

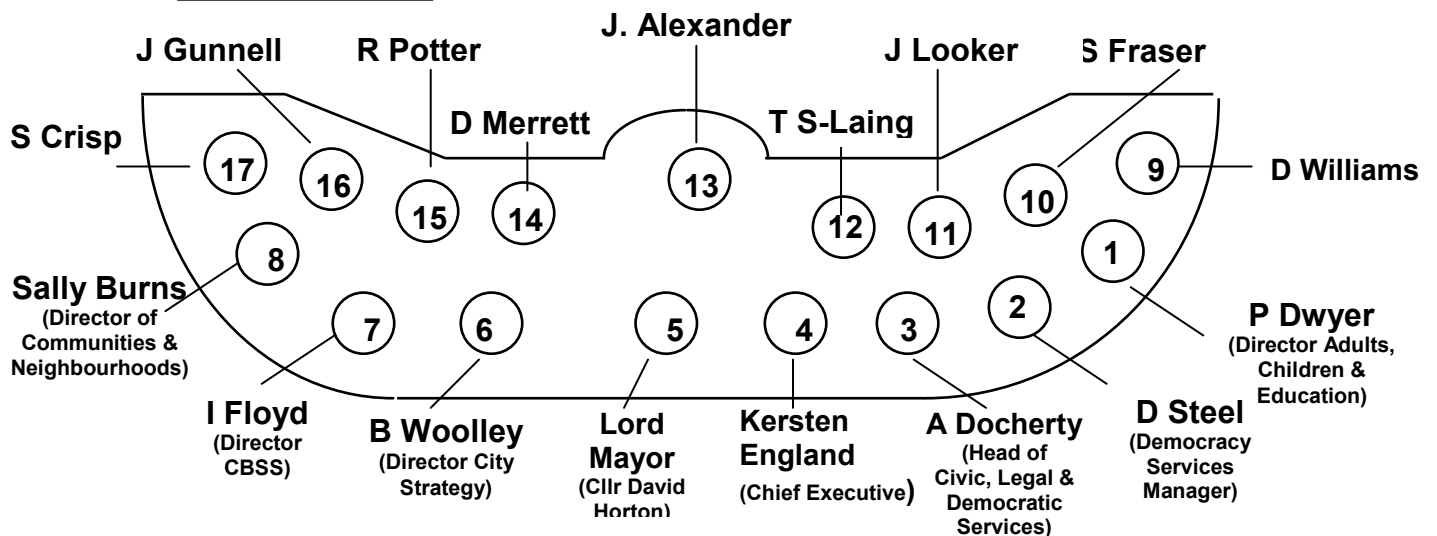
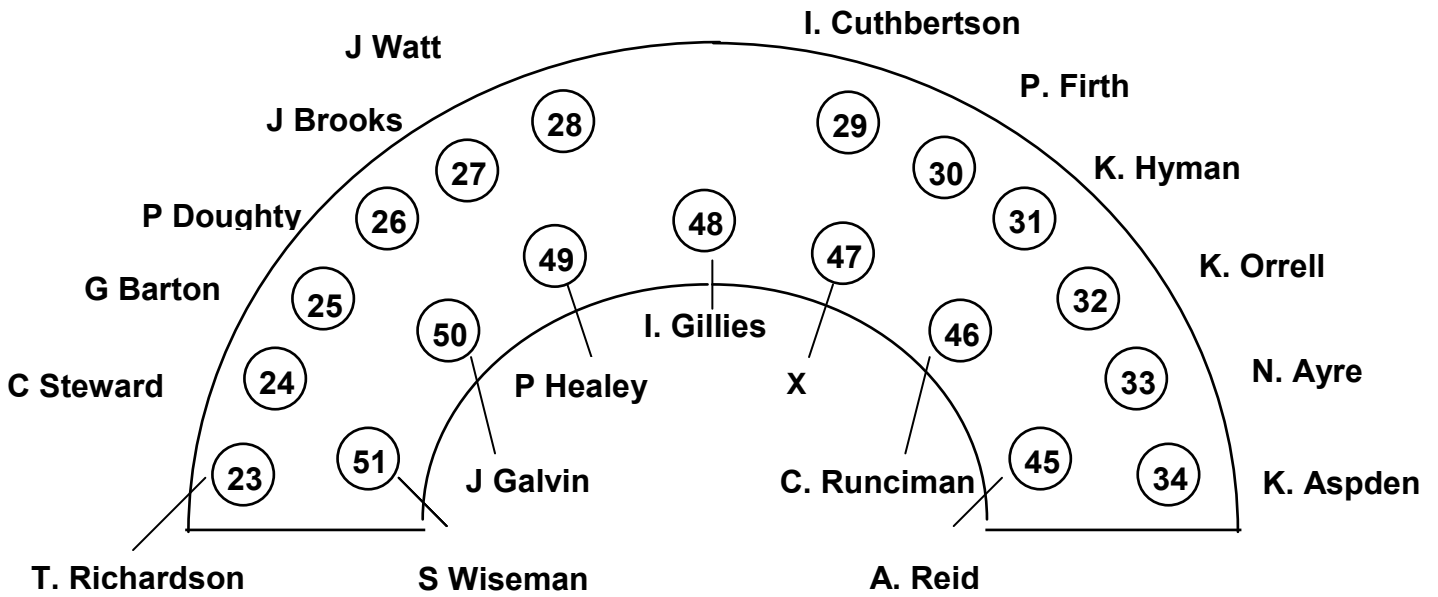
## CITY OF YORK COUNCIL SUMMONS

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, 30 June 2011 at 6.30 pm



# COUNCIL CHAMBER



## A G E N D A

**1. Declarations of Interest**

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

**2. Minutes** (Pages 1 - 34)

To approve and sign the minutes of the Ordinary Council meeting held on 7 April 2011 and the Annual Council meeting held on 26 May 2011.

**3. Civic Announcements**

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

**4. Public Participation**

At this point in the meeting, any member of the public who has registered to address the Council, or to ask a Member of the Council a question, on a matter directly relevant to the business of the Council or the City, may do so. The deadline for registering is **5:00pm on Wednesday 29 June 2011**.

**5. Petitions**

To consider any petitions received from Members in accordance with Standing Order No.7. To date, no petitions have been received but any received before the appropriate deadline will be reported at the Council meeting.

**6. Report of Cabinet Leader and Cabinet Recommendations**  
(Pages 35 - 92)

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

Meeting	Date	Recommendations
Cabinet	21 June 2011	Minute 7: <i>Local Development Framework</i> <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?Clc">http://democracy.york.gov.uk/ieListDocuments.aspx?Clc</a>

[=733&MId=6672&Ver=4](#)

*A report highlighting proposed changes to the Housing Allocation under the previously agreed Local Development Framework (LDF) Core Strategy is attached for Members consideration on the recommendation of the Cabinet.*

*The Core Strategy and associated documents will be made available online. Any members wanting a printed copy can do so on request*

Cabinet

21 June 2011

*Minute 9: Media Protocol*

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=6672&Ver=4>

*The proposed draft Media Protocol is attached.*

**7. Scrutiny - Report of the Chair of the Scrutiny Management Committee** (Pages 93 - 94)

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

**8. Report of Cabinet Member** (Pages 95 - 100)

To receive a written report from the Cabinet Member for Health, Housing & Adult Social Services, and to question the Cabinet Member thereon, provided any such questions are registered in accordance with the timescales and procedures set out in Standing Order 8.2.1.

**9. Activities of Outside Bodies**

Minutes of the following meetings of outside bodies, received since the last meeting of Council, have been made available for

Members to view via the Council's website at

<http://sql003.york.gov.uk/mgListOutsideBodies.asp?bcr=1>

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

- North Yorkshire Fire and Rescue Authority - meeting on 8 December 2010
- Quality Bus Partnership – meeting on 24 March 2011
- North Yorkshire Police Authority – meeting on 26 May 2011
- Safer York Partnership – meetings on 4 April and 23 May 2011

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

**10. Appointments and Changes to Membership** (Pages 101 - 102)

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

**11. Notices of Motion** (Pages 103 - 106)

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

(i) From Cllr Alexander

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

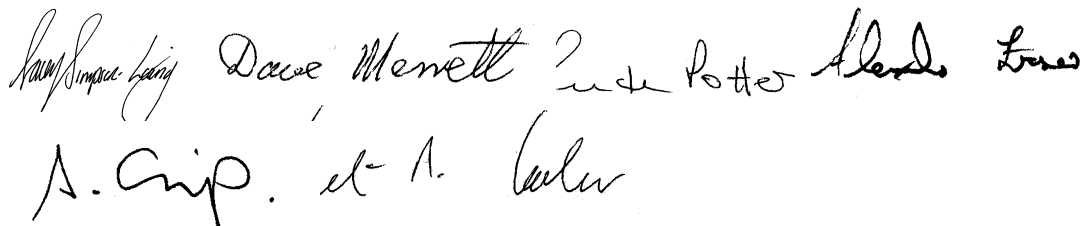
Since taking control of the Council, the Labour Group has produced a revised set of budget amendments, which fulfil its manifesto commitments to the residents of York by reversing just under £1m of these cuts to services that the most vulnerable rely on, and which also take account of the dreadful financial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

Council is therefore asked to rescind those decisions previously

made in setting the Council's budget in February 2011, where affected, and make the following amendments, **as attached (at the end of the agenda papers at page 103).**"

[In accordance with Standing Order 13.1 signed by:

Councillors Tracey Simpson-Laing, Dave Merrett, Ruth Potter, Sandy Fraser, Sonja Crisp and Janet Looker]



(ii) From Cllr Galvin

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

(iii) From Cllr Reid

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

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

(iv) From Cllr Simpson-Laing

"Council expresses concern at the Conservative Liberal Democrat Government's proposed changes to the eligibility

criteria for-residents who currently access Income Support, Income Based JSA, income-related ESA, Working Tax Credit, Child Tax Credit, Disability Living Allowance, Housing Benefit or Council Tax Benefit.

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

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

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

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

## **12. Questions to the Cabinet Leader and Cabinet Members received under Standing Order 10(c)**

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

- (i) To the Cabinet Leader, from Cllr D'Agorne  
"Can the Leader say what consultation is taking place with council 'champions' about their future role?"
- (ii) To the Cabinet Leader, from Cllr D'Agorne  
"Can the Leader outline the proposed process and timescale for establishing the 'Fairness Commission', whether it will include representatives from all parties represented on the council and how the voluntary and private sector representatives will be selected?"



- (iii) To the Cabinet Leader, from Cllr Ayre  
“Does the leader believe the workload he inherited from his predecessor was more than he could manage?”
- (iv) To the Cabinet Leader, from Cllr Runciman  
“Can the leader explain what event led to him reversing his position that all scrutiny chairs should belong to opposition councillors?”
- (v) To the Cabinet Leader, from Cllr Reid  
“Does the leader support the current capital programme?”
- (vi) To the Cabinet Leader, from Cllr Runciman  
“Will the leader please state on what date this financial year new boilers will be installed at Yearsley Pool?”
- (vii) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Aspden  
“Where does the Cabinet Member expect that the promised city centre pool will be located, now that the sale of Labour’s stated preferred site at Kent Street has been agreed?”
- (viii) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Ayre  
“Has the cabinet member visited all of the council’s customer offices?”
- (ix) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Runciman  
“Is the cabinet member in favour of the two stadium proposal submitted as an alternative to the Community Stadium?”
- (x) To the Cabinet Member for Leisure, Culture & Social Inclusion, from Cllr Ayre  
“Can the cabinet member please state what involvement she has with the Oakgate group?”
- (xi) To the Cabinet Member for Health, Housing & Adult Social Services, from Cllr Watt:  
“In view of the universal expression of opinion in the York

Press that you have no understanding of how to achieve York's affordable housing needs and the failure of the 50% affordable housing policy, would the Cabinet Member explain how she will help both to stimulate local housing construction and achieve York's affordable housing needs."

(xii) To the Cabinet Member for Health, Housing & Adult Social Services, from Cllr Healey:

"Could the Cabinet member update Council on the track record of Community Energy Solutions in delivering residential solar schemes."

(xiii) To the Cabinet Member for Housing and Adult Social Services, from Cllr Cuthbertson.

"Can the Cabinet Member confirm that the Cabinet will be reversing the decision to outsource the reablement service and explain how the subsequent £1.4m budget gap will be plugged?"

(xiv) To the Cabinet Member for Housing and Adult Social Services, from Cllr Aspden

"Does the Cabinet Member still support a 50% affordable housing target and does she agree with the Council Leader that targets should be reduced to ensure developments like Germany Beck are profitable for big developers?"

(xv) To the Cabinet Member for Communities and Neighbourhoods, from Cllr Reid

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

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

"On what quantifiable success targets should the Cabinet Member be judged?"

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

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

- (xviii) To the Cabinet Member for Crime and Community Safety, from Cllr Aspden  
"Can the cabinet member detail the budgets that are covered by his new portfolio, including the amount in each budget?"
- (xix) To the Cabinet Member for Corporate Services, from Cllr Steward:  
"In what areas of current Council services will the Cabinet Member be looking for greater external provision."
- (xx) To the Cabinet Member for City Strategy, from Cllr Taylor  
"Can the Cabinet Member justify the plans to build a new stadium at such an unsustainable transport location as Monk's Cross, requiring the support of massive additional development which departs wildly from the retail strategy as set out in the Local Development Framework?"
- (xxi) To the Cabinet Member for City Strategy, from Cllr Runciman  
"Can the cabinet member state when he expects a city wide 20mph zone to be in place and how much it is expected to cost?"
- (xxii) To the Cabinet Member for City Strategy, from Cllr Reid  
"Can the cabinet member state when he expects that the FTR buses will be scrapped"

### **13. Urgent Business**

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

Democracy Officer for this meeting:

Name: Catherine Clarke and Louise Cook

Contact details:

- Telephone – (01904) 551031
- E-mail – [catherine.clarke@york.gov.uk](mailto:catherine.clarke@york.gov.uk) and [louise.cook@york.gov.uk](mailto:louise.cook@york.gov.uk)

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

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

Contact details are set out above.

**CITY OF YORK COUNCIL**

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 7th April, 2011, starting at 6.30 pm

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

**ACOMB WARD**

Horton  
Simpson-Laing

**BISHOPTHORPE WARD**

Galvin

**CLIFTON WARD**

Douglas  
King  
Scott

**DERWENT WARD**

Brooks

**DRINGHOUSES & WOODTHORPE WARD**

Holvey  
Reid  
Sunderland

**FISHERGATE WARD**

D'Agorne  
Taylor

**FULFORD WARD**

Aspden

**GUILDHALL WARD**

B Watson

**HAXBY & WIGGINTON WARD**

Firth  
Firth  
R Watson

**HESLINGTON WARD**

Jamieson-Ball

**HEWORTH WARD**

Boyce  
Funnell  
Potter

**HEWORTH WITHOUT WARD**

Ayre

**HOLGATE WARD**

Alexander  
Bowgett  
Crisp

**HULL ROAD WARD**

Cregan  
Hoban

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  
Waudby

STRENSALL WARD

Kirk  
Wiseman

WESTFIELD WARD

Steve Galloway  
Sue Galloway  
Waller

WHELDRAKE WARD

Apologies for absence were received from Councillors Hogg, Looker and Vassie and Vassie

**69. 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.

The following **personal** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Fraser	12(i) and (iii) – motions relating to the NHS	As a governor of York Foundation Teaching Hospitals Trust and as a member of the retired section of UNISON and the retired section of Unitie (TGWU/ACTS section)
Kirk	12(i) and (iii) – motions relating to the NHS	As a member of York Foundation Trust
Morley	12(i) and (iii) – motions relating to the NHS	As a member of York Foundation Trust
Wiseman	12(i) and (iii) – motions relating to the NHS	As a public member of York Foundation

**70. MINUTES**

With reference to Minute 48 of the Ordinary meeting of Council on 9 December 2010, Cllr Merrett asked that his personal interest in agenda item 13(iv) be amended to read *‘employed by a company that does most of its work for the public sector’*.

RESOLVED: That the minutes of the Special and Ordinary Council meetings held on 9 December 2010 and of the Budget Council meeting held on 24 February 2011 be approved and signed by the Chair as a correct record of each meeting, subject to the amendment of Cllr Merrett’s declaration of interest under Minute 48, as indicated above..

**71. PUBLIC PARTICIPATION**

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

Ceri Owen spoke in support of the petition due to be debated under item 5(b) on the agenda. She drew particular attention to the potential effects of cuts in the budget for the mental health support line, as well as other services to

vulnerable people, and urged Members to write to the York MPs in the terms outlined in the petition.

Owen Clayton spoke in support of the petition at item 5(b), with particular reference to public transport cuts, which would disproportionately affect disabled people.

Stephen Bentley also spoke in support of the petition at item 5(b), drawing attention to changes in the benefits system which would have a detrimental effect upon disabled people.

Lilian Black, Chair of the Holocaust Survivors' Friendship Association, accompanied by her father Eugene Black, a Holocaust survivor, spoke in objection to the reduction in funding for Holocaust Memorial Day approved at the Budget Council meeting and urged that this decision be re-considered.

Eamonn Keogh, of the York and North Yorkshire Chamber, spoke in relation to the Executive recommendations on the Local Development Framework Core Strategy (agenda item 6). He expressed concern at the approach to housing provision in the Core Strategy, which he considered to be unsound, on the basis that the evidence supported the provision of at least 800 additional homes per year in York.

Janet Hopton, Chair of the World Heritage for York Steering Group, spoke in support of the urgent motion to be moved by Cllr Taylor regarding York's bid to become a World Heritage Site. She expressed disappointment that the bid had not been successful but thanked all those who had contributed and noted that work had now begun on a revised bid.

## **72. PETITIONS**

### **a) Petitions Submitted by Members**

Under Standing Order 7, petitions were presented by:

- (i) Cllr Aspden, on behalf of local residents calling for additional road markings on Selby Road, Fulford.<sup>1</sup>
- (ii) Cllr Potter, on behalf of residents in and around Eboracum Way, objecting to the illuminated sign at the new 'Go Outdoors' store.<sup>2</sup>

RESOLVED: That the above petitions be referred to the Executive or appropriate committee.<sup>1-2</sup>

### **b) Petition Submitted by Residents**

Members considered a petition in respect of support for vulnerable people, which had been submitted to the Budget Council meeting on 24 February 2011 and as an e-petition, together with a background report from the Director of Adults, Children & Education. The petition had been signed by more than



1,000 people and had therefore been brought to Council for debate, in accordance with the agreed process. Following debate, it was

RESOLVED: That the petition be referred to the Executive to determine any appropriate action.<sup>3</sup>

Action Required

- 1-2. Schedule items on Forward Plan for suitable meetings and keep relevant Members updated on progress SS
- 3. Schedule item on Forward Plan for suitable Executive meeting and keep petitioners updated on progress ST

**73. URGENT MOTION - WORLD HERITAGE SITE BID**

The Lord Mayor announced that she intended to deal at this point with an urgent motion, of which notice had been given and the wording circulated around the Chamber.

Cllr Taylor then moved, and Cllr Waller seconded that:

"Council recognises the work of the Steering Group for World Heritage for York and appreciates that there is overwhelming community support for York obtaining World Heritage Site status. Council further notes that, as an outcome of the bid, that the Department for Culture, Media, and Sport encourages the city to re-submit a bid for recognition as a UNESCO World Heritage Site which would recognise the whole of our historic city above, as well as below, ground.

Council therefore invites all four Party Leaders to sign a letter of support to the Steering Group in its continuing efforts."<sup>1</sup>

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

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

Action Required

- 1. Draft letter in the terms agreed and obtain Group Leaders' signatures SC

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

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

Cllr Waller then moved, and Cllr Runciman seconded, the following recommendation contained in Minute 148 of the Executive meeting held on 18 January 2011:

“That Council approve the revised Income Policy at Annex A to the [Executive] report, subject to the revision of paragraph 13 of the policy to remove the reference to planning fees as an example of charges set nationally by government.”

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

RESOLVED: That the recommendation in Minute 148 of the Executive meeting on 18 January 2011 (Revised Income Policy) be approved.<sup>1</sup>

Cllr Waller then moved, and Cllr Runciman seconded, the following recommendations contained in Minute 173 of the Executive meeting held on 1 March 2011:

“(i) That Council approve the Core Strategy, as amended (Annex A), subject to the inclusion of the further suggested amendments set out in Annex H to the report, along with supporting information, for publication and submission for public examination.

REASON: In order to progress the Local Development Framework Core Strategy and to ensure that it encourages the development of a City respectful of both its historic built heritage and its natural environment, with high employment levels, increased opportunities for leisure activities and an improved transport system.

(ii) That the final version of the Core Strategy Submission Document be placed on the Council’s website.”

1<sup>st</sup> amendment

Cllr Gillies then moved, and Cllr Hudson seconded, an amendment to the recommendations, as follows:

“Change the numbering of the second recommendation from ‘(ii)’ to ‘(iii)’.

