak time capacity 20% higher than specified
- 220 • Dedicated P & R brand vehicles – 32 against a current 26 plus extra on Saturdays
- 221 • Integrated ticketing giving discounted First week/day tickets for P & R users
- 222 • Dedicated manager plus supervisor at each site.

223 The new contract will give us a number of enhancements on the current service. These include:-

- 224 • A dedicated P & R manager covering all sites
- 225 • Customer care training for staff and regular customer satisfaction surveys

- 226 • Enhanced performance reporting and penalties for failure to achieve performance
227 standards
- 228 • The Council will receive additional revenue if P & R patronage increases above 5%
229 compared to first year of new contract.
- 230 • 2 extra Saturdays when additional capacity will be provided
- 231 • No change to stopping regime on Fulford Rd at the current time.

232 For additional cost the following enhancements were supported:-

- 233 • The Euro Enhanced Environmental Vehicles (EEV) will be used as soon as available –
234 the most stringent European emission standard available
- 235 • Supervision at the Designer Outlet site
- 236 • City Centre supervision trial
- 237 • Sunday opening extended to 09.30 to 18.00

238 **8 New Growth Points and Eco-towns - Leeds City Region Bid**

239 The Executive considered a report which outlined the key elements of the New Growth Points
240 (NGP's) and Eco-towns proposals set out in the recent Housing Green Paper, summarised the
241 proposal by the Leeds City Region to submit a bid to government by the end of October and sought
242 Members' views on whether York should sign up to this bid.

243 The Government's timing in announcing the growth points initiative, and the deadline for submission
244 of bids, is highly problematic for the Council.

245 We have until the end of December to respond to the government's proposed amendments to the
246 RSS. Yet if we accept the Growth Point opportunity – which had to be grasped before the end of
247 October - our scope for arguing, for lower house building figures in the early years of the RSS, will
248 be damaged.

249 The Executive was clear that the original RSS figures were the maximum additional homes that
250 could be accommodated in the City without jeopardising either the City setting or exacerbating our
251 transport issues.

252 Nevertheless the emergence of the Growth Point initiative potentially unlocks for the NW York and
253 York Central sites access to central government infrastructure funding which could well – at least
254 as far as York Central is concerned – make the difference between realising the potential of this
255 site and facing years of delay.

256 Other issues considered by the Executive included:

- 257 • City of York Local Development Framework - Adoption of the Statement of Community
258 Involvement
- 259 • Selection of a Preferred Discus Bungalows Re-development Partner
- 260 • National Service Planning Requirements for Environmental Health and Trading
261 Standards Services

- 262 • IT Development Plan 2008-09
- 263 • Comprehensive Performance Assessment Inspection - Self Assessment
- 264 • York Racecourse - Application For Lease Extension And Amendments
- 265 • Review & Strategy for the Commercial Property Portfolio
- 266 • Corporate Risk Management Report 2007/08
- 267 • Competition Policy
- 268 • Community Management and Ownership of Council Property Assets &
- 269 • Monk Bar Garage - Future use of the site

270
271

Steve Galloway
20th November 2007

MEETING	EXECUTIVE
DATE	6 NOVEMBER 2007
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), ASPDEN, SUE GALLOWAY, JAMIESON-BALL, REID, RUNCIMAN, SUNDERLAND, VASSIE AND WALLER

PART B - MATTERS REFERRED TO COUNCIL

98. City of York Local Development Framework – Adoption of the Statement of Community Involvement

Members considered a report which presented the findings of the inspection of York's Statement of Community Involvement (SCI), and asked them to recommend the amended SCI to full Council for formal adoption.

Following submission of York's draft SCI to the Secretary of State, an Inspector had been appointed to carry out an independent examination of the SCI. The Inspector had judged the SCI to be sound but had recommended a number of minor amendments, details of which were set out in the Inspector's Report attached as Annex A. The Inspector had also recommended that changes put forward in response to comments received during the submission consultation be implemented. All of the recommended changes had now been made to the SCI and the final document was attached as Annex B.