Insert a new recommendation (ii), as follows:

*“(ii) That Officers review and look to increase levels of density for student housing accommodation in order to provide more dedicated student accommodation and therefore reduce pressure on private housing being turned in to Houses in Multiple Occupation.”*

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

The recommendations, as amended, now read as follows:

- “(i) That Council approve the Core Strategy, as amended (Annex A), subject to the inclusion of the further suggested amendments set out in Annex H to the report, along with supporting information, for publication and submission for public examination.”<sup>2</sup>

REASON: In order to progress the Local Development Framework Core Strategy and to ensure that it encourages the development of a City respectful of both its historic built heritage and its natural environment, with high employment levels, increased opportunities for leisure activities and an improved transport system.

- (ii) That Officers review and look to increase levels of density for student housing accommodation in order to provide more dedicated student accommodation and therefore reduce pressure on private housing being turned in to Houses in Multiple Occupation.”<sup>3</sup>

- (iii) That the final version of the Core Strategy Submission Document be placed on the Council’s website.”<sup>4</sup>

2<sup>nd</sup> amendment

Cllr Merrett then moved, and Cllr Simpson-Laing seconded, a further amendment to the recommendations, as follows:

“In recommendation (i), after ‘subject to’, insert:  
*‘the Director of City Strategy bringing forward appropriate amendments to the Core Strategy to accommodate using the Council’s latest housing evidence based figure of 800 housing units per annum for the plan period, and to’.*

At the end of the reason under recommendation (i), add:

*‘in a way which :*

- (a) addresses the potential unsoundness of the LDF using the Executive approved housing figure;*
- (b) addresses the threat to the City’s Green Belt from having an inadequate housing land supply allocation;*
- (c) ensures an adequate housing supply to avoid forcing less well paid residents out of the City (as indicated would occur with the lower housing figure) in the report to the LDF Working Group;*
- (d) avoids undermining York business from having an inadequate and/or overpriced housing supply for its workforce.”*

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

The recommendations, as amended by the 1<sup>st</sup> amendment, were then put to the vote and declared CARRIED and it was

RESOLVED: That the recommendations in Minute 173 of the Executive meeting on 1 March 2011 (City of York Local Development Framework – Core Strategy Submission Draft), as amended, be approved.”<sup>2-4</sup>

Cllr Waller then moved, and Cllr Runciman seconded, the following recommendation contained in Minute 182 of the Executive meeting held on 15 March 2011:

“That, following further formatting and layout changes to improve the presentation of the document for final publication, and the editing of the supporting text in the document to make it more concise (in particular, combining sections 2 and 3), Council approve the Draft Full LTP3.”

Cllr Merrett then moved, and Cllr King seconded, an amendment to the recommendation, as follows:

“At the end of the recommendation, insert the following:

*‘subject to the strategy being revised to:*

- 1) introduce a Quality Bus Contract with the major local bus operators to deliver an improved integrated local bus service network;*
- 2) strengthen the references to introducing an air quality Low Emission Zone to control bus emissions in the current Air Quality Management Areas so as to move forward on bringing air quality in York to within the EU health based limits at the earliest opportunity; and*
- 3) roll out the introduction of a reduced cost & signage citywide residential area 20mph speed limit.”*

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

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

RESOLVED: That the recommendation in Minute 182 of the Executive meeting on 15 March 2011 (Draft Full City of York Local Transport Plan 2011 Onwards) be approved.<sup>5</sup>

Action Required

- |   |    |
|---|----|
| 1. Implement the Revised Income Policy, subject to the agreed alteration  | KB |
| 2. Amend the Core Strategy as agreed, and submit                          | MG |
| 3. Review levels of density for student housing accommodation             | RW |
| 4. Place finalised Core Strategy Submission document on Council's website | MG |
| 5. Take action to implement the LTP3                                      | RW |

**75. RECOMMENDATIONS OF THE AUDIT & GOVERNANCE COMMITTEE**

As Chair of the Audit & Governance Committee, Cllr Brian Watson moved the recommendation contained in Minute 53 of the meeting of that Committee held on 6 December 2010, as follows:

“That Council be asked to consider the recommendations of the Audit and Governance Committee in respect of the Petitions Scheme, including the suggestion that the number of signatures be 750 rather than the 1000 suggested in the draft scheme.”

Cllr Runciman then moved, and Cllr Gillies seconded, that the matter be referred back to Officers for further refinement of the Petitions Scheme.

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

RESOLVED: That the Petitions Scheme be referred back to Officers for further refinement.<sup>1</sup>

Cllr Brian Watson then moved, and Cllr Brooks seconded, the following recommendation contained in Minute 68 of the meeting of the Audit & Governance Committee held on 14 February 2011:

That Council approve the proposals contained in the report [to the Committee] for implementation after the May election.

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

RESOLVED: That the recommendation in Minute 68 of the Audit & Governance Committee meeting held on 14 February 2011 (Transition to New Style Leader and Cabinet Model) be approved.<sup>2</sup>

Action Required

- |  |    |
|--|----|
| 1. Refine the Petitions Scheme as agreed       | DS |
| 2. Make the agreed changes to the Constitution | AD |

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

A written report was received from Cllr John Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC since the last report to Council, on 9 December 2010.

In moving his report, Cllr Galvin corrected an error at paragraph 20, noting that the recommendations from the Taxi Licensing Scrutiny Review would be presented to the Licensing & Regulatory Committee and not to the Audit & Governance Committee.

**77. REPORT OF EXECUTIVE MEMBER**

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

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

(i) From Cllr Merrett:

“With regard to local bus patronage remaining stable overall, would the Executive Member indicate the numbers of fare paying passenger trips in each year of Local Transport Plan 2 (LTP2)?”

***The Executive Member replied:***

*“With regard to local bus patronage remaining stable overall, would the Executive Member indicate the numbers of fare paying passenger trips in each year of Local Transport Plan 2 (LTP2)?”*

**Total patronage**

2009/10	14,774,492
2008/09	15,334,448
2007/08	14,853,143
2006/07	15,144,371
2005/06	14,493,549

*Unfortunately I am unable to provide a breakdown of the actual percentage of concessions for each of these years at this short notice, suffice it to say that our figures show that slightly over 50% of bus patronage is made up of concessions.”*

(ii) From Cllr Holvey:

“With reference to the Local Transport Plan, what powers does the Council have to prevent operators from choosing the type of bus used on commercial services in the City? In particular could the Executive member confirm that when the current ftr usage agreement expires in June 2011 it will be a matter to First to decide whether to continue to use the vehicles or to make changes to the number of ftrs used in the City?”

***The Executive Member replied:***

*“The Council has very limited powers to specify vehicle types on commercial services. If a Low Emission Zone was put in place then this may be used to restrict access to certain vehicles including buses. Height/weight/length restrictions can be applied which would limit vehicle types. First could remove the ftr fleet at the end of the current agreement.”*

(iii) From Cllr Merrett:

“With regard to the substantially reduced 575 homes a year target figure and the up to 1000 jobs a year growth figure in the proposed LDF, would the Executive Member indicate what the consequences will be of high job growth and low new housing provision on already high house prices and private sector rents in York, on pressure for town cramming in the main urban area, on displacement of low earning indigenous residents to West, South and East Yorkshire, and also on additional long distance commuting and transport related greenhouse gas emissions and local congestion?”

***The Executive Member replied:***

*“The 1000 figure is a maximum. Over the last 10 years around 300 new (additional) jobs have been created in the City on average each year. The 575 new homes is more than adequate to deal with such growth. If there are those that think that the City can grow by 1000 jobs every year then they envisage a very major change which would see the City change beyond recognition. It would involve massive immigration to fill the vacancies and York has only a small pool of unemployed labour within the indigenous population.. In response to all Council consultations residents have indicated that they do not support the Big City Big Growth option.”*

(iv) From Cllr Firth:

“With reference to the Local Transport Plan, what are the Council’s priorities for further expansion of the cycle network in the City?”

***The Executive Member replied:***

*“The Council’s priority is to improve the urban cycle network including: Clifton Moor to Haxby Road (along side of A1237) being progressed in the Local Sustainable Transport Fund Bid. North End of Fulford Road including Fishergate Gyratory (included in the Capital Programme in 2011/12). University of York area and links through Heslington to maximise the benefits of the improvements introduced as part of the University expansion (included in the Capital Programme in 2011/12). Hungate link to maximise the impact of the new bridge over the River Foss and enable a cross city route via Deangate, Aldwark, Navigation Road and Hope street avoiding the Footstreets and away from the Inner Ring Road. Southern End of Huntington Road to improve continuity to city centre, Holgate Road to improve links to the Station and city centre from the south west of the city. Subject to availability of funding connections to surrounding villages will also be improved. E.g. Strensall, Rufforth, Elvington.”*

(v) From Cllr Merrett:

“In terms of LTP2’s original ambitions, what lessons have officers learnt from its delivery and outcomes, including how much shift there has been from private car to alternative modes of transport?”

***The Executive Member replied:***

*“Officers will be producing an outturn report on LTP2 which will be made available to all Members shortly.”*

(vi) From Cllr Hyman:

“With reference to the Local Transport Plan, would the Executive Member confirm the current estimates of the cost to local taxpayers of seeking to implement a Quality Bus Contract in the City?”

***The Executive Member replied:***

*“The financial implications of introducing a Quality Contract Scheme should not be underestimated. The issue was last reported in 2009.*

*The current bus network is sustained through a combination of fare-box revenue, Bus Service Operators Grant (from Central Government), Concessionary fares reimbursement and Council subsidy. If the Council decided that an increase in the level of service (or reduction in fares) was required, then there would be likely to be an increase in cost. Overall cost estimate for the set up of a contract would be approximately £3m. In addition there would be an annual revenue cost of approximately £250k."*

(vii) From Cllr Merrett:

"In terms of the proposed LTP3, and its aim to seek to persuade more people to use alternative forms of transport, why, relative to the anticipated increase in number of total trips made, do the target figures for alternative modes of transport imply a modal shift to private car usage rather than away from it?"

***The Executive Member replied:***

*"The intention of LTP3 is to achieve a modal shift **away** from private car usage rather than to it. It is not easily apparent in LTP3 to suggest that there should be anything contrary to this assertion. The Themes, Aims and Objectives of the strategy and the measures/interventions in the Implementation Programmes are directed at achieving a modal shift away from the car.*

*The targets contained in LTP3 do not include one specifically for modal split, as the only reliable and consistent performance measure is the 10-year National Census, which is too infrequent for LTP3 monitoring purposes. As a proxy, targets have been set for limiting increases in traffic volumes (vehicle mileage) and for increasing the use of other modes. Furthermore the targets have been set for the next four years (2011-2015) to reflect the Comprehensive Spending Review period and the funding levels likely to be realised over the short term. It is anticipated that the first review of LTP3 will be undertaken to coincide with the end of this 4-year period and the targets will be refreshed to take into account progress made and any changes in the future funding levels that might be available at that time."*

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

(viii) From Cllr Sunderland:

"With reference to the Local Transport Plan, what would be the likely cost to taxpayers if the Council were to underwrite a cross ticketing system in the City at the present time?"

***Reply:***

*Subject to agreement with the operators the cost of introduction of a multi-operator travel card was estimated in 2008 at £187k set up costs plus £130k per year operating costs.*

*We are currently seeking to negotiate a zero cost (to taxpayers) option with operators*



- (ix) From Cllr Waudby:  
 “With reference to the Local Transport Plan, what powers does the Council have to implement ‘enforceable’ school travel plans?”

**Reply:**

*The short answer is that we cannot **enforce** the provision of travel plans apart from those required through planning conditions (although there are also problems for these as the council finds it difficult to take action against itself).*

*We have to work on an encouragement, incentive basis. Up until 2010 there was a School Travel Grant which provided an incentive for schools to complete a travel plan to receive funding. This is no longer available and therefore the incentive to prepare a travel plan has also reduced.*

*We work in partnership with the schools to encourage travel plans to be prepared as part of the Safe Routes to School programme.*

- (x) From Cllr Aspden:  
 “With reference to the Local Transport Plan, would the Executive Member indicate what expenditure there has been on highways maintenance activities in the City over the last 4 years and contrast this with the expenditure that would have been possible if the unsuccessful amendments, moved at each of the last 4 years Budget Council meetings, had been carried?”

**Reply:**

*Based on the annual highway maintenance report the total expenditure in £k over the last 4 years is as follows:*

<u>Year</u>	<u>Revenue</u>	<u>Capital</u>	<u>Total</u>
2006/7	4,098	4,225	8,323
2007/8	4,345	2,798	7,143
2008/9	5,116	4,085	9,201
2009/10	5,267	4,467	9,734
2010/11	5,087	5,085	10,172 (includes additional £1m capital funding)

*Included in the 2009/10 and 2010/11 capital figures is £2.15m of DfT detrunking money for the A19 south of York.*

*I will arrange for the comparative budget figures to be published shortly after officers have had time to check the numbers involved.*

**Addendum to the above reply:**

*Had the budget amendments been successful, then investment in highways maintenance would have been affected in the following ways.*

Year	Agreed £k						Labour Amendments £k			
	Revenue	Capital	Gvt potholes	Total	De-Trunk	Grnd Tot	Revenue	Capital	Total Difference	Amended Budget
2006/7	£4,098	£4,225		£8,323	£0	£8,323			£0	£8,323
2007/8	£4,345	£2,798		£7,143	£0	£7,143			£0	£7,143
2008/9	£5,116	£4,085		£9,201	£0	£9,201	-£294		-£294	£8,907
2009/10	£5,267	£3,147		£8,414	£1,320	£9,734	-£394		-£394	£9,340

2010/1 1	£5,087	£4,255	£205	£9,547	£830	£10,377		-£200	£220	£20	£10,397
2011/1 2	£5,300	£3,731	£435	£9,466	£0	£9,466		-£222	£282	£60	£9,526
Total	£29,213	£22,241	£640	£52,094	£2,150	£54,244		-£1,110	£502	-£608	£53,636

Cumulative reduction	-£608
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## 78. ACTIVITIES OF OUTSIDE BODIES

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

- Quality Bus Partnership – meeting on 15/12/10

No questions had been submitted to representatives on outside bodies.

## 79. APPOINTMENTS AND CHANGES TO MEMBERSHIP

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

## 80. NOTICES OF MOTION

### (i) Health and Social Care Bill

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

“Council notes the concerns raised by local residents and health professionals in regard to the Government’s proposed reforms to the NHS contained in the Health and Social Care Bill and the petition collected by Defend Our NHS York.

Council is especially concerned by the introduction of a market based approach to the NHS and the impact this could have on decisions about local patient care. Council is also concerned that the proposals do little to improve on the current lack of local accountability for health care decisions.

Council supports the suggestions made in the amendments agreed at the recent Liberal Democrat conference, including ensuring elected local councillors have a strong role in making services accountable to local people, and believes these changes should be incorporated into the Bill by the Government.

Council therefore asks the Chief Executive to write to the city's MPs asking them to support amendments to the Bill in order to address the concerns of residents and safeguard health services for local people.”<sup>1</sup>

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

“After the first paragraph add: *‘Council believes the Conservative and Liberal Democrat Government has no mandate to carry out a costly and damaging re-organisation of the NHS as the plan was not listed in either party’s manifesto. Adversely the coalition’s programme for government stated the coalition would ‘stop the top-down reorganisations of the NHS.’*

Delete the last paragraph and insert *‘The Labour opposition and Conservative support for the Conservative Liberal Democrat Government’s NHS reforms is clear. The position of the Liberal Democrats is not. Council therefore asks the Chief Executive to write to all Liberal Democrat MPs asking them to support amendments to the Bill in order to address concerns of residents and safeguard health services for local people.’*”

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

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

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

At this point in the meeting, the guillotine fell and the remaining motions were moved, seconded and voted on without debate.
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(ii) Police Funding Cuts

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

“Council notes the Liberal Democrat Yorkshire Manifesto commitment to increase the number of police officers in Yorkshire and the Humber by 200. Instead North Yorkshire alone is set to lose 200 police officers due to Conservative Liberal Democrat funding cuts.

Council requests the Chief Executive to write to the Deputy Prime Minister to request him to halt planned police cuts.”

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

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

(iii) Leeds Children’s Heart Unit

Council having consented to an alteration to the notice of motion as originally submitted (as highlighted in bold, with original wording in brackets), it was moved by Cllr Wiseman and seconded by Cllr Fraser that:

“Whereas:

There are 11 children's heart surgery units in **England** *[the UK]*, but the NHS is proposing under its 'Safe and Sustainable' review to reduce this to 6 or 7 specialist hubs undertaking 400 operations per year;

and

The choice facing the NHS review team will be to retain either the Children's Heart Surgery Unit at Leeds General Infirmary or the unit at Newcastle to serve the north;

and

Leeds serves a major population catchments area of 14 million people in Yorkshire and the Humber, Lincolnshire and North Derbyshire, has the capacity to expand and has centralised the whole of its children's services operations on one site;

and

Leeds General Infirmary is at the forefront of work on inherited cardiac conditions and **is much valued** *[has an excellent record]* for providing safe, high quality children's heart surgery;

Council asks Members to join with local MPs and community groups to express all-party support for keeping open the Children's Heart Unit at Leeds General Infirmary and asks the Chief Executive to write to the Department of Health to ask for the retention of the Leeds Children's Heart Unit as the centre best placed to serve as the specialist hub for the needs of young cardiac patients in Yorkshire and the north of England." <sup>2</sup>

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

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

(iv) Cuts to Council Budgets

It was moved by Cllr Crisp and seconded by Cllr Hoban that:

"Council notes the council has received a 13.3% funding cut this year yet the recent council budget passed by Conservative and Liberal Democrat councillors allowed the Communities and Neighbourhoods' recruitment agency budget of £2m to be cut by only 5%. The budget also included cuts to essential mental health services, an 80% cut to Holocaust Memorial Day funding and a £38k cut to Hull Road park resulting in it being left open 24 hours a day and staff reductions.

Council resolves to reverse the £38k cut to Hull Road park, allocate £20k to youth mental health work and reverse the 80% cut to Holocaust Memorial Day funding through increased savings in the Communities and Neighbourhoods' recruitment agency budget by £62k."

*[Motion signed by 5 Members; namely Cllrs Alexander, Merrett, Boyce, Simpson-Laing and B Watson, in accordance with Standing Order 13.1, as it seeks to rescind part of a resolution passed at Budget Council on 24 February 2011.]*

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

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

(v) City of York Council Achievements

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

Council notes that:

1. Employment in York has been higher than the national and regional average for the whole of the last 8 years, and that York is now the 7<sup>th</sup> best performing council in the country in terms of driving down the numbers of young people not in jobs or training (NEETS).
2. In 2003 58.9% of pupils achieved 5 A\* to C grades at GCSE and that by 2010 that figure had risen to 80.5%. Council further notes that City of York Council has for the fourth year been rated as a four star authority for Children's Services, being only one of 9 authorities nationally to be awarded this top rating by Ofsted.
3. Independent inspectors have rated social care services for adults as 'performing well' and that the Discus Bungalows have been replaced with modern housing, and a new supported living complex, Auden House, of the quality of provision that older residents in the city should expect.
4. In 2003 York had 3 chronically neglected pools at the end of their useful lives and plans to close one and that £18m of investment has now been secured which has seen the new Energise pool built, Yearsley Pool refurbished and work set to begin soon on the city's first competition standard pool at York Sports Village.
5. The total number of visitors to York's libraries has increased by more than 180,000 between 2003 and 2009, thanks to the innovative partnerships which helped to deliver the Explore Centre model which will now be rolled out to all the city's libraries.
6. In 2003 recycling rates were just 12% and that they now stand at almost 45%, with the city also generating less waste overall.
7. In 2003 19% of areas had unacceptable levels of litter and that thanks to York Pride, which has helped to drive up street level cleanliness, the figure now stands at 6%.

8. In 2003 roads were deteriorating faster than they could be repaired with 17% of roads and 11% of footpaths classed as in poor condition. Thanks to investment that has fallen to 11% of roads and 3% of footpaths.
9. Crime in York has fallen by more than 50% since 2003 thanks to the creation of a strong working relationship with Neighbourhood Policing Teams and Safer York Partnership.
10. In 2003 there were 100 Killed and Seriously Injured traffic accidents and that by 2009 that figure had fallen to 60.

Council further notes that this has all been achieved with the lowest charge for council services in Yorkshire.

Council puts on record its appreciation to officers for the delivery of these achievements and the high quality of results for residents of York.”

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

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

Action Required

1. Write to the City's MPs in the terms agreed SC
2. Write to the Department of Health in the terms agreed SC

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

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

- (i) To the Executive Leader, from Cllr Merrett  
“What would the Council’s liability be for air quality fines should the EU fine the UK Government and this be passed onto councils?”

**Reply:**

*There is not currently a mechanism for this to happen, and therefore it would be speculation.*

- (ii) To the Executive Leader, from Cllr Sunderland  
“Can the Executive Leader give an update on progress with finding a funding solution for the Leeman Road Flood defence project?”

**Reply:**

*The programme for a scheme for improvement of the Flood Defences at Leeman Road/Water End are working their way through the Environment Agency’s internal approval system. With the additional*

*resource of £1 million from the council, and support through the Local Levy for Yorkshire which has been recommended for approval on 21<sup>st</sup> April meeting of the Regional Flood Defence Committee. Therefore there is opportunity for the plans to progress with the current plan for delivery in 2012/13.*

- (iii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Crisp  
“York has 14 libraries and the Leader of the Council has said publicly the Executive’s plans will maintain 14 libraries. A new library is suggested to be built with the new community stadium. Which library will this replace?”

**Reply:**

*I appreciate Cllr Crisp’s concern for library provision in Huntington. No doubt this is drawing on the extensive local knowledge her ward colleague Cllr Alexander developed when collecting 6% of the vote there in the 2003 local elections. The long term pledge the Leader made was to maintain 14 libraries and did not in any way preclude an increase in the number of libraries. We are looking to increase the number of libraries to 15 by opening a new book cafe in Rowntree Park. The nearest library facing closure is probably Easingwold, so any Explore Centre at the Community Stadium could be seen to be a replacement for that.*

- (iv) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Aspden  
“How many schools in York have achieved the ARTSMARK quality award and how does this compare to the national average?”

**Reply:**

*Over the life of the award, since 2002, over 52 schools have achieved the award. Each award is valid for 3 years and currently 44 schools hold a valid award. The work of our Arts Consultants and our Theatre, museums and other cultural organisations have been key in ensuring that the level of success for our local authority stands at 68% while the national average is only 18%.*

- (v) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Hyman  
Can the Executive Member give details of the numbers of visitors to the city’s various festivals over the past 8 years?”

**Reply:**

*The very nature of festivals makes precise numbers for the events hard to gather; however, since its inception the City of Festivals yearly programme has increased from 17 in 2003 to currently over 40 and still growing. Yorkshire Forward and the Arts Council have recognised that 5 of our events are major events that have an international appeal; Viking, Food and Drink, Illuminating York, Early Music Festivals and every other year the Mystery Plays. Illuminating York’s audience has grown from 22,000 in 2007 to 65,000 in 2010. Figures for the Food and*

*Drink Festival have seen an increase by 16% last year and St Nicholas Fayre has also risen by 18%. But the idea of City of festivals has helped our more local festivals increase numbers too, with the Residents' Festival moving up from 16,000 in 2005 to 29,000 this year. In 2009, the Grand Tour attracted over 500,000 people and we are planning a Science and Innovation tour in 2012 as part of our York 800 city birthday celebrations.*

- (vi) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Firth

"Can the Executive Member give an update on the progress towards bringing the Mystery Plays back to Museum Gardens next year?"

**Reply:**

*In 2006 we agreed to facilitate the organisation and presentation of the Mystery Plays on a biennial basis working with partners across the city. In 2008 over 2000 young people presented the York Youth Mysteries, in 2010 the Guild produced the successful wagon Plays and in 2012 the Theatre Royal, Riding Lights Theatre and York Museums Trust have formed a partnership to present the plays in Museum Gardens in August 2012. International interest in this production has already been aroused and the plays aim to have over 2012 people involved over 300 of them actually performing. The Council has a service level agreement with the partnership and they have this week agreed basic designs for the specially built stand for the event. Tickets will be on sale from the theatre this month.*

- (vii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Orrell

"Can the Executive Member give Council an update on the work that the Inclusive Arts team has done since it was created in 2009?"

**Reply:**

*Since its inception in 200, the Inclusive Arts team has delivered or is in the process of delivering over 23 projects covering our target population groups. These groups have been agreed through a consultation process with EAG. Working with the Turkish community we delivered a stunning Stained glass window, which was then displayed at Illuminating York and will shortly to be installed in the local church frequented by the community. With our Under 5's and families we have been a pathfinder for the Storycatcher evaluation method with over 9 of our partnership project been disseminated as good practise through the national governmental organisation Culture, Creativity and Education. Our Music in Care homes initiative to engage older members of the community has now been taken up by Adult Social services as everyday practice and we are leading on the youth and community element of the city's UNESCO Creative City bid with our work with the European Youth 4 media network and Khaoz Media projects.*



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

“Can the Executive Member comment on how participation in sport and active leisure has changed over the past five years and how this compares to national trends?”

**Reply:**

*The proportion of people doing no sessions of sport or physical activity has dropped from 45.5% to 42.4%. This represents approximately 4,500 additional people doing some form of sport or active leisure activity every week in the city. For young people the percentage of pupils doing 2 hours of High quality PE has increased from 71% in 2006 to 87% in 2010. Over the last 5 years we have targeted our resources specifically at addressing gaps in participation across the city. Participation in 30 minutes of Sport & Active Recreation at least 3 times a week by people with a limiting disability has increased from 7% to 15.4% in the last 5 years. This has been achieved through the appointment of a disability community sports coach (and now an adult disability physical activity officer). They have significantly increased the range of opportunities available to those with a limiting disability and have significantly improved access to information and activities, this has resulted in an increase of over 100%. This compares to a national figure of almost 9%. Participation in 3 times 30 minutes of sport & physical activity by people aged 55+ has stayed static at 13.6 % which is why we, with support from Sport England appointed an older people's activity officer last year. The programme of activities specifically for this age group started in January this year and has so far seen the development of Nordic walking, Tai Chi, additional lead walks and seated aerobics sessions.*

*All of this has been achieved through efficient targeted use of resources. Our spend per head on indoor sport in 2009/10 was just £7.69 compared to a unitary average of £10.12. Our spend per head on sports development and community recreation was just £0.27 compared to a unitary average of £2.36. We are targeting our work on harder to reach adults (those often doing no activity) where we are starting to see the impact in those with a limiting disability and the reduction in the number of people doing no sport. Using local information activities are now being designed to meet ward priorities and to match the ward profiles, targeting the type of activities most suitable to the local population, e.g. the older people's activities that are being delivered in Heworth Without. During 2010/11 the Sport and Active Leisure Team worked with 8,969 residents who were new to activities.*

- (ix) To the Executive Member for Health & Adult Social Services, from Cllr Fraser

“Please explain why City of York Council is continuing to let private care providers run Adult Social Care Services in the City when at least one of them is deemed not to be working to the standards of the agreed contract. Will this provider be given a final date for when the services have to meet standards or the service brought back in house?”

**Reply:**

*Adult Social Care Services in York are “run” by the Directorate of Adults Children and Education, although various services are commissioned from independent providers. Over three quarters of our home care services are provided by independent. However, all such services are subject to monitoring in the same way as services provided by our own staff, with roughly comparable satisfaction levels. Where there is any evidence of breach of the terms of service, the contract provides for measures to be put in place until the situation is rectified. While this remains the case and progress is being made there is no cause for any deadline to be given and even if it was decided that an independently provided service would no longer be provided, there is no reason to believe that an in house solution would be appropriate.*

- (x) To the Executive Member for Health & Adult Social Services, from Cllr Hyman

“Can the Executive Member describe the Council’s investment in Telecare and the benefits the system brings?”

**Reply:**

*More than 900 elderly people across York have been helped to remain independent through the use of innovative Telecare technology supplied by City of York Council.*

*The Telecare system was first trialled in York in 2007 at Haxby Hall and the Lib Dem Council has been investing in the technology ever since, in the current year 500K (to include a digital upgrade) and £1.25m in the recent Lib Dem budget over the next 5 years.*

*Telecare works by connecting sensors to a telephone line which links to a 24 our monitoring centre. If a sensor is activated by the elderly person the monitoring centre can immediately take action including contacting a family member, neighbour, doctor, mobile warden or the emergency services. The system can include sensors to detect falls, smoke detectors and alarms to warn of bogus callers.*

*As well as meaning elderly residents can stay independent and in their own homes, the use of Telecare also helps to avoid the cost of providing home care.*

*By helping 58 users of the system to avoid the need for home care in 2010, Telecare technology saved £249,600 in care costs. The investment in Telecare for those 58 people was just £29,000.*

*It is not just the customers that have avoided home care that benefit from Telecare. The system also makes life easier for more than 900 people in total across the city, who may not be on the verge of needing home care, but who can benefit from the peace of mind and assistance that Telecare can bring.*

- (xi) To the Executive Member for Health & Adult Social Services, from Cllr Waudby

“How many sheltered and extra care housing units were there in 2003 and how many are available now?”

**Reply:**

*In 2003 City of York Council provided a total of 64 units of housing with care, but these have been greatly enhanced by the introduction of extra care to other sheltered housing schemes and new units nearly trebling this form of housing for older people who wish to remain as independent as possible. Most recently Auden House is taking in new residents to its 41 two-bedroomed flats. There are of course other providers of this kind of provision within the city.*

- (xii) To the Executive Member for Neighbourhoods & Housing, from Cllr Sunderland

“How many applications have been received for the downsizing opportunities at Pately Place and Birch Park?”

**Reply:**

*Working with Yorkshire Housing and the Homes and Communities Agency, the council have secured agreement that up to 16 apartments at Birch Park (apartments) and Pately Place (6 apartments) for rent will be prioritised for existing council and housing association tenants who are under-occupying their current home by one or more bedroom and wish to 'downsize' to a smaller property more suited to their current housing needs.*

*At an open day for both sites on Saturday 5th March, approximately 60 households viewed the apartment. 47 households were sent application for forms following the viewing and 26 of these completed the application form. All of these applicants' details have been passed to Yorkshire Housing who are now visiting applicants in their homes to discuss the scheme and their application.*

*All of the applicants are currently living in 3 or 4 bedroom houses. It is too early to say definitively that all 16 flats will be taken up (I would expect a few at least of the 25 applicants not to proceed) but I'm confident that we will achieve this meaning that 16 houses will be freed up re-letting to families*

- (xiii) To the Executive Member for Neighbourhoods & Housing, from Cllr Holvey

“Can the Executive Member say what the rate of recycling for 2010/11 is expected to be along with the expected total amount of waste collected?”

**Reply:**

*Household waste:*

*In 2009/10 we collected 91,726 tonnes of household and this year (2010/11) it is estimated that we will collect 90,240 tonnes a reduction of 1,486 tonnes or 1.6%.*

*Household waste recycled:*

*In 2009/10 we recycled 22,924 tonnes of household waste and this year (2010/11) it is estimated that we will recycle and 2010/11 estimates 24,140 tonnes an increase of 1,216 tonnes or 5.3%.*

*Last summer was dry so we didn't get as much green waste. It is estimated to be down by about 850 tonnes.*

*However, overall we expect our headline figure of recycled and composted to increase from 43.3% up to 44.3%*

*We will landfill 3.5% or 1,828 tonnes less waste this year with the total Municipal waste land filled (Household Waste plus commercial) down by 3,816 tonnes (6.3%)*

- (xiv) To the Executive Member for Children's Services, from Cllr R Watson  
"Can the Executive Member explain the impact of the 'every child a talker' project and the benefits it has brought to young children in the city?"

**Reply:**

*The 'Every Child a Talker' project has been part of the national Year of Communication and has been taking place in a variety of early years settings all round the city. It aimed to help young children who do not have good speech and language to develop their skills before they go to school so that they become effective communicators. Concentrating on four areas – Listening and Attention; Understanding Language; Speech, Sound and Talk; and Social Skills – early years practitioners have designed the environment in which they work to create every opportunity to encourage the child to speak and listen well. The results have been remarkable – there has been a 14% reduction in the children at risk of language delay and professional and parental involvement has made this a continuing improvement, so that many children are now ahead of the levels expected for their age. Library staff have also been an important part of this project.*

*Work will continue after the project ends and I would like to congratulate all concerned for the tremendous contribution they have made to the lives of young children and their families in the city.*

- (xv) To the Executive Member for Children's Services, from Cllr Waudby  
"Can the Executive Member give details of the results of the recent Ofsted inspection of The Glen?"

**Reply:**

*I am delighted to report that The Glen did very well in its recent inspection by Ofsted and came out as 'Outstanding'. I visited them recently and was pleased to see the progress being made on their new extension, which will bring extra capacity to the respite that they offer to children with disabilities and their families. I would like to put on record my congratulations to all the staff for the excellent work that they do. I am looking forward to the grand opening of the new build in the near future.*

- (xvi) To the Executive Member for Children's Services, from Cllr Aspden  
"Can the Executive Member give details of the work of the Change Champions and explain how their work will be incorporated into Council decision making?"

**Reply:**

*The first meeting of the Change Champions took place recently to consider the central area of the city. Led by two young people who had*

*previously had training in the process, students from a number of schools, both local authority and independent, looked at what was already available and what they would like to see. I was able to join in and was interested to find out that one of the main issues that they identified was communication – there was a lot available but they did not necessarily know about it. They suggested a Champion is found in every school, so that they can make sure that publications such as ‘Shine’ – the Council’s magazine that lists all the activities and events going on for young people in each school holiday period – are widely distributed to everyone, especially in secondary schools.*

*An action plan has been written and will be checked on a monthly basis and the Change Champions will continue working in this way in other areas of the city.*

*They will bring a report to the Young People’s Working Group to ensure that their work becomes part of the Council’s decision making process and is available more widely.*

- (xvii) To the Executive Member for Corporate Services, from Cllr Firth  
“Will the Executive Member comment on the implementation of the Allpay service and whether or not it has been a success?”

**Reply:**

*Allpay was introduced corporately in February 2010, so it has now been in place for a little over a year. The number of customers who were identified as cash payers in Council Tax was in the region of 22,000 and the estimated cost per transaction through the Banking Hall was in the region £1.50. The ability to pay through Allpay is available to practically all bill types across the Council. The average cost per transaction during 2010/11 was in the region of 45p depending on the outlet (PayPoint/Post Office) and will be nearer 41p in 2011/12.*

*Moving in excess of 22,000 customers over to the new system went seamlessly and it has delivered a £140,000 on going saving. In addition customers seemed happy to have better access to pay and it supports local small businesses and the Post Office.*

*The closure of the Banking Hall has allowed for the remodelling of the City Finance Centre, now renamed Library Square, providing a much improved customer experience and the councils collection rates for Council Tax, National Non-Domestic Rate and Sundry Debts are above those of 2009/10.*

*Since April 2010 there have been in excess of 165,000 transactions through Allpay, totalling in excess of £12.6m, and the footfall in Library Square has reduced by approximately 90%. It is expected that it will reduce further when the Yorkshire Water agency ends on 31 March 2011. I definitely consider this change to be a success and thank officers for their endeavours to achieve such a positive result.*

- (xviii) To the Executive Member for Corporate Services, from Cllr R Watson  
“What proportion of new benefit registrations are now processed within 24 hours compared to 8 years ago and how has the time taken to process benefit claims changed since 2003?”

**Reply:**

*I am delighted to say that since the “24-hour promise”, launched in December 2009, has been a big success. At the present time approximately 9% of new claims go through the 24 hour process as do approximately 2.5% of changes in circumstances. Though these figures may seem low it has to be borne in mind that the more up-to-date the department is, the less call there is for the “24-hour promise.*

*With regard to the time taken to process benefit claims I am happy to inform Members that it has fallen from eighty-six days, when this administration took over in 2003, to nineteen working days. The combined figure for new claims and change of circumstance claims in 2009/10 was 14 days, and it is estimated that this reduce to 10/11 days for 2010/11.*

*I would like to thank all the staff in the Revenue and Benefits section, for their hard work in reducing the timescales, and especially for the concept and introduction of the “24-hour promise.*

**82. CIVIC ANNOUNCEMENTS**

Having previously indicated her intention to vary the order of business so as to deal with this item at the end of the meeting, the Lord Mayor announced that eleven Members of Council would not be seeking re-election on 4<sup>th</sup> May. She asked Council to join with her in placing on record their thanks to these Members, who had between them given 130 years of service to the City, and in extending good wishes to those who would be standing for re-election.

Cllr Sue Galloway

LORD MAYOR OF YORK

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

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

### **Outside Bodies**

#### Drainage Boards

To note the amalgamation of the North Wharfe & South Wharfe, Marston Moor, Acaster and Appleton Roebuck & Copmanthorpe Internal Drainage Boards to form the Ainsty 2008 Board. Appointments to the new Board will be made with at the Annual Council meeting on 26 May 2011.

#### York Business Development Ltd (YBDL)

To note that the activities of this body have now ceased. Appointments to a new body, called York, Selby and Malton Business Advice Centres Ltd., will be made at the Annual Council meeting on 26 May 2011.

#### Heslington East Community Forum

Following the resignation of Cllr Pierce, to appoint Cllr Hoban to the Forum and to appoint Cllr Alexander as substitute.

#### York St John University

To note that, as from July 2011, City of York Council representation on the Board of Governors will no longer be required following the modernisation of the governance structure and a reduction in the overall number of Governors. Cllr Pierce had been the most recent CYC appointee.

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**CITY OF YORK COUNCIL**

Resolutions and proceedings of the Meeting of the City of York Council held in The Guildhall, York on Thursday, 26th May, 2011, starting at 11.00 am

**Present:** The Lord Mayor, Councillor Susan Galloway, in the Chair during the first part of the meeting; the Lord Mayor, Councillor David Horton, in the Chair during the second part of the meeting, and the following Councillors:

**ACOMB WARD**

Horton  
Simpson-Laing

**BISHOPTHORPE WARD**

Galvin

**CLIFTON WARD**

Douglas  
King

**DERWENT WARD**

Brooks

**DRINGHOUSES & WOODTHORPE WARD**

Hodgson  
Reid  
Semlyen

**FISHERGATE WARD**

D'Agorne  
Taylor

**FULFORD WARD**

Aspden

**GUILDHALL WARD**

Looker  
B Watson

**HAXBY & WIGGINTON WARD**

Cuthbertson  
Firth  
Richardson

**HESLINGTON WARD****HEWORTH WARD**

Boyce  
Funnell  
Potter

**HEWORTH WITHOUT WARD**

Ayre

**HOLGATE WARD**

Alexander  
Crisp  
Riches

**HULL ROAD WARD**

HUNTINGTON & NEW EARSWICK  
WARD

Hyman  
Orrell  
Runciman

MICKLEGATE WARD

Fraser  
Gunnell  
Merrett

OSBALDWICK WARD

Warters

RURAL WEST YORK WARD

Gillies  
Healey  
Steward

SKELTON, RAWCLIFFE & CLIFTON  
WITHOUT WARD

Cunningham-Cross  
McIlveen  
Watt

STRENSALL WARD

Doughty  
Wiseman

WESTFIELD WARD

Burton  
Jeffries  
Williams

WHELDRAKE WARD

Barton

**Also in attendance:** Honorary Aldermen B. Bell, Mrs. M. Bwyne, D Wilde and K. Wood

Apologies for absence were received from Councillor Scott

### **DECLARATIONS OF INTEREST**

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

### **APPOINTMENT OF LORD MAYOR**

2. Councillor James Alexander moved, Councillor John Galvin seconded and the Council unanimously

RESOLVED: That Councillor David Horton, of 33 Top Lane Copmanthorpe, York YO23 3UH, be elected Lord Mayor of the City of York for the ensuing municipal year.

### **QUALIFICATION OF LORD MAYOR**

3. Councillor David Horton signified Acceptance of the Office of Lord Mayor of the City of York, subscribed the Declaration of such acceptance and took the Oath of Allegiance prescribed by law in that behalf.

### **APPOINTMENT OF SHERIFF**

4. Councillor Tracey Simpson-Laing moved, Councillor Paul Firth seconded and the Council unanimously

RESOLVED: That Mr Alan Deller, of 10 Paddock Way, York YO26 6AJ, be appointed Sheriff of the City of York for the ensuing municipal year.

### **QUALIFICATION OF SHERIFF**

5. Mr Alan Deller made and subscribed the Declaration of Acceptance of Office of Sheriff for the City of York and took the Oath of Allegiance prescribed by law in that behalf.

### **APPOINTMENT OF DEPUTY LORD MAYOR**

6. The Lord Mayor moved, Councillor Sian Wiseman seconded and the Council unanimously

RESOLVED: That Councillor John Galvin, of 8 Bridge Road, Bishopthorpe, York YO23 2RR, be appointed Deputy Lord Mayor for the ensuing municipal year.

**QUALIFICATION OF DEPUTY LORD MAYOR**

7. Councillor John Galvin made and subscribed the Declaration of Acceptance of Office of Deputy Lord Mayor for the City of York and took the Oath of Allegiance prescribed by law.

**LORD MAYOR'S CHAPLAIN**

8. The Lord Mayor advised Council that he had appointed the Reverend Tony Hand to serve as his Chaplain during his year of office.

**SHERIFF'S CHAPLAIN AND UNDER-SHERIFF**

9. The Sheriff advised Council that he had appointed Canon Jonathan Draper to serve as his Chaplain and Commander Darren Reid to serve as his Under-Sheriff during his year of office.

**VOTE OF THANKS TO THE OUTGOING LORD MAYOR AND LADY MAYORESS**

10. Councillor Keith Aspden moved, Councillor Keith Hyman seconded and Council unanimously

RESOLVED: That the Council express its sincere thanks to the outgoing Lord Mayor and Lady Mayoress for their services to the City during the past municipal year.

**VOTE OF THANKS TO THE OUTGOING SHERIFF AND SHERIFF'S LADY**

11. Councillor Keith Orrell moved, Councillor Ian Cuthbertson seconded and Council unanimously

RESOLVED: That the Council express its sincere thanks to the outgoing Sheriff and Sheriff's Lady for their services to the City during the past municipal year.