The Inspector's Report was binding on the Council, so there was no option to make any further amendments to the SCI at Annex B. The options available were either to adopt the SCI as recommended by the Inspector or to ask Officers to prepare a different SCI. The latter was not recommended, as it would take approximately three years in view of the consultation stages required and would have considerable resource implications.

Members expressed their thanks to Officers for their hard work in progressing the SCI document to completion.

RECOMMENDED: That Council adopt the Statement of Community Involvement, attached as Annex B to the Executive report, as part of York's Local Development Framework (LDF).

REASON: To comply with section 18(1) of the Planning and Compulsory Purchase Act 2004, and so that the standards set out in the Statement can inform future community involvement in the LDF and in making decisions on planning applications.

S F Galloway, Chair

[The meeting started at 2.00 pm and finished at 2.20 pm].

Children's Services – Report to Council – November.07.

It is pleasing to report that the last year has been a good one for Children's Services as exemplified by our academic test and exam results. At all the Key Stages we did well and our average point scores were amongst the highest in the country. At Key Stage 1, Key Stage 2, Key Stage 3 and at GCSE level, the young people of York scored highly. Our average GCSE scores of 68% A* to Cs were a clear 5% ahead of improvement figures seen nationally and some of our schools were amongst the most improved in the country. Special mention must be made of York High, whose results will not appear in the league tables as they did not officially exist until now, with the former Oaklands school achieving a 9% increase. Other schools in traditionally more disadvantaged communities excelled, with Burnholme Community College, achieving a 15% increase and Canon Lea a 17% improvement. In addition, Burnholme was one of the most improved schools nationally in their Value Added scores; quite an achievement. Our sixth form students also did well, many of them gaining high points scores and thus their first choice of university place.

There is evidence that high quality teaching facilities support that progress made in our schools and there is a clear link with the capital programme. There is currently good progress with the rebuilds at Joseph Rowntree, Manor and York High School and there are many improvements to school buildings elsewhere around the city.

We have had a number of good Ofsted reports recently and now there are seven schools with 'outstanding' Ofsteds – a high proportion of the total number of our schools. At Rufforth, Hemplands, Headlands, Naburn, Archbishop Holgates, Copmanthorpe and St Lawrence's, there has been much rejoicing and a great deal of relief as they had their efforts recognised and acknowledged by Ofsted. As well as those in this list, there are a number of other school who have been given the category of 'good with outstanding features' – which is a great achievement.

Our secondary schools have been working hard to plan for the introduction of the new applied diplomas. The diploma in Engineering and that in Society, Health and Development will be available from September 2008 with diplomas in Media and ICT available in York from September 2009. "Pre-diploma" courses linked to Creative and Media and Construction will be offered at level 2 in 2008-09. It is hoped that students will be able to have realistic work placements where they can apply what they have learnt in the classroom to a work situation. This will give our young people some of the breadth of curriculum that is needed as we plan for them to stay on in some form of education or training up to 18yrs.

The new York College has opened and provides a spectacular learning environment for young people to access a whole range of courses from a wide variety of A levels to a great number of applied, vocational and skills based courses. We are planning a strategic approach to post 16 provision alongside the college, working to retain good will between all establishments. I am a firm believer that collaboration is better than competition.

Our school governing bodies continue to do sterling work. There are 174 Local Authority governors as well as those from the community, alongside staff and parent governors and they give of their time freely to support our schools. I am very grateful to all of them.

The whole of the Children's Services senior management team is now in place and working well. They are hard at work preparing for the Joint Area Review and the anticipated Annual Performance Assessment scores for this year are expected to help. We are scored in each area of Every Child Matters – Staying Safe, Being Healthy, Enjoying and Achieving, Making a Positive Contribution and Achieving Economic Well-Being as well as our prospects for still further improvement. We are also given an overall rating and we await the announcement of our score with interest.