**FORMAL BUSINESS OF COUNCIL - ALLOCATION TO SEATS AND APPOINTMENTS TO THE EXECUTIVE, COMMITTEES AND OTHER BODIES 2011/2012**

12. With reference to the recommendations contained in paragraph 15 of the report at page 3 of the Council papers, the Lord Mayor moved, and Council unanimously agreed, to:

- (i) Appoint Cllr James Alexander as Cabinet Leader and note the Cabinet Members and positions appointed by the Cabinet Leader (Annex A);
- (ii) Agree the necessary proportionality arrangements for allocation to seats (Annex B);
- (iii) Authorise the Monitoring Officer to make the necessary constitutional changes to reflect the change in practice relating to substitutes, as referred to in paragraph 6 of the report, subject to the views of the Audit and Governance Committee being sought on this change ;
- (iii) Approve the amalgamation of the Gambling & Licensing Acts Committee with the Licensing & Regulatory Committee to form the Gambling, Licensing & Regulatory Committee, and the terms of reference for the new committee (Annex C); and
- (v) Approve the nominations to Committees and other bodies set out in Annex D to the report and the amendments circulated around the Council Chamber.

Councillor David Horton  
LORD MAYOR OF YORK

*[The meeting started at 11.00 am and concluded at 12.00 noon]*

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

**Since the Local Election**

It was a great honour to lead the then Labour Opposition Group to victory at the 2011 local elections. Labour won the centre ground at the local elections and that is where we will be to stay.

It is a privilege to lead City of York Council and this city into a new era of social democracy and fairness.

The period from the local election result to taking formal control of the council was a strange period of limbo that many found difficult. This was not a period that Labour wanted to permit to go ahead. We wanted the will of the people to be respected from the outset. Instead the dying Liberal Democrat administration clung on with full responsibility, pay and power despite the democratic will of residents.

For the first time in four years the city now has an administration with a mandate to deliver those promises made from its time in opposition. There will be no compromise on our manifesto and we will deliver. We have the political will and the will of the majority of residents behind us. Our manifesto is beginning to underpin the corporate priorities of the council.

It is thrilling to lead a movement to make York the city it deserves to be rather than the city it has been allowed to become. This report outlines some of the major areas I have been involved in since annual council on 26<sup>th</sup> May.

**Increasing Jobs and Economic Growth**

This is the overarching policy of this administration. We need to play a role in fostering an economic environment where there can be an increase in the number of jobs, facilitated by economic growth.

Residents are struggling due to the global economic crash and this is exacerbated by the Government pursuing an economic policy of faster and deeper than necessary deficit reduction by reducing public sector spending. This in turn is met by making people redundant and increasing the burden on the welfare system, which ironically is a budget wanting to be cut.

York has been given conflicting information as to how susceptible we are to these reductions. As a city, we have an overreliance on public sector employment and an unbalanced economy. This makes us particularly at risk but we also have a number of different public sector organisations that may spread the reductions amongst particular services.

Since taking control we have seen negotiations with Mark and Spencer come to fruition to bring new jobs to York and we have also taken the decision to support expansion of York St John to also create a number of jobs. These two areas have the potential to create up to 400 jobs. I do however suspect the number will be nearer 300. This is just the start.

### **Local Enterprise Partnerships**

I am the only person to sit on both the Leeds City Region and York North Yorkshire Local Enterprise Partnerships that were created following the demise of Yorkshire Forward. There is no money attached to the LEPs and the advice received from Government is both inconsistent and contradictory. The advice does not give the private sector the certainty it requires.

I would have preferred to see Yorkshire Forward reformed, not abolished.

I am using my unique position to broker the best deals for York as they emerge. So far there has been very little for York to gain. I am not convinced an Enterprise Zone is in the best interest of York in light of possible changes to business rates in the localism bill.

### **Tourism**

I realise how important this is to our local economy and therefore unlike my predecessor I have decided to become a director of Visit York. We believe our 'Reinvigorate York' scheme will support our visitor economy.

### **Reinvigorate York**

My administration has taken the decision to invest at least £2m in restoring our city centre to a state befitting a city such as York. We are currently losing retail market share and we need to be more competitive in the tourism market. This funding will go some way to right the wrong of underinvestment under the previous administration.

### **Financial Black Holes**

We have discovered a number of financial black holes left by the previous administration. This includes £0.8m in the housing and revenue account and £0.5m in property services. My cabinet is asking for full disclosure of the financial problems that were kept from us in opposition and we are asking for options of how to clean up this mess.

### **Housing**

Labour will increase annual new housing targets from 575 to 800 a year. This is still a low number. 800 means the planning document will be robust enough to be approved by the government without delay. It will also mean more access to housing for local residents and the green belt will finally be given a definition and protection. The business community does not take the position of all other parties in this chamber in opposing this move. Not only does this opposing position not support jobs and economic growth, it also does not support the aspirations of local residents or protect the green belt. Officer advice is that without a robust document, the council would lose financially and not be able to define nor protect the greenbelt.

### **Community Stadium**

Plans are progressing at a rapid rate. At the time of writing we have one large retailer on board and another in consideration that I have negotiated with. I really do believe we can deliver a community stadium by giving impetus to the project and through openness of information amongst the partners that was absent under the previous administration.

The new stadium needs to be a genuine partnership between York's two professional sports clubs and we need a scheme to have planning permission by September 2012 or the football club will fold.



I am concerned that the lack of progress under the previous administration will make this deadline difficult to reach.

### **Reversing £1m of Conservative Liberal Democrat Cuts**

I have worked to deliver our alternative budget we promised in opposition into delivery in office.

Our budget scraps the Lib Dem planned £1.4m second new council office in Acomb, replaces damaged bins with high quality replacements in the city centre, increases our contribution to Access York to £0.5m (following the advice of Lib Dem Transport Minister Norman Baker), increases our recycling rate, commits an additional £356k to flood defences, increases funding for road repairs and demolishes the Parliament Street toilet building, providing space for market equipment storage.

Our budget commits funding to tackling youth unemployment, reversing 50% of Conservative Liberal Democrat backed rises in adult social day care and travel costs, cuts to health and disability assessment, Hull Road Park funding, short breaks for disabled children, teenage pregnancy work, disabled childcare equipment, race day toilets, ward committee budgets, library staff, homelessness prevention, Holocaust Memorial Day, 50% of cuts to neighbourhood management whilst increasing respite care, reversing an increase in ResPark charges, committing funding to our manifesto committed Fairness Commission, funding for a pilot statutory bus partnership, giving a small grant to the Credit Union, York Disabled Worker's Co-operative, to the Older People's Assembly and increasing the council's contribution to the York Youth Café, increasing apprenticeship funding and the jobs fighting fund.

All this and we still reduce the council's debt position by £1.7m. Not only can we deliver everything both the Lib Dems and Conservatives promised in their budgets but also a whole lot more. This budget shows Labour's fiscal competence and prudence and lives up to our major manifesto pledge we were elected on.

### **West Offices**

I toured the new offices to inspect the progress being made. I have asked the Chief Executive to look at increasing the capacity that can be used by partners to create more of an income stream to the council.

I also visited Barnsley to find out how their move to new council offices has operated. I received an agreement from the Leader of Barnsley from some of his staff to come to York and discuss with our staff how their move went and what they learnt.

### **Talking to Staff**

I spoke to a meeting of all managers in the council and took questions from the floor. I believe it is important for the Leader, and all Members for that matter, to have a rapport with officers. I enjoyed this session very much, even the tough questions. I was surprised this had not happened under my predecessor. I wish to be more open and accountable.

### **Shared Services**

I have written to all council leaders in the region requesting discussions on shared services. A number of councils have responded. Shared services could deliver savings to the council taxpayer. The main criteria for shared service negotiations will be the effect on the quality of the service, whether there is a genuine saving to be made and where staff will be based.

**York's Fairness Commission**

York's Fairness Commission will begin its work in the next couple of months. It fulfils a manifesto commitment to have a genuine non-partisan engagement with residents over service priorities of the council. It is clear the fairness commission may have the opportunity of a longer-term role in working towards policy formulation to close the gap between rich and poor.

Labour is enjoying making a positive difference to this city and delivering on our manifesto pledges. I am happy to answer any questions on this report.

**Councillor James Alexander**  
**Labour Leader of City of York Council**  
**21<sup>st</sup> June 2011**

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MEETING	CABINET
DATE	21 JUNE 2011
PRESENT	COUNCILLORS ALEXANDER (CHAIR), FRASER, GUNNELL, LOOKER, MERRETT, POTTER (IN ATTENDANCE FOR AGENDA ITEMS 8 AND 9) AND SIMPSON-LAING (VICE-CHAIR)
APOLOGIES	COUNCILLOR CRISP
IN ATTENDANCE	COUNCILLORS KING, TAYLOR, WARTERS AND WATSON

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

### **8. LOCAL DEVELOPMENT FRAMEWORK**

Members considered a submission from the Cabinet Member for City Strategy that a recommendation be made to Council to amend the provision for housing growth contained in the submission draft of the Local Development Framework Core Strategy, together with other textual amendments.

The Cabinet Member circulated a brief document at the meeting, which summarised proposed changes that Council would be asked to approve at their meeting on 30 June 2011 (This document has been attached as a late annex to the Cabinet agenda).

Members expressed support for changes to the plan and in particular to the amendment to increase the housing requirement to 800 dwellings per annum, in accordance with the evidence base.

Following further discussion it was

- RECOMMENDED:
- i) That Council be requested to agree to amend the provision for housing growth contained in the submission draft of the Local Development Framework core strategy to an average of 800 dwellings per annum, along with other textual amendments.
  - ii) That the Director of City Strategy be requested to prepare a report for Council highlighting the implications of these changes, along with an amended Core Strategy document and to arrange briefings for Members.

- iii) That the Director of City Strategy be also requested to include the points highlighted in the document circulated at the meeting into the revised Core Strategy document.  
*(This document has been attached as a late annex to the Cabinet agenda)*

REASON:

To ensure the Council submits a robust and sustainable LDF Core Strategy for the LDF period to 2029.

CLLR J ALEXANDER, Chair

[The meeting started at 6.30 pm and finished at 7.30 pm].



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**Council**

**30 June 2011**

Report of the Director of City Strategy

## **City of York Local Development Framework –Core Strategy Submission Draft**

### **Summary**

1. The purpose of this report is to allow Members to consider the draft Local Development Framework Core Strategy Submission document. The Core Strategy was previously reported to Council on 7<sup>th</sup> April 2011 and approved for publication and subsequent submission for public examination, subject to amendment. Council's Cabinet meeting on 21<sup>st</sup> June 2011 raised further issues to be addressed leading to changes to the document. These have been incorporated in a revised submission draft attached as Annex A and detailed in a schedule attached as Annex B. The report also comprises the following Annexes for Members to consider when making a judgement about the content of the main Core Strategy document.
  - Annex C – Preferred Options Consultation Summary;
  - Annex D – Sustainability Appraisal;
  - Annex E – Heritage Topic Paper and Heritage Impact Appraisal;
  - Annex F – Transport implications of LDF growth assumptions and potential mitigation;
  - Annex G – Potential Housing Sites; and
  - Annex H – Potential Employment Sites.
2. Members are recommended to approve the revised Core to Strategy for publication and subsequent submission to the Secretary of State, following which it will be subject to a public examination.

### **Background**

3. The LDF Core Strategy is the key tool for delivering effective, strategic planning and provides the context for all subsequent LDF documents. To do this it is important that it delivers the spatial / physical elements of the Sustainable Community Strategy. It must do this in a way that provides an effective strategy for managing change and responding to York's specific planning issues. This includes responding to the future need for development land in a way that respects York's unique natural and historic environment.
4. The Core Strategy effectively involves public participation at the three stages highlighted below.

- **‘Issues & Options’ Stage** – at this point the Council highlights key issues and options for consultation to inform the content, scope and direction of the Core Strategy.
  - **‘Preferred Options’ Stage** – consultation on the Council’s intended approach.
  - **Publication and Submission Stage** - representations are invited on the final document which will be submitted by the Council to the Secretary of State. Any comments received at this stage will be forwarded to the Planning Inspectorate for consideration at a public examination into the document.
5. We are currently at the Publication and Submission stage of production. This follows on from two Issues and Options stages undertaken in June 2006 (Issues and Options 1) and again in August 2007 (Issues and Options 2) and a Preferred Options consultation June to October 2009. As highlighted a draft Core Strategy was approved at Council in April for publication and submission for public examination. The Council’s Cabinet meeting on 21<sup>st</sup> June have raised further issues to be addressed leading to changes to the document.
6. The issues raised and the subsequent changes effect several different thematic areas of the plan. The most significant change to the previously approved document relate to alterations to the proposed Spatial Strategy. They arise largely from the proposal to increase the housing target for York for the LDF period. Given the complexity of the changes to the Spatial Strategy and its divergence from the previous position take by Council it is described in more detail below.

### **Spatial Strategy - Background**

7. The previously approved Submission draft Core Strategy included a Spatial Strategy in part predicated on an approach which aimed to ensure that the general extent of the Green Belt remained unchanged from that included in the draft Local Plan. This led to the inclusion of an average housing figure for York of 575 dwellings pa for the plan period. This figure differed to that included in the reported LDF evidence base.
8. At the LDF Working Group on the 4<sup>th</sup> October 2010 it was reported that Arup had been commissioned to consider the level of population and household growth that should form the basis of future housing provision in York and its wider area. In particular, the work considered whether the RSS housing figures were still appropriate in light of the recession. The review considered the following elements:
- the evidence base for the RSS;
  - the latest evidence in terms of ONS population and CLG household projections;
  - the effect of the recession on the RSS estimates and on population and household projections (as all of these predate the recession);
  - the observed effect of trends in the housing market in terms of housing completions, house prices, affordability and housing capacity; and

- the effect of the economy and economic growth on housing and migration.
9. Arup's analysis of this evidence indicated that:
- i. it would not be appropriate to plan on the basis of a housing figure that is below the long term average of completions;
  - ii. the main impact of the recession on housing completions was in 07/08 and 08/09 and that the market began to recover in 09/10;
  - iii. as the 2006 based CLG household projections were based on trends associated with boom conditions it would not be unreasonable to suggest that they may overstate requirements;
  - iv. the 2003 based CLG household projections were based on trends more representative of an economic cycle and are therefore likely to be more soundly based (780 - 800 a year);
  - v. York is part of a wider housing market and actual demand will depend on the policies and housing provision approaches in neighbouring authorities. This also needs to consider issues of affordability and transport networks; and
  - vi. York has one of the stronger economies of the sub region and likely long term employment growth of around 1,000 jobs per annum is higher proportionately than trend housing completions, suggesting higher levels of in commuting.
10. The work concludes that an appropriate annual average would be 780 – 800 dwellings a year.
11. At the LDF Working Group on the 4<sup>th</sup> October, Members requested further information on affordable housing levels as they relate to different growth scenarios. At the 1st November 2010 LDF WG, Officers presented a report based on the early targets and findings of the emerging Affordable Housing Viability Study, to estimate the potential future provision of affordable housing based on the type and size of sites that could come forward in the future.
12. Using the targets from the emerging Affordable Housing Viability Study, it was calculated that affordable housing units equated to 26% of the net additional dwellings given consents over the last 5 years. To provide a means of relative comparison the overall percentage was applied to future potential levels of housing minus existing consents. The results of this work showed that an annual average housing figure of 800 units could potentially deliver approximately 50% more affordable housing than a figure of about 588 units (slightly higher than figure included in the previous submission draft Core Strategy).
13. Consultation relating to this issue undertaken on the Preferred Options draft of the Core Strategy between June and October 2009 highlighted that:
- 58% of respondents felt that we should be building less than 850 new homes a year (the housing figure included in the regional plan), 33% agreed that 850 new homes per year should be built, whilst 9% felt it should be higher;
  - around 60% of respondents felt that land should not be identified in the draft green belt for housing or employment. However, if we had to

identify land in the draft green belt for housing, 67% of respondents felt that Areas to the East of Huntington and Heworth Without/ North of Osbaldwick would be most suitable. 58% of respondents believed that land to the North of Hull Road was suitable for industrial and distribution employment, whilst 41% agreed that land around Northminster Business Park was suitable.

Annex C includes a full summary of consultation responses for Members to consider along side the Submission draft Core Strategy document.

14. It should be noted that the Core Strategy will be subject to a public examination. This includes ensuring that it complies with the Planning and Compulsory Purchase Act 2004. Section 20(5)(b) of the Act requires the Inspector to determine whether the plan is “sound”. To be “sound” a core strategy should be ‘justified’, ‘effective’ and consistent with national policy. “Justified” means that the document must be founded on a robust and credible evidence base. Whilst acknowledging the changing public policy context relating to Localism Officers indicated that the divergence from the published evidence base included in the previously approved Core Strategy raised a significant risk the document could be found unsound and that this would prevent the plan going forward and could lead to its withdrawal (LDFWG 14<sup>th</sup> February 2011 and Executive 1<sup>st</sup> March 2011).
15. In brief the Council’s Cabinet in considering the Spatial Strategy has asked officers to:
  - increase the annual average housing target from 575 to 800 dwellings per annum for the plan period;
  - re evaluate the housing capacity of the YNW – York Central Strategic Allocation in light of the most up to date information;
  - continue to include an allowance for very small windfall sites but ensure that they don’t include an allowance for the conversion of small properties;
  - allow for increased densities in highly sustainable locations;
  - identify housing sites that would be suitable for higher density accommodation for young people with good access to education establishments;
  - reinstate part of the previously proposed employment site North of Monks Cross to ensure opportunities for inward investment and built critical mass in terms of improving public transport; and
  - in strengthening the approach to the provision and protection of open space for amenity, recreational and nature conservation value include the provision of significant new public open spaces to compliment any expansion of the city.

### **Revised Spatial Strategy**

16. **The revised spatial strategy is predicated on delivering an annual average housing target of 800 dwellings per annum in line with the evidence base** outlined in paragraphs 8 and 9 above. It also seeks to address the other issues highlighted in paragraph 12. It is described in



summary below with key responses to the issues raised by Council's Cabinet highlighted.

17. The Spatial Strategy continues to be based on three sequential components
  - (i) firstly, prioritising development within York's main urban area;
  - (ii) secondly, brownfield or infill development within the most sustainable larger villages and free standing employment sites; and
  - (iii) thirdly, land outside the existing main urban area.

This is highlighted on the revised Core Strategy Key diagram attached as figure 1. Each of the sequential components is described in more detail below.

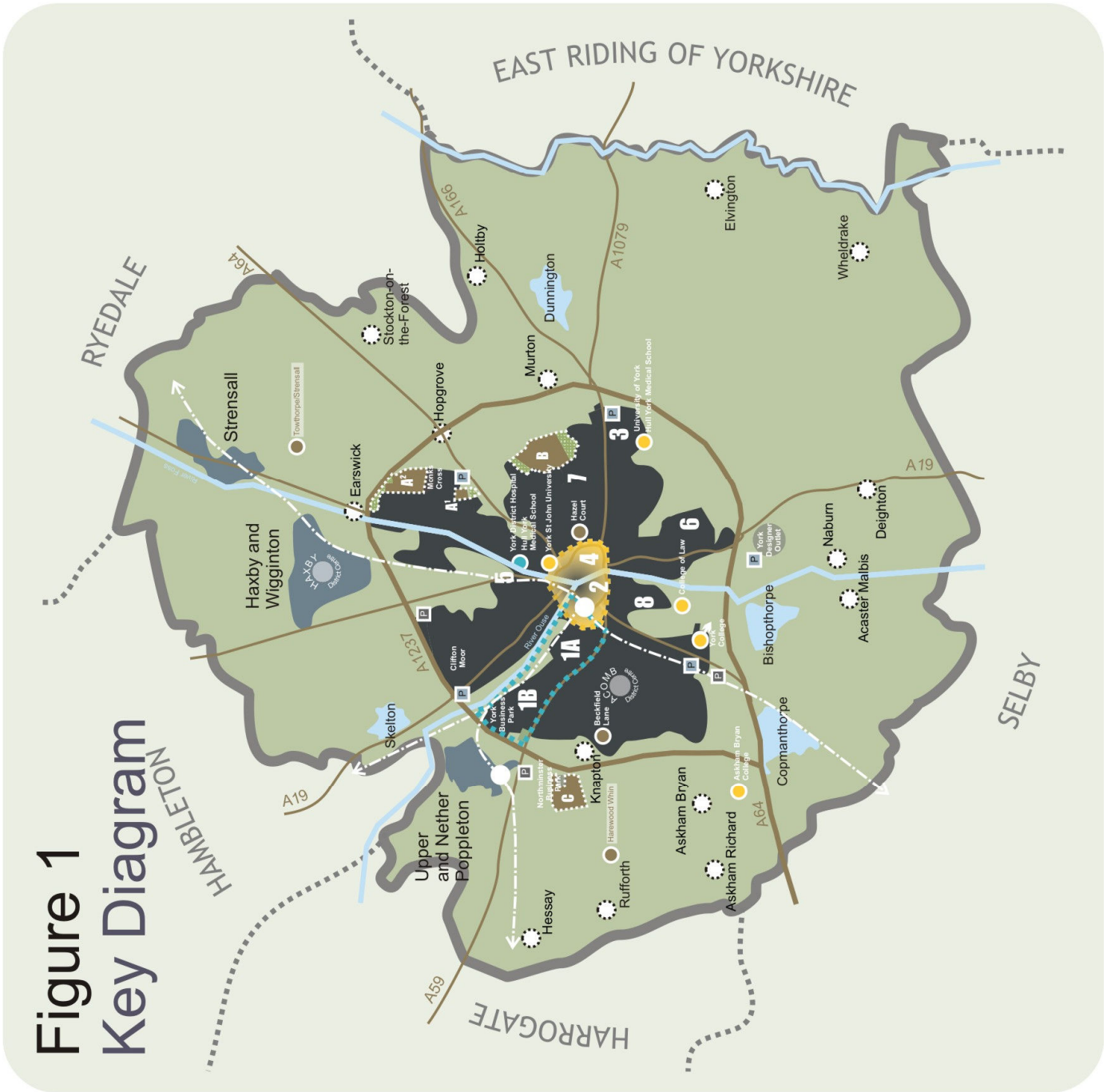
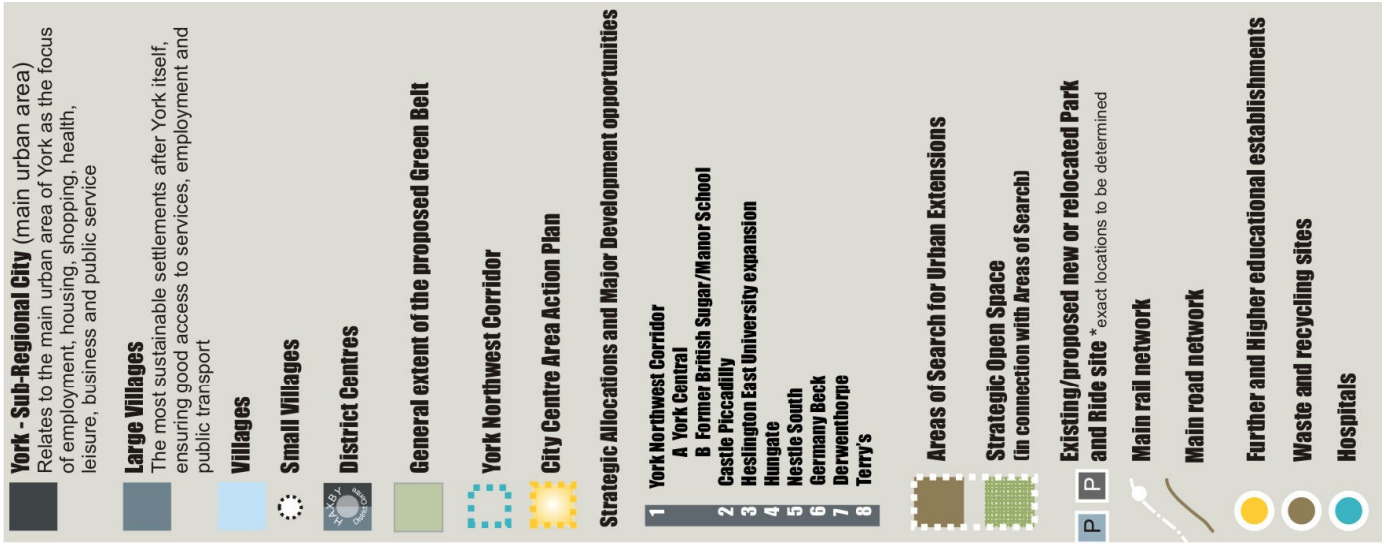
(i) Development within the main urban area

18. In meeting the authority's future development needs the spatial strategy prioritises development within the main urban area of York (Sub Regional City) recognising this as offering the most sustainable location. The Strategic Housing Land Availability Assessment (SHLAA) and the Employment Land Review (ELR) have identified options within the main urban area. These include utilizing the opportunities provided by the following major development opportunities and sites:

- (1A) York Northwest – York Central
- (1B) York Northwest – British Sugar / Manor School
- (2) Castle Piccadilly
- (3) Heslington East
- (4) Hungate
- (5) Nestlé South
- (6) Germany Beck
- (7) Derwenthorpe
- (8) Terry's

19. Central to this approach is the need to ensure that the considerable potential offered by the York Northwest area in meeting the City's economic, housing and retail needs is fully realised. Since the Core Strategy was last considered by Members four further pieces of analysis have been undertaken relating to the Spatial Strategy. This is detailed below.

**Figure 1**  
**Key Diagram**



Additional Work Responding to Issues Raised By Cabinet

20. Work has been undertaken on **York Central** to establish a revised figure for the residential element of the site to take account of the latest information on the area of land that would be required for operational rail requirements and for alternative land uses such as employment, expansion of the National Railway Museum, retail and parking. This has resulted in **a revised housing figure of 1,165 dwellings**; a reduction of 615 dwellings.
21. An exercise has been undertaken to re-assess the potential for increased densities to be applied to the sites in the Strategic Housing Land Availability Assessment (SHLAA) which are the most accessible to local facilities and to public transport routes. The most **accessible sites** are considered to be those within:
- 400m of a primary school;
  - 400m of a GP;
  - 400m of a convenience store; and
  - 400m of a frequent bus route (15 mins of less).

Further sites which reach the same accessibility criteria as above but are within 400-800m of a GP were also included. Overall this resulted in **an increase in supply of 62 dwellings**.

22. Following the motion at Council on 7<sup>th</sup> April officers have also considered the potential for increasing densities on sites that would be appropriate for **student/young people's accommodation**. This work looked at the most accessible sites and/or sites which are close to the higher education institutions. This resulted in the identification of three potential sites: Barbican Centre; Heworth Green South/Froghall; and West of Grimston Bar (safeguarded land). Higher densities were applied to these sites based on their characteristics and densities for student/young person's housing that are coming forward on emerging schemes of this type. These amendments have **increased the supply by 616 dwellings**.
23. Work has been undertaken to consider the role of the **North of Monks Cross** site for employment. Previously in the Core Strategy Submission draft considered by Members the majority of the site (15.7ha) was included for housing giving a potential housing figure of 591 dwellings. Officers have now re-assessed the site and this has resulted in 10.4ha of potential residential land being retained as a proposed employment site (alongside the existing employment land to the south). This is considered necessary to ensure opportunities for inward investment and the required critical mass to improve public transport.
24. A full list of potential sites included within the SHLAA housing trajectory is provided in Annex G. It should be noted that this is for indicative purposes only and before formally allocating these sites they would be subject to further work and Member approval.

(ii) Development within Large Villages and Villages

25. Following the main urban area the larger villages and settlements and existing free standing employment sites are considered the next most sustainable locations for development. The villages and settlements around York have been the subject of a piece of work to consider their relative sustainability and place them in a settlement hierarchy. This is reflected in figure 1.

Windfalls

26. In the past York's housing supply has included a high number of windfalls (housing delivered on sites not identified in any development plan). Government guidance makes it clear that windfalls should not be included in the first 10 years of housing supply and therefore a full allowance is not included in the supply of housing in York over the 20 year plan period. However, it is considered appropriate to include a reduced allowance for windfalls to reflect historic rates of completions on very small windfall sites (less than 0.2ha) and changes of use or conversions of larger properties. Both of these sources are too small to be picked up in the SHLAA, but nevertheless are characteristic of the types of sites that have come forward in York in the past. **Reflecting the spatial strategy settlement hierarchy and the focus of development on the main urban areas and large villages an allowance has been included in the supply of 168 windfalls a year.**

(iii) Extensions to the Main Urban Area

27. If sufficient land to meet York's future development needs cannot be found within the areas covered under point (i) and (ii) then consideration should be given to potential sites outside existing settlement limits. In addition to reflect the locally derived LDF evidence base any expansion of the main urban area must be subject to ensuring the following:
- York's unique character and setting is protected;
  - future development is concentrated in locations accessible by walking and cycling, well served by public transport and services, maximising the use of brownfield sites;
  - flood risk is appropriately managed; and
  - green infrastructure is protected and enhanced.
28. This initially lead to six potential areas of search where the main urban area could be extended and prior to Preferred Options each was considered in more detail.
29. As indicated however the expansion of the main urban area would only be considered suitable should it not be possible to find sufficient land for future employment and housing needs within the existing built up areas. The Employment Land Review (ELR) and Strategic Housing Land Availability Assessment (SHLAA) provide up to date information on the supply of development land.
30. The ELR review indicates that the City's future needs for employment land could be met within the main urban area, and other identified sites. This

included both the existing allocation and safeguarded land at Northminster Business Park for general industrial and storage and distribution. This is shown as site 'C' on figure 1. A list of currently identified potential employments sites along with information on likely future demand is provided in Annex H. It should be noted that this is for indicative purposes only and before formerly allocating these sites they would be subject to further work and Member approval.

31. In terms of housing, the SHLAA incorporates a range of sites within the main urban area and most sustainable villages. The SHLAA indicates that:
  - these will provide sufficient land to meet York's housing need up to at least 2024/2025, but there will be an overall shortfall of 6,841 dwellings up to 2031;
  - allowing for windfalls will equate to an additional 3,108 dwellings by 2031 (it is important that the LDF Core Strategy plans for at least a 20 year period to meet the requirements of national guidance relating to the setting of Green Belt boundaries); and
  - this leaves an overall requirement to provide sufficient land to accommodate 3,733 homes.
32. Whilst it is likely that further, as yet unidentified, previously developed sites may become available over the Core Strategy timeframe, **to ensure that York's needs for both land for new communities can be met it is necessary for this plan to identify greenfield areas for potential development in longer term. This led to the identification of area A1, A2, and B as highlighted on Figure 1.** These areas would allow a margin of flexibility over demand at around the minimum level that is likely to be sustainable through the examination process. This is necessary to provide for lower rates of delivery on identified and of unidentified sites.
33. It should be noted that **the approach is sequential and the areas identified will only be brought forward for development through the Allocation DPD should there be insufficient brownfield land and other suitable sites** in the Sub Regional City of York, Large Villages and Villages to maintain an appropriate supply of land for housing and employment (a minimum of 10 years). In addition if brought forward for development these areas would be subject to further master planning which would consider in detail the way that they would be developed and delivered. The master planning process would establish the proposed design and layout of the site, taking account of specific transport infrastructure requirements, supporting social infrastructure and green infrastructure. It would ensure that any development takes place with the context of protecting York's unique character and setting, maximising accessibility by sustainable transport modes and appropriately managing flood risk. In relation to green infrastructure it would consider the protection of nature conservation sites, provision of appropriate green buffers, linkages with the wider green corridor network and the **provision of new strategic open space.**
34. The key diagram attached as Figure 1 effectively provides a summary of the approach. It highlights the settlement hierarchy, the location of major development opportunities and strategic allocations and potential areas of search to be considered for development should they be needed.

## Sustainability Appraisal

35. When producing LDFs local authorities are required to consider, at each stage of production, the impacts their proposals are likely to have on sustainable development. This is done through undertaking a sustainability appraisal of the document concerned and the publication of the appraisal so that those responding to any consultation are aware of the economic, social and environmental implications of certain approaches. The Sustainability Appraisal is provided as Annex D for Members to consider along side the draft Core Strategy document with key findings highlighted below.

- **This revised draft of the Core Strategy Submission document is deemed by the SA to be more sustainable in the long-term compared to the previous draft** due to the largely positive effects arising from the analysis. Changes made to this version have made the impacts on the social and economic objectives, in particular, more positive. The strongest positive effects identified relate to the economy as the majority of the Core Strategy Policies could directly or indirectly help to support conditions for economic success and investment, either in terms of delivering jobs or underpinning those factors that make York attractive for visitors, residents and investors. Positive social effects are also identified through the consideration of increased accessibility to services and sustainable transport as well as a strengthened approach to positively influencing human health and well being through enhancing green infrastructure and improving air quality. Previously however, the SA identified that the dwelling targets of an average of 575 dwellings per annum would under deliver in terms of housing and have significant adverse in-combination effect with the economy and transport.
- The SA welcomes the revised average annual housing targets of 800 dwellings per annum. This is in line with the evidence base and should work towards achieving York's sustainability objective of achieving affordable housing for all. This has helped to alleviate concerns regarding the gap between provision of homes and job growth and the subsequent effects on transport. The inclusion of areas of search for potential urban extensions is deemed positive by the SA in ensuring that the city will have enough housing and employment land to meet the city's need. The Core Strategy overall supports the creation of sustainable communities both in existing and new areas as well as the objectives for economic growth and stability which meets the economic and social objectives set out in the SA.
- The Submission Core Strategy overall is also positive in meeting environmental objectives set out in the SA. The SA has also found that the policies have strengthened their approach towards achieving environmental objectives EN2, EN4 and EN5 regarding the character and setting of the Historic and Built Environment, managing the impacts of climate change and improving air quality through more comprehensive inclusion of targets connected to design and construction. The whole strategy has used environmental constraints to ensure development is located in suitable locations using flood risk, the historic character and setting, green infrastructure and accessibility. Former concerns over the link between development and the historic centre should be abated

through strong design and masterplanning processes as well as the revised spatial strategy. The policies also continue to be positive in the long-term for meeting the climate change and low emissions agenda through minimising emissions from transport and maximising the inclusion of various sustainable technologies.

- The SA acknowledges a conflict between maximising brownfield land and the areas of search for urban extensions given that they are Greenfield sites. However, these locations will only come forward subject to a lack of provision and the subsequent social and economic value provided should ensure that the value of these sites balances out the loss of this land.

### **Heritage Appraisal**

36. Both the Issues and Options and Preferred Options papers noted the significance and concentration of Listed Buildings, Scheduled Ancient Monuments and Conservation Areas (amongst other assets) in York, and used available historic and archaeological records to map their location. While such a 'heritage assets' approach will help at a site specific level, providing guidance about the sensitivity of a particular location, the overall pattern and profile of monuments and buildings, and indeed of other features such as historic parks and gardens, it cannot describe the significance and sensitivity of the wider historic environment, nor what elements of the city's character we should strive to protect or hope to strengthen.
37. In order to develop a sound basis for informed decision making, a Heritage Topic Paper and Heritage Appraisal have been undertaken. The Heritage Topic Paper aims to capture the significance of York's many historic assets, describing why these are special or unique to the city, and uses this to assess what the impact of the LDFs emerging development strategy would be on those assets. It takes a strategic, high-level overview of historic environmental character and sensitivity to assist with determining the location and broad scale of development and change and provide a framework within which more detailed studies can be undertaken. The purpose of the Heritage Impact Assessment is three-fold. First, it provides an evidence base for the historic environment for the Core Strategy. Second, it provides a view of the special character and significances of this historic environment. Third it provides a methodology for testing, at a high level, the potential impacts of the policy statements contained in the LDF Core Strategy.
38. The Heritage Appraisal is provided as Annex E to this report for Members consideration when evaluating the content of the Core Strategy with key findings highlighted below.
  - **The Appraisal supports the proposed spatial strategy and green belt policy.** While the Core Strategy now promotes Areas of Search to accommodate future housing and employment growth in the longer term, this enables a long-term green belt to be preserved, and reduces the potential harm to the character of the City's existing urban areas caused by intensification of development. The appraisal recognises that the creation of new places offers the opportunity to deliver a new era of architecture, representing a new layer of development of which the City can be proud. Continuing to focus development on York reinforces the



compact nature of the City. Should Areas of Search be required to accommodate future development, the Appraisal notes that the effect of bringing development closer to the ring road changes the experience of entering the City, particularly at B, where the rural gap is currently significant. It recommends that strategic development proposals (including Areas of search, if required) must be developed with reference to the six Principle Characteristics identified in the Heritage Topic Paper: strong urban form; compactness; landmark monuments; architectural character; archaeological complexity and setting. In recognition of this the areas of search will reinforce York's green wedges as can be seen through the provision of strategic open space, for example, to the north and south of area B. More detailed site appraisal work/masterplanning will be required to consider heritage issues fully. It is also stated that the policy approach will reinforce existing neighbourhoods and nodes, and set a good framework for establishing the same within new major development opportunities.

- In relation to raising densities within the urban area to accommodate the housing needs of younger households, the appraisal notes that, unless well designed, the intensification of development could interrupt the residential character of surrounding areas. The need for further is highlighted to understand the unique characteristics of parts of urban York.

### **Legal and Soundness Issues**

#### Planning and Compulsory Purchase Act

39. Under the current Planning and Compulsory Purchase Act 2004 S 20(5)(a) an Inspector is charged with firstly checking that the plan has complied with legislation. This includes checking that the plan:
  - has been prepared in accordance with the Local Development Scheme and in compliance with the Statement of Community Involvement and the Regulations;
  - has been subject to sustainability appraisal;
  - has regard to national policy;
  - conforms generally to the Regional Spatial Strategy; and
  - has regard to any sustainable community strategy for its area (i.e. county and district).
40. In addition Section 20(5)(b) of the Act requires the Inspector to determine whether the plan is "sound". To be "sound" a core strategy should be 'justified', 'effective' and consistent with national policy. "Justified" means that the document must be founded on a robust and credible evidence base. It must also be the most appropriate strategy when considered against the reasonable alternatives. "Effective" means that the document must be: deliverable and flexible. If it appears to the Inspector at the pre-examination meeting that it is likely that the Core Strategy would require significant amendments to make it sound and that these amendments would not be able to be made through the examination process, the Core Strategy would need to be withdrawn at that stage.



#### Revocation of Regional Strategies

41. The coalition agreement published in May 2010 highlighted that the Government believes that it is time for a fundamental shift of power from Westminster to local councils, communities, neighbourhoods and individuals. As a part of this approach they included a commitment to 'rapidly abolish Regional Spatial Strategies and return decision making powers on housing and planning to local councils'. Following on from this on 6th July the Secretary of State for Communities and Local Government (CLG), Rt Hon Eric Pickles, announced the revocation of Regional Strategies with immediate effect.
42. In early August, house builder CALA Homes (Cala 1) launched a legal challenge to the government's decision to revoke RSSs. They argued that the Secretary of State was not empowered to revoke RSS in the way he did and that he had breached his obligations under European law by failing to assess the environmental effects. They were successful in this challenge which essentially means that the regional strategy remains part of the statutory development plan. The Secretary of State has subsequently advised that the proposed abolition of regional strategies (in the now published Localism Bill) is a Government commitment which Inspectors should take into account as a material consideration where relevant to their casework. This position was the subject of a further unsuccessful legal challenge to the Secretary of State by Cala Homes (Cala 2). In Cala 2, the Court of Appeal decided that the proposal to abolish RSS is capable of being a material planning consideration for the purpose of determining planning applications and appeals. It should be noted that in dismissing the appeal by Cala Homes regarding planning applications and appeals, the Court of Appeal commented that it would be unlawful for a local planning authority preparing development plan documents to have regard to the proposal to abolish regional strategies. For so long as the regional strategies continue to exist, any development plan documents must be in general conformity with the relevant regional strategy.

#### Localism Bill

43. The Decentralisation and Localism Bill ('the Bill') was published by the Coalition Government on 13<sup>th</sup> December 2010. In a press release dated 13th December 2010 CLG indicated that the Localism Bill will put an end to the hoarding of power within central government and top-down control of communities, allowing local people the freedom to run their lives and neighbourhoods in their own way. In addition a letter from the chief planner dated 15th Dec 2010 indicates that the Government has been clear that it intends to bring forward a number of reforms to the planning system, aimed at restoring democratic and local control and shifting power to communities. The Localism Bill is a key vehicle for achieving this. Part 5 of the Bill refers to planning matters and indicates that Regional Spatial Strategies are to be abolished. In addition it does however include a new duty to cooperate in the preparation of development plans.

#### Analysis

44. **The Submission draft Core Strategy broadly conforms with RSS;** in terms of its approach to housing it has a slightly lower annual target of 800 dwelling against the RSS figure of 850 dwellings. However, given the likely abolition of RSS through the Localism Bill, coupled with the Cala 2 ruling, this is likely to

be a matter of timing. In addition the revised figure reflects the evidence base including the position of the housing market given the recession.

45. There is little guidance at the moment relating to the content of the new National Planning Framework. In the absence of new provisions existing national guidance remains. **The plan is written to be in conformity with National Guidance with the only substantial divergence relating to the inclusion of windfalls** as highlighted in paragraph 26 above. As indicated however the proposed approach is considered appropriate given the role of very small windfalls within York's housing supply.
46. National guidance currently indicates that for a plan to be 'sound' it must be 'justified'. This means a plan must be founded on a robust and credible evidence base. When previously considering the Submission draft Core Strategy it was reported to Members that a significant amount of technical evidence base work across many policy areas has been undertaken to underpin the plan's approach. **However, in terms of considering the quantity and location of future housing, the plan's approach didn't reflect technical evidence. This has now been addressed through the proposed change to the annual average housing target.** National Guidance also indicates that a plan must be 'effective' i.e. 'deliverable' and 'flexible'. The draft Core Strategy now incorporates a sufficient land supply to meet the City's needs whilst also building in a small amount of flexibility as indicated in paragraph 32 above to provide for lower rates of delivery on identified and of unidentified sites.

### Options

47. Members have two options relating to the Core Strategy Preferred Options document:

**Option 1:** approve the document, attached as Annex A, along with supporting information for publication and submission for public examination.