Underpinning all this and no less important but much less visible – is our provision for children's social care. Both our Fostering Service and the Adoption Service were inspected recently and got good reports. Our thanks are due to all those families who adopt children in the city and to all the many foster parents who look after children and young people on our behalf. In our role as corporate parents, we have a duty to make sure they are cared for and brought up in as happy and healthy a way as possible, and our skilled team of Foster carers from all parts of the city carry out that job on our behalf very well indeed. The Glen – our respite home for children with complex needs – is ranked as excellent and thought of as an exemplar by other authorities.

Our child mortality rates are low and our immunisation levels high. Road accidents involving children are falling and positively better than average national performance.

We have maintained a reduction in those young people who are placed outside the authority and I hope very much we shall be able to sustain this trend. Our thanks are due to all the officers who work so hard on our behalf to make sure that those who have to be looked after by the authority are looked after well.

We can demonstrate success in engaging young people both in education and training – we have low NEET figures (for those Not in Education, Employment or Training) – and our school attendance figures are generally improving. Outside school hours we have more evidence from Schools Out that 53,000 young people engaged with the programmes this summer, up a third on the numbers 3 years ago. There is more accredited work and the range of positive activities that are offered can be seen to impacting on youth crime levels, which are down.

We are a Beacon council for Early Intervention and know the importance of getting help to children and families early and where it is needed. Our Children's Centres are all on plan – two are already nationally accredited and six more are due to be open by April. We will also be developing four new centres reaching into more rural communities by 2011. It is clear that getting early support is working – there is a 25% reduction in numbers of children coming into care 2006/7 and although the care population has increased slightly, this is only because young people are staying longer and not leaving

care at 16 any more. I campaigned for this over thirty years ago and it is good to see that it is at last happening. We have the largest group ever of 16/17 year olds still living in our professional foster homes, which has to be good in preparing them to be responsible future citizens.

Great progress has been made in ensuring that children are active. We can show excellent performance against national expectations - 90% 5-16 year olds were doing two hours PE in 2006/7, a 19% increase on the previous year and the progress continues. There is also clear evidence of greater engagement by young people in volunteering and the performing arts.

Strong partnerships are our basis for improvement. The YorOK Children's Trust Board and the Safeguarding Board are good examples of this. The Children and Young People's Plan describes clearly our aspirations for children and young people and the shared priorities within the Plan are being addressed with the external validation of our progress undertaken through Ofsted. At this moment it is not possible to give full details of APA scores as they are as embargoed but we can say that the assessments of Children's Services will make a maximum contribution to the overall judgements on the council and places us in top 10% of authorities in country

Finally, I would like to thank all the children, young people, parents and school staff who support and encourage success in aspects of children's lives. Without them, and without the dedication of the central team of officers, we would not have the very successful service that is in place today.

Carol Runciman.

This page is intentionally left blank

City of York Council

Committee Minutes

MEETING	GAMBLING & LICENSING ACTS COMMITTEE
DATE	5 OCTOBER 2007
PRESENT	COUNCILLORS CREGAN (CHAIR), SUE GALLOWAY, MERRETT, MOORE, HORTON, WISEMAN (VICE-CHAIR), B WATSON, SUNDERLAND, REID AND AYRE
APOLOGIES	COUNCILLORS D'AGORNE, FUNNELL, HYMAN, TAYLOR AND RUNCIMAN

PART B - MATTERS REFERRED TO COUNCIL

12. REVIEW OF LICENSING POLICY (LICENSING ACT 2003)

Members considered a report which advised them of the review of the council's licensing policy, of the consultation undertaken and of the changes made as a result of the revised guidance and legislative changes. The report seeks a recommendation to full council that the revised policy be approved.

The Officer updated that the Club and Institute Union (CIU) had no comments to make on the revisions. The Officer brought to the attention of the committee the change made under Section 5.5 (Entertainments of a Sexual Nature) which had been modified to read *'Where representations are received to an application, the Licensing Authority will impose conditions designed to ensure that children are not admitted to and cannot witness these activities, and to control crime and disorder problems, particularly if the premises are located in the vicinity of schools, churches, hospitals, youth clubs or other premises where significant numbers of children are likely to attend.'* The Officer also reported that the Police were happy to retain the Cumulative Impact Zone (CIZ) with its present boundaries.