**Option 2:** Seek amendments to the document attached as Annex A and relevant supporting information prior to its publication and submission for public examination.

### Analysis of Options

48. As highlighted in paragraph 46 above the document presented to Members is considered by officers to be 'sound'. It has been through several stages of consultation and is supported by a robust evidence base. Officers would therefore support option 1 to allow the document to progress to examination and adoption. If Members chose Option 2 it is important that changes to the plan are considered in the context of the LDF evidence base to ensure that the risk of the plan being found unsound is minimised.
49. If the Council pursue a strategy which ultimately proves unsound following Public Examination then this will lead to the abortive costs of running such an inquiry and the potential additional costs of a future examination. Any subsequent planning work to achieve a 'sound' plan and its testing at a Public

Examination will have to be funded by the Council, and would therefore prove an additional cost.

### Next Steps

50. If Members approve the attached Submission draft Core Strategy the document and supporting appraisals will be prepared for publication in September 2011 and submission for the public examination. The public examination would be likely to take place early in 2012. In addition Officers will produce relevant topic papers and other supporting documents to provide background information and explanation of the approach and process. This will include information on infrastructure delivery.

### Corporate Priorities

51. The option outlined above accords with the following Corporate Priorities

- The Sustainable City
- The Thriving City
- The Learning City
- The City of Culture
- The Safer City
- The Healthy City
- The Inclusive City

### Implications

52. The following implications have been assessed.

- **Financial** – *If the Core Strategy is found unsound then this would lead to additional costs as detailed in paragraph 49 above.*
- **Human Resources (HR)** – *None.*
- **Equalities** – *Through the stages of the Core Strategy's development equalities issues have been considered. In relation to the 10 dimensions of equality, the Core Strategy is likely to have strong positive impacts on longevity; health; education; standard of living; and productive and valued activities. The Equalities Impact Assessment highlights a potential issue with seeking to reduce the use of the car, which may impact negatively on some disability groups.*
- **Legal** – *Highlighted in paragraph 39 to 46 above*
- **Crime and Disorder** - *None*
- **Information Technology (IT)** - *None*
- **Property** - *None*
- **Other** – *None*

### Risk Management

53. According to the Council's Risk Management Strategy there are a number of risks associated with this report. The most significant risks relate to legal and financial issues as outlined in paragraphs 39 to 46 and 49.

**Recommendations**

54. That Members:

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

Reason: So that the Local Development Framework Core Strategy can be progressed.

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**Report  
Approved**



**Date** 22<sup>nd</sup> June 2011

**Specialist Implications Officer(s)**

N/A

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

**All**

**For further information please contact the author of the report**

**Background Papers:**

LDF Working Group 4<sup>th</sup> October 2010  
LDF Working Group 1<sup>st</sup> November 2010  
LDF Working Group 14<sup>th</sup> February 2011

Executive 1<sup>st</sup> March 2011

Annex A – Submission draft Core Strategy

Annex B – Schedule of Changes

Annex C - Preferred Options Consultation Summary

Annex D – Sustainability Appraisal

Annex E – Heritage Topic Paper and Heritage Impact Appraisal

Annex F – Transport implications of LDF growth assumptions and potential mitigation

Annex G – Potential Housing Sites

Annex H – Potential Employment Sites

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## Annex B: Schedule of Changes

Issue No. About the Plan	Section	Proposed Change
1.	Paragraph xiii)	Added the following to paragraph xiii) after first sentence: <b><u>‘Further detail will be set out in the Infrastructure Delivery Plan.’</u></b>
<b>Section 1: Background</b>		
2.	Para 1.9	Amended as follows: It illustrates the actions already on-going across York and highlights the key areas the City needs to begin to drive forward in order to eventually reach the <b><u>ambitious targets of a 40% reduction in Carbon Dioxide (CO<sub>2</sub>) emissions by 2020 and the national Climate Change Act (2008) 80% reduction in Carbon Dioxide emissions (CO<sub>2</sub>) by 2050.</u></b>
3.	Para 1.15	Amended as follows: ‘...the detailed <b><u>inner</u></b> boundaries have never been formally approved... Sentence added to the end of paragraph 1.25 as follows: <b><u>‘It will also be important to provide for a range of jobs to ensure employment opportunities for all York residents.’</u></b>
4.	Para 1.25	Added to end of para 1.26: <b><u>‘...It will be important to support employment in the City Centre and other key employment locations to achieve critical mass for public transport provision.’</u></b>
5.	Para 1.26	Text added as follows: <b><u>‘...green corridors, <b>strays</b>, waterways...’</u></b>
6.	Para 1.36	Text added as follows: <b><u>‘...green corridors, <b>strays</b>, waterways...’</u></b>
<b>Section 2: Vision</b>		
7.	Building confident, creative and inclusive communities	Add following text: <b><u>‘In addition, housing development will be distributed to settlements around York in line with their relative sustainability. Finally, to ensure supply in the latter part of the plan period, potential sustainable extensions to the main built up area will be identified to be brought forward should they be required to meet the City’s needs.’</u></b>
8.	A Prosperous and	Officers suggest the following additional wording to provide a consistent approach to the

Proposed Change	
Issue No.	Section
	<p>description of land outside the main urban area. Added following text: <b><u>'To ensure a continuous supply of sites to meet the City's needs, land beyond the existing main urban area (Sub Regional City), adjacent to the existing Northminster Business Park has been identified to be brought forward if required.'</u></b></p> <p>Text amended as follows: '...recreational benefits will be maintained and enhanced. <b><u>In addition new strategic open space has been identified, linked to the potential urban extensions.</u></b> These issues will be addressed...'</p>
9.	A Leading Environmentally Friendly City
10.	A Leading Environmentally Friendly city, 4 <sup>th</sup> paragraph.
<b>Section 3: Spatial Strategy</b>	
11.	Strategic Objectives
	<p>Amended to read: '...away from the car <b><u>to more sustainable modes.</u></b>'</p>
12.	<p>Strategic Objectives</p> <p>Spatial Principles</p> <p>Amend final bullet point as follows: '...green infrastructure is <b><u>protected and enhanced.</u></b>'</p> <p>The spatial principles have been amended as summarised below. The Targets and Key Diagram have been amended to reflect these changes.</p> <p><b><u>Spatial Principle 1</u></b></p> <ul style="list-style-type: none"> <li>• Reference to the Major Development Opportunities has been moved to new spatial principle 3.</li> <li>• Reference to there being no strategic expansions has been removed.</li> <li>• Reference to small scale non strategic expansion has been moved to new spatial principle 3.</li> </ul> <p><b><u>Spatial Principle 2</u></b></p> <p>Amend SP2 (iv) as follows: <b><u>'York's internationally, nationally and locally significant nature conservation sites, regional, district and local level green corridors and areas with an important recreation function are protected and where appropriate</u></b></p>



Issue No.	Section	Proposed Change
13.	Explanation	<p><u>enhanced.</u></p> <p><u>New Spatial Principle 3</u></p> <ul style="list-style-type: none"> <li>• Sets out the strategic approach to meeting future development needs through i. Prioritising development in the main urban area (covers major development opportunities and strategic allocations) ii. Brownfield/infill development in the large villages or existing freestanding employment sites iii. Expansion of the main urban areas through A1, A2 and B for housing development with new strategic open space iv. Area C for employment development (Officer change - to ensure consistent approach to land outside the main urban area).</li> <li>• Development needs will be monitored through the AMR.</li> <li>• Options iii. and iv. will only be pursued if necessary to maintain a 10 year supply.</li> <li>• Small scale non strategic expansion will be guided by Spatial Principle 2.</li> </ul> <p>The explanation has been amended as summarised below:</p> <ul style="list-style-type: none"> <li>• New paragraph 3.3 - Components used to develop the Spatial Principles are explained in more detail in the subsequent paragraphs and in the 'Approach to the Spatial Strategy Topic Paper'.</li> </ul> <p><u>Preserving York's Special Historic and Built Environment</u></p> <ul style="list-style-type: none"> <li>• Paragraph 3.7 which related to the Strategic Allocations and Major Development Opportunities playing a key role in enhancing the City's physical appearance and increasing accessibility has been deleted.</li> <li>• Additional text has been added to paragraph 3.9. <ul style="list-style-type: none"> <li>- Reference is made to other stretches of land and landscape features that play an important role in York's Green Belt Character, for example the ridge and furrow fields in the Murton area.</li> </ul> </li> </ul>

Issue No.	Section	Proposed Change
		<p><u>New section on 'Sequential Approach to Development'</u></p> <ul style="list-style-type: none"> <li>• Development will be distributed as detailed in the settlement hierarchy in the spatial principles which will ensure sustainable patterns of development.</li> <li>• Strategic Allocations and Major Development Opportunities will have a key role in enhancing the city's physical appearance and increasing accessibility.</li> </ul> <p><u>New section on 'Future Areas of Search for Urban Extensions'</u></p> <ul style="list-style-type: none"> <li>• Likely that further as yet unidentified Brownfield sites may become available</li> <li>• However it is necessary to ensure needs for land for new communities and employment can be met</li> <li>• Applying Spatial Principles 1 and 2 has led to identification of areas A1, A2 and B. Officers have also suggested amendments to Northminster/area C for consistency.</li> <li>• Only land within the ORR boundary was considered for residential development.</li> <li>• Approach to urban extensions is sequential and will only be brought forward should their be insufficient Brownfield land and other suitable sites to maintain appropriate eiland supplies.</li> <li>• If brought forward, the urban extensions would be subject to further master planning to establish design and layout – taking account of spatial principles, infrastructure requirements, green buffers, green corridors and the proposed strategic open space.</li> </ul>
<b>Section 4: Green Belt</b>		
14.	Policy CS1 2 <sup>nd</sup> paragraph	<p>Amend 2<sup>nd</sup> paragraph of Policy CS1 to read: The general extent of York's Green Belt, illustrated on the Key Diagram and detailed boundaries to be established through the Allocations DPD, will ensure development is in accordance with Spatial Principles 1, <b><u>2 and 3.</u></b></p>
15.	Paragraph 4.5	<p>Amend last sentence of paragraph 4.5 to read: The York Green Belt will be an important tool in ensuring future development is in compliance with Spatial Principles 1, <b><u>2 and 3.</u></b></p>

Proposed Change	
Issue No.	Section
16.	Figure 4.1
Changes made to reflect redrafted spatial principles. Refer to revised Key Diagram.	
<b>Section 5: City Centre</b>	
	Policy CS2 1 (iii), Policy CS2 3 (iv), Para's 5.4, 5.10, 5.15, Targets, Figure 14.1
17.	References to Hungate and Stonebow have been amended in both the City Centre and Retail sections to make clear the distinction between the ancillary retail intended for the Hungate site and the more significant comparison retail development opportunity in the Stonebow Area (Stonebow House and the Telephone Exchange). Policy CS2 1(iii): '...on the Key Diagram) <b>and the Stonebow Area...</b> Policy CS2 3(iv): '...and <b>ancillary</b> retail space...' Para 5.4: '...Castle Piccadilly, <b>the Stonebow Area</b> and Hungate...' Para 5.10: '... Opportunity and <b>the Stonebow Area.</b> Para 5.15: '...will include offices, <b>ancillary retail</b> shops, restaurants...' Targets, 2 <sup>nd</sup> bullet point: '...Castle Piccadilly and <b>the Stonebow Area...</b> Figure 14.1, amend the description of The Stonebow: '(Stonebow House, Telephone Exchange and west Hungate)' Amend as follows: x. support the provision of strategic leisure facilities and investigate land availability to build a City Centre swimming pool if there is a proven need <b>and ancillary facilities.</b> Text added to end of first sentence as follows: '...within the centre <b>and no dedicated children's play areas.</b> ' Text added to the end of para 5.16 as follows: ' <b>The Stonebow Area refers to an area of retail development opportunity at Stonebow House and the Telephone Exchange.</b> ' Text added to third sentence as follows: '...the routes between the railway station and Layerthorpe/ <b>Fishergate</b> ...'
18.	Policy CS2 2(x)
19.	Para 5.6
20.	Para 5.16
21.	Para 5.24
<b>Section 6: York Northwest</b>	
22.	Strategic Objectives
23.	Para 6.3
Text added to third objective as follows: '...through the development of <b>an exemplary</b> new office quarter...' Text added to first sentence as follows:	

Issue No.	Section	Proposed Change
24.	Policy CS3	'...with its impact on the environment, <b>transport network</b> and...' York Central housing figure amended to 1,165 to reflect most recent work on the developable area.
25.	Policy CS3, first set of bullets (ii)	Text added to the first criterion ii) as follows: '...subject to detailed impact testing <b>showing no significant impact on city centre retail, that traffic and air quality implications are acceptable and that effective pedestrian linkages and other measures to integrate it effectively with the City Centre can be achieved;</b> '
26.	Policy CS3, first set of bullets	Add new criterion v): <b>'Open space, high quality public realm and supporting social infrastructure'</b>
27.	Policy CS3, second set of bullets (ii)	Text added to second criterion ii) as follows: '...business district with <b>exemplar</b> high quality new offices;'
28.	Policy CS3, end of criterion viii), Paragraph 6.13	Text amended to the end of criterion viii) as follows: '...maximise integration, connection and accessibility, <b>including addressing issues at York Station.</b> '
29.	Policy CS3, second set of bullets (ix)	Amended para 6.13: 'Opportunities will be explored around pedestrian and cycle linkages, park and ride, tram train and rail and bus service improvements, <b>as well as the long term aspiration to provide a transport interchange at the station.</b> '
30.	Policy CS3 second set of bullets (xi) and Paragraph 6.8	Text amended to criterion ix) as follows: '...possible are able to be taken by sustainable...' Under 'The principles of development are' amended criterion xi. to read: 'to provide <b>deliver development within</b> a Green Infrastructure framework which maximises linkages <del>within the area</del> <b>with the wider green infrastructure network and integrates with wider public realm in the city;</b> and Amended final sentence of paragraph 6.8 to read: 'The urban quarter will be focused around high quality public realm <b>which forms part of</b>

Issue No.	Section	Proposed Change
31.	Para 6.9	<p><u>the green infrastructure framework and</u> which complements the rest of the City Centre.'</p> <p>Third sentence amended as follows: '... existing identified city centre sites, and Castle Piccadilly and the Stonebow Area.'</p>
32.	Para 6.13	<p>Middle section of para 6.13 amended as follows: '<del>The development must be well-served by sustainable</del> modes, taking full advantage of the opportunities associated with <del>its</del> <u>the development's</u> location <u>will need to be maximised</u> in order to <del>maximise sustainable travel</del> <u>limit impacts on the wider road network, congestion and air quality</u>. Opportunities will be explored around pedestrian and cycle linkages, park and ride, tram train and rail and bus service improvements, potentially including interchange improvements at the station.'</p>
<b>Section 7: York's Special Historic and Built Environment</b>		
33.	CS5 (i)	<p>Amended policy CS5 (i) as follows: "conserve those elements <u>and settings</u> which contribute to York's historic and architectural environment, including <del>its</del>-nationally and locally designated sites, buildings, and other heritage assets, <u>their features, character, flora and fauna</u>."</p>
34.	Policy CS5 Clause ii)	<p>Amended CS5, clause ii) as follows: "Development should respect local form, scale and density, <u>address the need to reduce CO<sub>2</sub> emissions and York's ecofootprint in a sympathetic way</u>, and promote high quality standards of contemporary design in buildings and the spaces between them in response to the outstanding value of the existing townscape, in terms of...."</p>
35.	Policy CS5 ii d)	<p>Amended policy CS5 ii d): '... density and mix, <u>allowing for the provision of appropriate on-site amenity space. In particular, conversions into flats or houses should provide satisfactory levels of amenity for future occupiers.'</u>"</p>
<b>Section 8: Housing Growth and Distribution</b>		
36.	Section 8: General	<p>Summary of key changes to Section 8: - Included reference to new Spatial Principle 3. - Amended targets phased to achieve an average of 800 homes a year 2011-2031,</p>

Issue No.	Section	Proposed Change
37.		<p>reflecting lower completions in the short term and added new paragraph 8.1 to explain targets.</p> <ul style="list-style-type: none"> <li>- Updated figures for each element of '1. Identified Supply' to reflect latest position on windfalls, York Central, potential densities on young person's housing sites and accessible locations etc...</li> <li>- Included new section in Policy CS6 on areas of search for potential urban extensions A1, A2 and B being brought forward in line with SP3 and added new supporting paragraph 8.6.</li> <li>- Text on AMR at the end of 8.1 moved and expanded to form new paragraph 8.7.</li> <li>- The majority of the North Monks Cross site (10.3ha) is now included as an employment site for B1(a) office and has therefore been excluded from calculations on the housing supply.</li> </ul>
38.	Paragraph 8.2 Para 8.4	<p>Figure amended to 87%.</p> <p>The annual windfall figure has been revised to 168 to reflect the latest figures on likely windfall rates. The revised figure no longer includes an allowance for conversion of small terraced properties.</p>
39.	Para 8.5	<p>Added to end of second sentence: '<u>...or conversions of larger properties.</u>'</p> <p>Figure amended to 79%.</p>
40.	Para 8.2	<p>Amended paragraph 8.7 to read: '<u>...to ensure a continuous five-year supply of deliverable sites is available, suitable to produce a range of housing types.</u>'</p>
<b>Section 9: Aiding Choice in the Housing Market</b>		
41.	Strategic Objective	<p>Amended objective as follows:          "To enable <u>all</u> York's current and future residents..."</p>
42.	Policy CS7	<p>New clause added to policy CS7 (Balancing York's Housing Market), as follows:  <u>"The Local Development Framework (LDF) will support housing development which helps to balance York's housing market, address local housing need, and ensure that housing is adaptable to the needs of all of York's residents"</u></p>

Issue No.	Section	Proposed Change
43.	Policy CS7 Criterion (iv)	<p>throughout their lives. This will be achieved in the following way:”</p> <p><u>...iv. enabling higher density development in the most accessible locations, to provide homes for young people (aged 18-25 years). These locations will offer the best access to the city centre, higher education institutions and a range of day to day services.”</u></p>
44.	Policy CS7 criterion (vii)	<p>The following text has been added to Policy CS7 (vii): ‘...concentration of Houses in Multiple Occupation, <u>avoiding the division of small properties...</u>’</p> <p>See also changes made under Issue 38. above.</p>
45.	Para 9.1	<p>Added the following text to para 9.1: ‘...<u>Strategically, its focus is on reducing the number of those in housing need, providing better access to support for those in crisis, and improving housing options across the wide range of housing need. The supply of homes is only one part of this...</u>’</p>
46.	Para 9.11	<p>Amended para 9.11 as follows:</p> <p>“Higher density development will be <u>expected</u> encouraged-in those areas with access to a quality public transport service and a good mix of shops and services.”</p>
47.	Para 9.11	<p>New text added to para 9.11, as follows:</p> <p>“...As such, policy CS9 guides net ‘housing’ density. Higher density development will be expected in those areas with access to a quality public transport service and a good mix of shops and services. <u>Specific sites will be identified to provide housing options for young people aged 18-25 years, offering the best access to the city centre, higher education institutions and a range of day to day services. As such, they will be built out at higher densities and with an emphasis on providing communal, flatted development.</u>”</p>
48.	Paragraph 9.16	<p>Text added to para 9.16 as follows:</p> <p><u>“While our priority will be to deliver permanent plots/yards for Gypsies, Travellers and Showpeople, LDF policy and site allocations will also allow for temporary stopping</u></p>

Issue No.	Section	Proposed Change
<b>Section 10: Affordable Housing</b>		
49.	Policy CS10 criterion (iv)	<p>places. for Gypsies and Showpeople.”</p> <p>Policy CS10 (iv) has been amended as follows:            “integrate affordable with market housing on a pro-rata basis, on-site. On sites of 5 or more homes- <b>less than 5 homes</b>, off-site provision or commuted payments for affordable housing will <b>only</b> be acceptable provided, <b>it is</b> they are <b>based on viability</b> and robustly justified; and contributes to the creation of balanced, mixed and sustainable communities”</p>
50.	Para 10.14	<p>Para 10.14 amended as follows:            “In accordance with national guidance affordable housing provision will normally be expected to be provided on site, except for sites providing less than 5 homes, which the AHVS (2010) concludes should provide a commuted payment based on viability. However, it is recognised that for practical reasons there may be occasions where local circumstances necessitate for a financial contribution to be made in lieu of on-site provision or off-site provision to be made. Further guidance will be provided through supplementary planning guidance. Where off-site or financial contributions are considered appropriate by the Council, the provision should reflect an equivalent benefit to local affordable housing need as if it were provided on-site. <b>Off site provision or commuted payments in lieu of on-site provision for sites of 5 homes and above (of broadly equivalent value) for affordable housing will only be acceptable provided it is robustly justified and contributes to the creation of mixed communities.</b>”</p>
<b>Section 11: Community Facilities</b>		
51.	Paragraph 11.9	<p>Sentence 2 of Para 11.9 amended as follows:            ‘... This includes the ongoing development of a multi-storey car park...’</p>
<b>Section 12: Education, Skills and Training</b>		
52.	Targets, Policy CS13 and paragraph 12.2	<p>Amend first bullet in Targets as follows:            ‘Meet the identified education, skills and training needs of children and young people,</p>



Issue No.	Section	Proposed Change
53.	Policy CS13 and paragraph 12.7	<p>adults, families, communities and employers <u>in modern education facilities</u>’.</p> <p>Amend Criterion i) of Policy CS13 as follows:</p> <p>‘...to meet identified need <u>and address deficiencies in existing facilities</u>.</p> <p>Amend paragraph 12.2 as follows:</p> <p>‘...the LDF will also facilitate the development of existing schools to deliver quality, modern education facilities. <u>This will include exploring deficiencies experienced by existing schools such as inadequate premises/sites. In some cases it may be necessary to identify new sites to accommodate replacement schools.</u>’</p>
		<p>Insert new criterion v. to read</p> <p><u>v. ensure that Higher Education Institutions address the need for any additional student accommodation which arises because of their future expansion. Provision will be expected to be made on campus where possible;</u></p> <p>Text to be added to the Explanation at paragraph 12.7 as follows</p> <p>‘...at their current sites and campuses. <u>It is important that increases in higher education student numbers through any future expansion is matched by increases in student accommodation. This should, where possible, be on campus, or in locations with good public transport, walking and cycling links to the institutions they are intended to serve. Student accommodation should be purpose-built and designed and managed in a way that attracts students to take it up. There should be no unacceptable impact on amenity for local residents.</u>’</p>
<b>Section 13: Sustainable Economic Growth</b>		
54.	Targets and Policy CS15	Amended to read: ‘...support the <u>protection and</u> enhancement of the commercial, business, retail, leisure and tourism role of York City Centre.’
55.	Policy CS16 1, Paragraph’s 13.7, 13.13, 13.15	Officers are suggesting the following changes to ensure consistent reference to land outside the main urban area. Included reference to new SP3 in CS16 1 and para 13.7. Policy CS16 1:

Issue No.	Section	Proposed Change
		<p>- Amended iii. to read: 'Additional land at Northminster Business Park (as identified on the Key Diagram) and vacant sites at...'</p> <p>- Added new iv. as follows: '<u>Land within area C (shown on the Key Diagram) will be developed for employment use should it be required to maintain a 10 year supply of appropriate sites.</u>'</p> <p>Amended Para 13.13 as follows: '... York Business Park, land around the exciting Northminster Business Park identified as a potential location in the Employment Land Review Stage 2 (2009) and existing...'</p> <p>Added new para 13.15 to read: '<u>Area C (shown on the Key Diagram) has been identified as a future area of search for employment uses. In accordance with the sequential approach set out in Spatial Principle 3, land within this area will only be brought forward if required to maintain a supply of employment sites in quantitative or qualitative terms.</u>'</p>
56.	Paragraph 13.1	<p>Added sentence to the end of paragraph 13.1 as follows:  '<u>Given the renewed focus nationally on the importance of the manufacturing and export sectors to rebalance the national economy these sectors will continue to be important to York's economy, particularly construction and rail industries.</u>'</p>
<b>Section 14: Retail</b>		
57.	Strategic Objective	<p>Final bullet amended as follows:  '...in <b>highly accessible</b> locations...'</p>
58.	Paragraph 14.4	<p>Added the following text to the end of para 14.4: '<u>The central shopping area will be extended to include these new retail development areas.</u>'</p>
<b>Section 15: Transport</b>		
59.	Targets	<p>Reworded targets 5-7 to:  'Achieving <b>as a minimum</b> an 85% reduction in projected additional travel delays by 2016 (i.e. less than 10% increase in delays relative to 2008).'</p>

Issue No.	Section	Proposed Change
60.	Policy CS18 (i)	<p>'Achieving <b>as a minimum</b> an 80% reduction in projected additional travel delays by 2021 (i.e. less than 25% increase in delays relative to 2008).'</p> <p>'Achieving <b>as a minimum</b> a 75% reduction in projected additional travel delays by 2031 (i.e. less than 50% increase in delays relative to 2008).'</p> <p>Amended second last bullet point in Targets to read:</p> <p>- '<b>...30 employees, or include more than 20 residential <u>units or generate a significant number of trips.</u></b></p> <p>Removed final part of sentence in last bullet point and add as new final bullet point:</p> <p>- '<b>The submission of travel plans for all new and expanded schools.</b>'</p> <p>Added to end of CS18 (i): '<b>The layout of sites should also give priority to the needs of pedestrians, cyclists and public transport users.</b>'</p>
61.	Policy CS18 part ii and paragraph 15.4	<p>Added the following to the end of CS18 part ii: '<b>The LDF will allocate or reserve land for the strategic infrastructure schemes listed in the policy.</b>'</p> <p>Added to para 15.4: 'The LDF will allocate or reserve land for the strategic infrastructure schemes listed in the policy. <b>It may also be necessary to allocate or reserve land for further schemes which emerge as the Council revises its transport strategy.</b>'</p>
62.	Policy CS18 new criterion (v)	<p>Added new section to Policy CS18:</p> <p><b><u>'v. Strategic Allocations and Future Areas of Search for Urban Extensions</u></b></p> <p><b><u>A transport masterplan will be prepared for the York Northwest Corridor which will outline the package of transport infrastructure measures and interventions required to access and deliver the two strategic allocations.</u></b></p> <p><b><u>Should urban extensions be required, a detailed master planning process will be undertaken for each area which will identify the specific transport infrastructure</u></b></p>

Section		Proposed Change
		<b>necessary to access and deliver the sites.'</b>
63.	Para 15.1	Amended 3 <sup>rd</sup> sentence to read: <b><u>'Whilst it is considered that the approach set out in this policy, alongside the overall package of measures covering a wide variety of modes set out in LTP3, will deliver the objectives for transport whilst enabling spatial growth. Even with these measures in place longer congestion delays will be experienced overall but limited to less than 50% higher than 2008 levels.'</u></b> It is accepted that even with all of the measures in place the average congestion delays will increase, although this is considered to be within manageable levels.
64.	Paragraph 15.5	Amended the final sentence of para 15.5 to: <b><u>'... Document (SPD) setting a level for city centre parking and detailing the levels of parking to be permitted in new developments.'</u></b>
<b>Section 16: Air Quality</b>		
	Targets	Bullet point 3 amended to read as follows: <b><u>'Improvements in air quality at relevant locations within Air Quality Management Areas (based on five year averages), ultimately leading to the revocation of all Air Quality Management Areas by 2031'</u></b>
65.		
66.	Fig 16.1	Figure 16.1 has been amended to provide a larger scale map.
<b>Section 17: Green Infrastructure</b>		
	Strategic Objective	Added the following bullet points to Strategic Objectives: <ul style="list-style-type: none"> <li>• <b><u>'Protect and conserve all Sites of Special Scientific Interest (SSSIs);</u></b></li> <li>• <b><u>Protect, manage and enhance local Sites of Importance for Nature Conservation.'</u></b></li> </ul>
67.		Amended strategic objective bullet point 5 as follows <b><u>'...conserve and enhance the rivers Ouse, Derwent and Foss and other waterways and</u></b>

Issue No.	Section	Proposed Change
		<p>, their flood plains <b>and their setting</b> for landscape, biodiversity and cultural heritage. <b><u>In particular, the Lower Derwent Valley is a critical area of high biodiversity, landscape and cultural value</u></b></p>
68.	Targets	<p>Added the following additional target:</p> <ul style="list-style-type: none"> <li>• <b><u>'Increase in the number and percentage of Sites of Importance for Nature Conservation (SINCs) in favourable or improving condition.'</u></b></li> </ul> <p>Inserted new target as follows:</p> <p><b><u>'Increase the number and extent of recognised green corridors.'</u></b></p>
69.	Policy CS20 Section 1	<p>Amended Policy CS20, Section 1 as follows: '...a Green Infrastructure Strategy which addresses <b>and incorporates</b> the following...'</p> <p>Reference added to policy CS20 part 1 second bullet point:</p> <p>"As a part of the LDF process, the Council will adopt a Green Infrastructure Strategy which addresses and incorporates the following:</p> <p>... <b><u>the findings of a Lower Derwent Valley Plan;</u></b>"</p> <p>Amended part 1, bullet point 4 as follows:</p> <p>"Protecting <b>and enhancing</b> existing open space in York, especially <b>and seeking to increase provision</b> in areas where a deficiency has been identified. <b><u>This includes the provision of strategic open space in connection with areas of search for urban extensions, if urban extensions are required;</u></b>..."</p> <p>Amended Policy CS20, Part 1, bullet point 5 as follows:</p> <p>"ongoing work with landowners <b>and through the development process</b>, to help safeguard nature conservation sites, whether locally, regionally, nationally or</p>

Issue No.	Section	Proposed Change
		<p>internationally identified, including the potential to create buffer zones. <u>The extent of buffers would be variable, but should be commensurate to the need</u></p> <p>CS20, part 1, bullet 7 amended, as follows:            ‘...safeguarding, managing and enhancing York’s existing tree and woodland resource in line with the current Regional Forestry Strategy, particularly urban tree planting <u>and street trees</u>.’</p> <p>Amended bullet point 8 as follows:            “...maintaining and enhancing the <u>rivers, banks, floodplains and settings of the Rivers Ouse, Derwent and Foss, and other smaller waterways...</u>”</p> <p>Amended 8<sup>th</sup> Bullet point to read:            ‘...other smaller waterways for <u>their</u> biodiversity, <u>cultural and historic landscapes</u>, as well as recreational activities...’</p>
70.	Policy CS20 Section 2	<p>Amended Policy CS20, Section 2, 1<sup>st</sup> bullet point to read:            ‘geomorphological, <u>paleoenvironmental</u> or biological interest...’</p> <p>Amended Policy CS20, Part 2 with new bullet point as follows:            ‘<u>takes account of the potential need for a buffer zone around a wildlife site, to ensure the integrity of the site’s interest is retained;</u>’</p> <p>Amended Policy CS20, part 2, bullet point 4 as follows            “results in no net loss to, <u>and helps to improve</u>, biodiversity...”</p>

Issue No.	Section	Proposed Change
		<p>Amended Policy CS20, Section 2, 4<sup>th</sup> Bullet point to read:  ‘...appropriately mitigated, <b><u>or compensated for</u></b>, and secured...’</p> <p>Amended Policy CS20, Section 2, 5<sup>th</sup> Bullet point to read:  ‘helps address current deficiencies in open, recreational and play space. Proposals should provide for the quantity, quality and accessibility of open space and ancillary facilities as set out in the current assessment of open space, <b><u>and improve the provision where required</u></b>. Development which results in the loss of open space will be refused’</p>
71.	Paragraph 17.2	<p>Added to the end of paragraph 17.2: ‘...form an overall ‘system’ <b><u>that is greater than the sum of its overall parts.</u></b>’</p>
72.	Paragraph 17.10	<p>New paragraph 17.10:  <b><u>“The Lower Derwent Valley is however a special place that merits consideration in its own right, having extensive, internationally significant biodiversity interest set within a unique historic agricultural landscape that is also of great wildlife, cultural and landscape value. This area needs special consideration, not least because it lies within 3 Local Authority areas and will require a collaborative and consistent approach if this special area is to be conserved. A Lower Derwent Valley Plan will enable the full value of both the designated land and the adjacent functionally connected land to be recognised and provide the basis for a cross boundary approach to the conservation of this area.”</u></b></p>
73.	Paragraph 17.15	<p>New paragraph 17.15 added:  <b><u>“In connection with urban extensions, new areas of strategic open space have been identified which, in conjunction with 20% on-site allowance for facilities such as open space, transport infrastructure and community facilities, will help to maintain the city’s rural setting, and offer opportunities for improved recreation</u></b></p>

Issue No.	Section	Proposed Change
74.	Paragraph 17.7	<p><b><u>for existing and future residents.</u></b>            Amended paragraph 17.7 as follows:            ‘Currently, 88 sites (excluding hedgerows) have been identified as fulfilling the requirements for designation as SINCs. In addition there are 12 sites that are close to SINC quality but where we have as yet insufficient information to enable a firm assessment to be made. Such sites should effectively be considered as important sites until sufficient data is available. <b><u>Such sites though do not occur in isolation as discrete, self contained habitats, but influence and are influenced by their surroundings. The surrounding area can therefore be as important to the interest of the site as the feature itself, and changes to it could affect the integrity of that interest. In order to fully protect the site or interest, there may be a requirement to establish a suitable buffer area around it. The extent of that buffer could vary depending on the proposed change. Because of this, no fixed buffer zone is considered appropriate but should be established on a site by site basis.</u></b>’</p>
75.	Paragraph 17.8	<p>Amended paragraph 17.8 to read: ‘...insufficient to qualify them for <b><u>SINC</u></b> designation...the establishment of habitat networks. <b><u>Some of these sites may, in themselves or through enhancement, prove to be of SINC status, and together form a potential future resource in maintaining York’s overall biodiversity.</u></b>’</p>
<b>Section 18: Sustainable Design and Construction</b>		
76.	Policy CS21	Included reference to SP3 in 1(ii)
<b>Section 20: Waste</b>		
77.	Policy CS23 Criterion iii)	Text added to criterion iii) bullet point 4 as follows: ‘...including their curtilages, <b><u>if suitably accessible for purpose.</u></b> ’
<b>Section 22: Infrastructure and Developer Contributions</b>		
78.	Paragraph 22.1	Added the following to the end of para 22.1: <b><u>‘The implementation of the Core Strategy will be supported by the Infrastructure Delivery Plan (IDP). The IDP will identify future infrastructure requirements in more detail and set out how they will be delivered.’</u></b>



Issue No.	Section	Proposed Change
<b>Section 23. Delivery and Review</b>		
79.	Paragraph 23.9	Added to para 23.9: 'In consultation with infrastructure providers the <b><u>Infrastructure Delivery Plan (IDP)</u></b> Council will identify...' Added to 4 <sup>th</sup> bullet of para 23.17: ' <b><u>The IDP will consider the potential risks and contingencies associated with each type of essential infrastructure;</u></b> '
80.	Table 23.1	Added additional indicators to reflect section changes as necessary.

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MEETING	CABINET
DATE	21 JUNE 2011
PRESENT	COUNCILLORS ALEXANDER (CHAIR), FRASER, GUNNELL, LOOKER, MERRETT, POTTER (ATTENDED FOR AGENDA ITEMS 7 AND 8) AND SIMPSON-LAING (VICE-CHAIR)
APOLOGIES	COUNCILLOR CRISP
IN ATTENDANCE	COUNCILLORS KING, TAYLOR, WARTERS AND WATSON

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## PART B - MATTERS REFERRED TO COUNCIL

### 9. MEDIA PROTOCOL

Consideration was given to a report which had been added to the agenda as an urgent item on 17 June 2011. The report proposed a change to the existing Media Protocol to ensure that communication of Council policies and activities were open and transparent giving clear accountability for all Council decision making.

The Chair pointed out that following a review of media protocols in use in other local authorities it appeared that York was unique in not providing quotes from elected members. He therefore requested approval of the alteration in order to provide clear and open communication of council policy.

RECOMMENDED: i) That Council approve the revised Media Protocol at their meeting on 30 June 2011.

ii) That Council agree to the removal of the Media Protocol from the Council's Constitution.<sup>1</sup>

REASON: i) To ensure greater transparency and accountability.

ii) To ensure that future practical amendments can be made to the policy without disproportionate bureaucratic decision making

#### Action Required

1. Refer recommendations to Council

JP

CLLR J ALEXANDER, Chair

[The meeting started at 6.30 pm and finished at 7.30 pm].

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# Media Protocol

June 2011



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## **1. Introduction**

- 1.1 The purpose of this policy is to define the roles and responsibilities within the council dealing with the media and the production of external publications (those that go to a non-council audience) and internal publications (those sent to staff).
- 1.2 The council receives around 1,500 enquiries from the media each year and issues around 700 press releases. It also organises photo opportunities, media briefings, radio and TV interviews, and produces a range of internal and external publications in both electronic and paper form.
- 1.3 To ensure all this activities is co-ordinated and managed effectively it is important that it is channelled through a central point – the council's Communications & Media team.
- 1.4 The only exceptions to this are political publicity, which is handled by individual political groups and political assistants, and positive publicity relating to schools.
- 1.5 The purpose of this protocol is to define the roles and responsibilities of all officers and members involved in dealing with the media and their role in internal and external publications, as well as providing guidance on how to handle media interest.

## **2. Legal context**

- 2.1 The council operates within the terms of a legal framework set out in the Local Government Act of 1986.
- 2.2 This protocol also reflects the most recent government guidance regarding local authority communications, which is contained in the Code of Recommended Practice on Local Authority Publicity (2011).
- 2.3 All publicity will be produced in line with the council's equality policies.

## **3. City of York Council's approach to publicity**

- 3.1 The council is committed to providing effective communication so that residents and partners are well informed about services that affect their lives and how their money is spent and are able to take an active part in the council's decision-making process

- 3.2 The local, regional and national media plays a valuable role in helping the council reach large numbers of local residents, businesses, stakeholders and visitors. It is therefore vital that we communicate effectively.
- 3.3 City of York Council is committed to being open and transparent about the decisions the council takes and who is accountable for those decisions.
- 3.4 The council aims to continue to foster positive working relationships with the media. Wherever we can we will take a positive approach to meeting media requests for information and interviews.
- 3.5 Underpinning the work of the Communications & Media team, including all dealings with the media, is a number of fundamental principles:
- **Proactive publicity** is a key part of our role. The council will proactively look to promote the work of the authority and its partners on behalf of the city.
  - **Honesty is vital.** The council will never knowingly mislead the media on a story or issue. We are in a long-term relationship with the media and they must trust our counsel and respect our honesty of approach.
  - **Information is accessible and timely.** We are firm, but polite in our dealings with the media. We aim to return media calls as soon as possible, while managing conflicting pressures and deadlines. A council media officer is available 24 hours a day, 365 days of the year.
  - **We are open and fair.** The council does not routinely favour one media source over another. Where appropriate, we will identify the relative importance of media sources and will be able to clearly justify any strategy that promotes one over another.

#### 4. The media

- 4.1 Local – includes newspapers and magazines such as the York Press, York Star, and Local Link and Look it up. Local radio stations include BBC Radio York and Minster FM.
- 4.2 Regional – this includes the Yorkshire Post and regional television stations: BBC Look North (Leeds and Newcastle) and ITV Calendar (Yorkshire and Tyne Tees. News agencies, which feed stories to national media, also have regional offices locally, including the Press Association and Guezellian.
- 4.3 National – this sector includes all national newspapers and TV stations (BBC, ITN, Channel 4 and Channel 5 news) plus BBC Radio and Independent Radio.



- 4.4 International – Occasionally local stories generate international interest in which case Sky TV and overseas publications can be interested.
- 4.5 Specialist – the council generates information about a wide variety of subjects many of which have associated specialist publications. We may want to target these specialist media from time to time with specific information. Specialist publications include The Municipal Journal, The Local Government Chronicle, The Times Educational Supplement (TES), Housing Today and Community Care magazine.
- 4.6 Internet/social media – this is the fastest growing area of the media. All broadcasters and newspapers provide online and social media news services, as well as using the council's web and social media sites for getting information about the council and its services.

## **5. Identifying newsworthy items**

- 5.1 Identifying newsworthy issues is the responsibility of everyone working for the council. However, the Council Leader, cabinet members and chief officers have particular responsibility for flagging up items of interest, positive or negative, as soon as possible.
- 5.2 Members of the Communications & Media team will attend key meetings, including Cabinet, Full Council and departmental management teams, to try to identify items of interest.
- 5.3 The team will offer advice about any communications issues and should be notified of any potentially controversial policies, decisions or events.

## **6. Handling media enquiries**

- 6.1 The Communications & Media team will co-ordinate all media enquiries and arrange appropriate responses to them. They will prioritise enquiries, decide if a political response is required, source relevant information for enquirers, arrange interviews and act as Council spokespeople where appropriate.
- 6.2 Officers who are directly approached by a member of the media should not answer questions themselves; but should refer the journalist to the Communications & Media who will manage the response.
- 6.3 Members who are directly approached by a member of the media can respond in accordance with the guidance contained in this protocol.
- 6.4 Simple, factual queries will be dealt with by the Communications and Media team without reference to other officers or Cabinet members.
- 6.5 Where enquiries are covered by pre-agreed statements, Communications & Media staff will respond directly, without seeking additional clearance from directors, other senior officers or members.

- 6.6 When seeking a response to an enquiry, the Communications and Media team will advise officers and members of journalists' deadlines and, where appropriate, of the consequences of missing the deadlines.
- 6.7 The council will not normally comment on leaks, anonymous allegations or allegations about individual staff.
- 6.8 In all other circumstances the phrase 'no comment' will not be used as a response to a media enquiry. The council is open and accountable and will explain if there is a reason why it cannot answer a specific enquiry.