Members raised the following queries:

- In paragraph 3.1 of the Statement of Licensing Policy, under the section heading POLICY, text had been removed and then replaced with exactly the same text. The Officer clarified that this was an administrative error and would not show in the final version of the document.
- The list of consultees in Annex 2 did not mention the Clifton Moor Business Association (CMBA). It was noted that the CMBA should replace Harrowell Shaftoe solicitors on this list.
- Members requested that the wording in 3.4 be retained but changed to read *'The Council will be*

working in partnership with local transport providers to facilitate improved transport to disperse people quickly away from licensed venues.'

- Section 5.1 – under the sub section 'Excessive Alcohol Consumption' - Members asked the Officer to insert some suitable wording to promote the principle of training staff to reduce excessive consumption of alcohol.
- Section 5.1 – under the sub-section 'Dispersal' – Members asked the Officer to insert a sentence regarding people leaving the premises in a quiet and orderly manner and the use of quiet zones and departure lounges as an aid to orderly dispersal of persons from a premises.
- Section 5.3 – under the sub-section 'Customer Management' - Members requested some additional wording concerning the use of external smoking areas and beer gardens.
- Members requested that Officers look into the possibility of linking CCTV in individual licensed premises into the City of York Council CCTV system and delegated the powers for them to do this.

RECOMMENDED: That the draft statement of licensing policy, subject to the amendments listed above, be approved by full Council.

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

Councillor R Cregan, Chair
[The meeting started at 2.00 pm and finished at 3.45 pm].



COUNCIL29TH November 2007

Report of the Interim Head of Civic, Democratic and Legal Services

AMENDMENT TO DELEGATION SCHEME – REGISTRATION OF COMMON LAND AND VILLAGE GREENS**Summary**

1. The purpose of this report is to request the Council to amend the delegation scheme within the Constitution to make provision for the carrying out of functions in relation to the registration of common land and village greens by the Licensing and Regulatory Committee and the Director of City Strategy.

Background

2. The registration of common land and village greens under the provisions of the Commons Registration Act 1965 (to be replaced by the Commons Act 2006) is a function of, inter alia, unitary councils. In 1996 when the City of York Unitary Authority was established the functions relating to common land and village greens was left with North Yorkshire County Council. The County Council held all the records relating to York and had the expertise to deal with applications for common land and village greens as well as searches against the register maintained under the Act.
3. The County Council has recently informed the Council that it no longer wishes to carry out the function on this Council's behalf. It is necessary therefore for the Council to make a decision as to how the function should be discharged.
4. Registration of common land and village greens is a non-executive function under the provisions of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. Consequently a decision on whether or not to approve an application to register a common or village green cannot be made by the Executive. Consequently the function needs to be delegated to a committee of the Council. The most appropriate Committee to oversee the function would be the Licensing and Regulatory Committee. The Director of City strategy has agreed to include the administration of the function in his directorate functions.
5. It is proposed therefore that the determination of applications for the registration of common land and village greens where objections are received be delegated to the Licensing and Regulatory Committee. Unopposed applications would be delegated to the Director of City Strategy along with the

administration of applications and the carrying out of searches against the register.

Consultation

6. The Chair of the Licensing and Regulatory Committee and the Director of City Strategy have been consulted on the proposals contained in this report.

Options

7. Given the fact that North Yorkshire County Council no longer wish to carry out this function for the Council alternative arrangements must be made for discharge of this statutory function. As it is a non-executive function responsibility for the function needs to be assigned to a committee of the Council. There are two possible committees – the Licensing and Regulatory Committee and the Planning Committee.

Analysis

8. Given that applications for registration of common land and village greens may well be in conflict with development proposals which are the subject of a planning application it is considered that it would be more appropriate to add this function to those exercised by the Licensing and Regulatory Committee and thereby minimise any risk of members having a conflict of interest.

Corporate Priorities

9. This issue does not have a direct impact on the Council's corporate priorities.

Implications

10. There are no implications in the following areas:
 - a. **Financial**
 - b. **Human Resources (HR)**
 - c. **Equalities**
 - d. **Legal** - other than those dealt with in the report.
 - e. **Crime and Disorder**
 - f. **Information Technology (IT)**
 - g. **Property**
 - h. **Other**

Risk Management

11. Council would be at risk of failing to discharge its statutory functions in respect of common land and village greens if it did not put arrangements in place.

Recommendations

12. The Council is recommended to :
- a. add “power to determine applications for the registration of common land and village greens” to the delegated powers of the Licensing and Regulatory Committee.
 - b. add “The exercise of any functions in relation to common land and village greens other than the determination of applications to register common land or village greens where representations are received” to the specific officer delegations of the Director of City Strategy.

Reason: to enable the Council to discharge its statutory functions in relation to common land and village greens.

Contact Details

Author:

Colin Langley
Interim Head of Civic, Democratic
and Legal Services

Chief Officer Responsible for the report:

Colin Langley
Interim Head of Civic, Democratic and Legal
Services

**Report
Approved**



Date 8th Nov 2007

Specialist Implications Officer(s) None

Wards Affected:

All

For further information please contact the author of the report

Background Papers: None

This page is intentionally left blank

Scrutiny Report to Council

Report of Chair, Scrutiny Management Committee

Since the last report to Council, there has been one meeting of Scrutiny Management Committee (SMC). We considered a feasibility report for a registered topic on Drainage in York but decided not to proceed with a review at this time. This decision was made, in the knowledge that an officer review report is due to be considered at Neighbourhood Services EMAP in December. SMC is expecting to receive a more focussed topic registration in the new year once the outcome of work at local and national levels has been reported on.

SMC also continues to receive updates on the implementation status of recommendations arising from previously completed scrutiny reviews. To put this into context, we are currently looking at the recommendations from reviews completed in 2006. Where full implementation has been evidenced, the recommendations are signed off leaving those where work is still in progress for SMC to monitor.

Ad-Hoc Scrutiny Committees

Barbican

This ad-hoc committee have recently held their first meeting to consider a scoping report for this review and agree a timetable and the level of officer involvement required.

Highways

This review is now drawing to a close with the Ad-hoc committee currently working on their draft final report. This is due to be finalised at the beginning of the new year for consideration by SMC.

Traffic Congestion

SMC will receive an interim report at the beginning of the new year, providing an update on the progress made with this review.

Education Scrutiny Committee

Work has now begun on a review of School Governors. Having considered the suggested remit for this, the Committee decided to split the review into two parts to ensure clarity in the objectives. It is expected that this review will continue until the end of the municipal year.

Health Scrutiny Committee

Health Scrutiny Committee continues to receive updates on issues they've investigated previously, i.e. dental services in York and the financial status of NYYPCT. They have also recently agreed a programme of work for the remainder of the year which includes contributing to the 'Annual Health Check'

assessment process for NHS Trusts and working with Council Officers who are responsible for procuring the host organisation for the new Local Involvement Network (LINK).

In addition, Health Scrutiny will be looking at the work of North Yorkshire and York Primary Care Trust's (NYYPCT) Exceptions Panel, followed by some alternative care pathways to in-patient hospital treatment.

Councillor Paul Blanchard
Vice-Chair
Scrutiny Management Committee
November 2007

Membership of Committees, Working Groups and Outside Bodies**Neighbourhood Services Advisory Panel**

To appoint Cllr Ayre in place of Cllr Orrell

To appoint Cllr Orrell as 2nd Lib Dem substitute, in place of Cllr Ayre

West and City Centre Area Planning Sub-Committee

To appoint Cllr Waller in place of Cllr Jamieson-Ball

York Tourism Partnership “Visit York” (replacing First Stop York) (3)

To appoint Cllr Hogg as the Liberal Democrat member

To appoint Cllr King as the Labour member

To appoint Cllr Gillies as the Conservative member

Ryedale Energy Conservation Group

To appoint Cllr Pierce in place of Cllr Potter.

This page is intentionally left blank