## **7. Press releases**

- 7.1 Press releases are one of the key ways of publicising council activities, decisions and achievements.
- 7.2 The Communications & Media team will issue all news releases on behalf of the council. This allows a central record to be maintained and ensures that releases follow a Council style, appropriate for the media being targeted.
- 7.3 Press releases will not promote the views of specific political groups, nor publicise the activities of individual councillors.
- 7.4 All releases will be published on the council's website by the Communications & Media team within one working day of issue.
- 7.5 Key messages from releases will also be disseminated using social media channels, as appropriate.
- 7.6 Information for news releases should be submitted to the Communications & Media team as soon as possible.
- 7.7 Information for news releases or articles can be passed to the team in note format i.e. does not need to be properly formatted. Any information sent to the team will be subject to editing.
- 7.8 Quotes in news releases or articles will routinely be attributed to the relevant Cabinet member, particularly when the story relates to council policy, new initiatives or major issues or events. Highlighting the link between elected representatives and council decisions will help residents understand the decision-making process and will increase local accountability.
- 7.9 A relevant officer may be quoted if the purpose of the quote is to provide factual or technical information or if the appropriate member is unavailable.
- 7.10 Press releases relating to the Lord Mayor of York and activities of the Civic Party will be issued on a civic press release template and will be cleared with the relevant civic officer.
- 7.11 Final approval for news releases (after they have been written/edited) will be sought from the originator in most cases. Where a member is quoted, the member will also be asked for approval.

- 7.12 In the case of sensitive, significant or controversial issues approval may also be sought from chief officers or the Council Leader, or statutory officers where appropriate.
- 7.13 The Communications & Media team will seek approval on the factual content of a releases and articles. Matters of style, presentation, punctuation, grammar etc are the responsibility of the team.
- 7.14 Press releases containing time sensitive information may be sent to the media with an embargo. Any such releases will be clearly marked with the date and time the information can be made public.

## **8. Interviews**

- 8.1 Any officer contacted by a journalist requesting an interview should refer the journalist to the Communications & Media team.
- 8.2 The team will liaise with the relevant department/partner organisation to ensure that the most appropriate person is put forward for interview.
- 8.3 Officers will be used to present factual/technical information and when the council's reputation can be enhanced by information provided by a perceived 'expert'. Their role is to provide expertise and factual knowledge only, in support of the council's approved and agreed policies.
- 8.4 The Cabinet member with responsibility for the relevant area will be put forward for interviews relating to policy issues and contentious decisions.
- 8.5 The Communications & Media team can provide information of how to prepare for a media interview and can provide general media training if appropriate.

## **9. Publicising meetings**

- 9.1 All council papers, with the exception of exempt items, will be sent to the local media at the same time they are made available to the public.
- 9.2 Communication & Media staff will attend Cabinet and Full Council meetings to identify which issues may attract media interest, or those that need to be communicated to a wider audience.
- 9.3 In addition, officers and Cabinet members should make the Communications & Media team aware of any potentially newsworthy issues as soon as possible, before the meeting agenda is made public.
- 9.4 The Communications & Media team will aim to issue press releases summarising the main points of reports from key meetings, at the same time as the papers are issued. Such summaries are often more attractive to journalists than complex and lengthy reports.

- 9.5 Quotes in any releases of this nature will be restricted to providing information, rather than anticipating an outcome or expressing a view to a preferred outcome of the meeting.
- 9.6 Approval for the release will be sought from the relevant officer/Cabinet member.
- 9.7 Information relating to council reports will be embargoed until publication of the papers.

## **10. Post-meeting publicity**

- 10.1 Press releases confirming the decisions taken at meetings may be issued following key meetings, such as Budget Council.

## **11. Cabinet meetings**

- 11.1 The process and principles are the same as for council meetings.
- 11.2 While each Cabinet member has their own portfolio, they share collective responsibility for representing the views of the Cabinet. When speaking on their own specific portfolio area Cabinet members have a responsibility to represent the policies of the authority.
- 11.3 Information relating to Cabinet reports will be embargoed until publication of the papers.

## **12. Scrutiny committees**

- 12.1 The basic process and principles are the same as for council and Cabinet meetings. Chairs of the scrutiny committee will represent the views/work of their scrutiny committee to the media. The post of chair has a non-political role when representing the views of the scrutiny committee.
- 12.2 The Council will not prepare press releases for the Chairs of Scrutiny Committees.
- 12.3 To avoid confusion or misrepresentation, members should make clear when they are speaking in their capacity as a scrutiny chair.

## **13. Ward Committees**

- 13.1 The basic process and principles are the same as for council, Cabinet and scrutiny committees. The chairs of ward committees are expected to represent the views of the committee as a whole.
- 13.2 Where a journalist wants to find out more about what happened at a ward committee they will be referred to the chair or to the relevant ward councillors.

#### **14. Individual councillors and political groups**

- 14.1 The Communications & Media team will provide non-party political communications advice to all councillors on request but will not produce press releases for members on individual ward or party political issues or in advance of a council meeting.

#### **15. Political issues**

- 15.1 The council will not give an official response on 'political' issues. However, a council response can be used to correct inaccurate information or set out the council's position.

#### **16. Pre-election publicity**

- 16.1 The rules governing publicity change once an election has been announced. During this period publicity issued by the council should not deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual members of groups of members. This is to ensure that no individual councillor or political party gains an unfair advantage by appearing in council publicity.
- 16.2 Officers may be quoted in place of councillors during this period, providing the quote is apolitical.
- 16.3 Proactive events arranged in this period should not involve members likely to be standing for election.
- 16.4 Members holding key political or civic positions are able to comment in an emergency or where there is a genuine need for member level response to an important event outside the authority's control.
- 16.5 Further advice on publicity during election periods is available from the Assistant Director of Governance and ICT, the Communications & Media team and the Code of Recommended Practice on Local Authority Publicity.

#### **17. Schools**

- 17.1 Schools are encouraged to develop good relationships with their local media. They should be proactive and avoid conflict. News releases issued by schools should be copied to the Communications and Media team.
- 17.2 Schools should always alert the Communications & Media team to any controversial issues at the earliest possible opportunity – preferably before journalists have picked up on the story. Information supplied in this way will be held in confidence and only used to inform future media statements/releases.
- 17.3 The team can give advice and support to school staff on media issues, including providing media training where appropriate and handling negative issues on behalf of the school.

17.4 Advice is always available by telephone during office hours. In an emergency, out of hours assistance is available through the council's emergency procedures.

## **18. Partnerships**

18.1 Where the council is involved in issuing a press release as part of a partnership arrangement, the partnership's arrangements for whom to quote should be followed. This would normally be the chair of the organisation. In the case of a press release being prepared on behalf of a number of partners it may be appropriate to offer each partner an opportunity to be quoted. All partners should be given an opportunity to approve the release within a set timeframe.

## **19. Non-council related media activity**

19.1 Officers and members of the council who have contact with the media in a personal capacity or as members of non-council related organisations must not refer to their council posts and must make it clear to the journalist concerned that they are speaking in a personal capacity or on behalf of the non-council related organisation.

19.2 Trade union officers who are employees of the council and who have contact with the media in their trade union capacity must make clear that they are speaking as a union representative. If trade union officers have contact with the media in their capacity as a council employee, then the relevant provisions of this protocol relating to council officers will apply.

## **20. Managing negative issues**

20.1 From time to time the council has to respond to negative issues. It is important that we manage these situations so as to limit the potential for negative publicity.

20.2 Members and officers must alert the Communications & Media team as soon as a potentially negative issue, which may attract media interest comes to light. They should not wait until contacted by the media.

20.3 The Communications & Media team will work with members and officers and to prepare holding statements ahead of any media contact regarding a negative issue.

## **21. Correcting inaccurate reporting**

21.1 The Communications & Media team scan the media daily to identify inaccurate reporting and will alert the relevant officer/member where appropriate.

21.2 The team will work with the relevant officer or member to agree what action is appropriate, for example, a conversation with the journalist, requesting a correction, a letter to the editor, or seeking legal advice.

## **22. Leaked documents**

22.1 Many officers and members of the council have access to internal documents that may be of interest to media organisations. If information is leaked to the media, for example prior to an agenda being published, the council will not normally comment on the issue.

22.2 The leak will be reported to the relevant chief officer for further investigation.

## **23. External publications**

23.1 Quotes in articles will routinely be attributed to the relevant Cabinet member, particularly when the story relates to council policy, new initiatives or major issues or events.

23.2 Photographs of relevant Cabinet members/the council leader can be included in publications as appropriate. The council can also produce publications showing images of all the authority's 47 councillors. Highlighting the link between elected representatives and council decisions will help residents understand the decision-making process and will increase local accountability.

23.3 A relevant officer may be quoted if the purpose of the quote is to provide factual or technical information or if the appropriate member is unavailable.

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## **Scrutiny Report To Council June 2011**

### **Report of the Chair of Scrutiny Management Committee**

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

### **Update on Scrutiny Work**

#### **Scrutiny Meetings**

2. This meeting of Council has been brought forward to the end of June and therefore at the time of putting this report together there have not been any formal business meetings of scrutiny committees since the last meeting of Council in April 2011. However, an ongoing cycle of remit focusing sessions for individual Scrutiny Committees is currently underway. These sessions will help focus all Scrutiny Committees on some key work area priorities for the coming Municipal Year.

#### **Induction**

3. The recent District Elections returned 17 new elected Members, the majority of whom as non-Cabinet Members will be involved in scrutiny work in some capacity. As part of the Council's extensive induction programme for those new Members, a workshop was held on 8 June to provide some practical tips, tools and techniques for making a difference in scrutiny. It was an extremely successful session, which also offered the opportunity for new Members to network with other newly elected colleagues from other authorities across the region.

#### **Working Together**

4. A focus session for newly appointed Scrutiny Chairs and Cabinet Members has also taken place to engender a culture within York of scrutiny and the Cabinet working together, with Cabinet utilising scrutiny to help shape future policy direction and future Council practices. This was a positive session facilitated by David McGrath an experienced trainer and former Birmingham City Council elected Member. David also led the induction session above for new Members. Indeed nearly all Cabinet Members were present at the focus session 'Lets Talk Scrutiny' and afterwards signalled their intent and commitment to involve and work with scrutiny in shaping and developing Council practices, policies and key priorities.

#### **The Future**

5. As a result of both the Cabinet and Scrutiny Chair Focus Session and of the wider induction event, there was collective agreement that the next step in the

collaborative development of the scrutiny function within City of York Council should be a wider work planning 'conference' involving all Cabinet, Scrutiny and Chief Officers. Scrutiny Management Committee (SMC) will lead on this in its primary role in coordinating and managing collective scrutiny business. It is intended to hold this event on Monday 25 July and to again, secure the facilities of David McGrath for the evening.

6. Notwithstanding any future business for scrutiny individual Members or Scrutiny Committees may wish to identify, it is hoped that this SMC event will at least kick start the coming year with some positive scrutiny topics for which there is collective support and a corporate need. We, too, need to be aware of emerging Council priorities given the restraint on resources generally. Going through this process, will secure a collective commitment to scrutiny and the value it adds. As I say, this process will not preclude any future issues being raised in year for scrutiny to address, which will continue to be managed by SMC and the Scrutiny Committees.
7. Democratic Services will be confirming details of the SMC event in due course and I would urge as many Members and Chief Officers to attend as possible. There is a momentum and a commitment to achieving real engagement for effective scrutiny but its success depends upon our collective contributions.

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

### **Cabinet Member Report: Health, Housing & Adult Social Services**

Since 9<sup>th</sup> May I have undertaken numerous briefing sessions with Directors, Assistant Directors and lead officers across the many areas in my portfolio.

Officers have been open and honest and have welcomed being able to work on pledges in our manifesto and on those policies we have been supporting for a number of years.

I have recently attended:

- Centre for Women's Democracy, Leeds - for their project on female Councillors
- Local Government Yorkshire & Humber – Health & Wellbeing Member Group
- Self Direct Support Forum
- National Housing Conference in Harrogate
- Safeguarding Adults Board
- Healthy City Board

Over the coming weeks and months I am due to attend:

- Link York as a speaker
- Older Citizens Advocacy York AGM
- Full of Life Event
- Valuing People Board
- York People First
- Ageing Well Event
- Supporting People Board
- Leeds City Region HRA Board
- Local Government Information Unit Local Health Network
- The Rethink Forum (formally the National Schizophrenic Society) – guest speaker



I will also be meeting with:

Mike Proctor – York Hospital NHS Trust

Bill McCarthy – Yorkshire and Humber Strategic Health Authority

Rachael Johns – York and North Yorkshire PCT

Dr David Hayes – GP Commissioning Consortium Chair

### **Housing**

**Windows** – The windows replacement programme is moving ahead with some of the first being fitted in Chapelfields and I have had positive feedback from residents about the work being undertaken. Officers have also worked to ensure that the 'black hole' that would have resulted from this work, due to the programme not being adequately funded, will not now happen due to the identification of savings and better allocation of funding within the Housing Revenue Account.

**Taken as Seen policy** – there has been a policy, going back some years, that new or moving tenants take a Council property 'as seen'. In numerous cases tenants move in and find defects that they have to tolerate under this policy. I have asked

officers to review this policy in order to ensure that when the Council lets out a property, that it is to a reasonable standard. In doing this we will help promote the image of the Council as a good landlord.

**Solar Panels on CYC properties** – The Heads of Terms were advertised in early May and the scheme will bring £7m investment into our homes that experience fuel poverty. Work is being undertaken to identify those who will be eligible for the scheme.

**Tenancy Services** – There will always be difficulties between some neighbours so I welcome the Mediation Service increasing the number of volunteer mediators as part of their plans to roll out the service more widely. All the new mediators have just completed their accreditation training. It is important that tenants are aware of this service and it is an area I will be asking for further promotion of.

Tenancy Enforcement is continuing to carry out evictions as a result of nuisance and continue to work in partnership within and across Council departments including recent work with the Temporary Accommodation Team and Children's Services to obtain an injunction against an individual who had threatened staff at one of the Hostels, and Children's Services have removed a number of children through the safeguarding process.

**Homeless Services** - Housing Options, based in the Customer Service Centre, continues to provide advice and information to all customers in housing need with a main focus being work to prevent homelessness by helping people stay in their own accommodation or moving in a planned way to alternative accommodation. This team provides advice on the mortgage rescue scheme. There are currently 97 households in temporary accommodation but this is likely to rise so I have asked officers to look at what pressures may be put on this service, and any help available, following changes to Housing Benefit and the rise to 80% market rents announced by the Coalition Government.

**Temporary Accommodation** – Work continues on the re-development of Howe Hill into a young persons 'Places of Change' hostel with a planned opening date of late September. This will be a multi-agency scheme in conjunction with Pathway Team, Youth Offending Team and Young People's Services. Ultimately the aim is to replace Ordnance Lane with a new build facility which will provide a purpose built young persons hostel and family accommodation.

**Gypsy and Traveller Sites** – Work has recently been undertaken to install individual electrical supplies and meters and make improvements to the water supply. This will be switched on in July.

**Sub-Regional Choice Based Lettings** – The 'Home Choice Scheme' is a sub regional Choice Based Letting Scheme which York is involved in with all district councils in North Yorkshire except Harrogate. The scheme went live on 20/6/2011 and York currently has 2500 applications. During the next couple of weeks all of these will be checked and letters will be sent to applicants advising them of the band they are in, together with a guide to the scheme. The first homes are to be advertised on 7<sup>th</sup> July.

I have requested that all those from the previous 'List' are contacted as there may be those who have found the process difficult. It is important that no resident with a 'need' is excluded.

**Finance** - A Sub-Contractor review including financial savings from glazing suppliers and materials suppliers is underway and repairs, voids and heating performance figures are still looking very good, placing us in the top 25% of councils for most services.

**Private Sector Housing** – Using funding from the Low Carbon Framework Programme the Council is preparing a bid for the Community Energy Saving Programme (CESP) for Hull Road Ward which is York's only eligible area. By providing £100k of match funding the Council will be able to draw down £300K worth of energy efficiency measures, including hard-to-treat measures such as solid wall insulation, for all homes in this area, irrespective of tenure. The proposed scheme will also complement the Council-wide Solar Panels Scheme.

**Commuted Sum Payments** – I have requested that Officers review the current 'pot' of Commuted Sum Payments, including those expected but not yet received, so that 'best use' can be made of the money to provide affordable homes in the city.

**North Yorkshire and York Strategic Housing Market Assessment (SHMA)** – is to report over the next few days. Similar to Fordham's SHMA it is expected to show that York needs a large number of affordable housing units per year. This is a major piece of research that will inform not only the LDF but also wider housing policies and trends across all sectors.

**Empty Homes** – Officers are working on a Policy Paper for autumn time to bring forward an 'Empty Homes Policy' which will use New Homes Bonus money to fund the works and legal costs required. Bringing an empty home back into use will attract further New Homes Bonus money for each property which can then be reinvested into further work. Work is being undertaken with colleagues in Finance.

**Housing Development** - Work has started at Derwenthorpe with the first homes due to be completed in early 2012

In May this year Housing Associations submitted "offers" to the Homes and Communities Agency's drastically cut budget for the delivery of new affordable housing for the period 2011-15. Many of the offers are non site specific and no decision has yet been announced by the HCA on which have been successful. Included in the offers made is the redevelopment of Ordnance Lane to include a Young Persons 'foyer'. I am, however, concerned that with future budget cuts, the Council will have to be creative to seek funds for future years work.

## **Health**

**Primary Care Trust (PCT)** - Good progress has been made in the Council's liaison with the PCT and other health partners and an agreement has been reached on the transferring of funding. This will see increased investments over the next year including in the Council's Reablement Service – which helps people to gain the skills they need to remain at home, its Assessment Service for care packages and our Locality Home Care Service which provides almost 5000 hours care per week to 640 residents across the city.

These changing ways of working will leave the Council better placed than previously to meet the city's changing demographics and respond to the challenge of integrated

support services being provided speedily, to keep people in their own homes and facilitate returns home after hospital admissions.

Whilst the changes to the NHS have been subject to a “listening exercise”, local preparatory work has continued. A Transition Board co-chaired by the Chief Executives of City of York Council and the PCT has continued to meet covering key workstreams on commissioning, public health transfer, establishing a Health and Wellbeing Board and Healthwatch - a report to Cabinet in early October will make summary recommendations on all four workstreams. To aid this transition, I have agreed to the Council becoming part of an information and best practice sharing group at a Yorkshire and Humber Regional level through the LGYH Health & Wellbeing Group. I have also started to look at regional best practice on Public Health which will help with shaping the city’s health agenda as we move forward.

### **Adult Social Care**

**Celebrating York’s Older Residents** - Changing demographics have and are often perceived and described as “a problem”. Here in York I am keen that we reverse this impression and celebrate the contribution that an increasingly ageing population can bring to the city. As part of this process, a photographic competition has taken place celebrating, through images, the roles of older people in society and resulted in a presentation at the Mansion House on the 27<sup>th</sup> June. I hope that this event can be built upon, working with individuals, families and support groups across the city.

**Home Cooking**- Residents, families and our own staff have praised the return to home cooked food to our Elderly Peoples Homes which has brought considerable benefits, including a better experience with more flexible mealtimes, greater individual choice and the welcoming smells of home cooking. On my recent visit to Windsor House the cook had baked buns for tea time and I was told that these small changes were greatly welcomed.

**Finance** - Due to recent year on year budget cuts, and a reduction in Government funding, extensive work has been undertaken by service managers to remodel staffing deployment in our Elderly Persons Homes which has led to achieved savings in the region of £700k, but importantly still retaining the same levels of care as before. Work has also been done to review the tendering of procurement of goods and is delivering a total of £768k savings in 2011-12. I would like to thank the staff for their help in this work.

Budgetary savings, amounting to around £200k, have also been made from service mergers and management restructuring in Learning Disability provider services. Again, these have been undertaken without impacting on service delivery and continue to receive very positive inspection findings. I would like to thank all who contributed to this work.

**Telecare** - Telecare in York is the fastest growing Telecare service in the region. Referral rates are up by 60%, with over 500 customers now benefiting from the independence and reassurance offered by their Telecare equipment, helping them stay independent in their homes for as long as possible. This scheme will be further funded and expanded thanks to the Labour Council’s commitment to increase Telecare by £250k per year.

**Personalisation Agenda and Direct Payments** - The rollout of the Personalisation Agenda and Direct Payments has continued in York and now all those who require services, irrespective of their customer group, are able to access self directed support. This means that every person who receives support, whether provided by statutory services or funded personally, will have choice and control over the shape of that support in all care settings through Direct Payments and Individual Budgets.

Adult Social Services has worked to increase efficiency and provide choice and control for residents who use the Council's services. Occupational Therapy and Community Equipment Services have been at the forefront of delivering these changes in 2010-11 and have launched an 'Online Self Assessment and Equipment Solution' to meet the pressures of changing demographics and needs of current and future users alongside service re-design to maximise the benefits of these new approaches.

**Staffing Issues** – The Council's staff are critically important to achieving high level quality services. The Adults Provision and Modernisation Service has continued to make improvements in the areas of supervision and appraisals of staff having achieved a 100% rate of appraisals in 2011-12 for its 730 staff. The implementation of the staff training and development pathway aimed at ensuring all see the opportunities and career benefits of continued professional development throughout the business area has shown great progress over 2010-11. We have also been successful in the embedding of Equalities Impact Assessments, with equality training and awareness undertaken within teams and included in training and team plans.

**Monitoring** – Finally, positive Care Quality Commission (CQC) inspections have been achieved under the new CQC regime for Care Service, Reablement Service and Sheltered with Extra Care Schemes. The final Self Assessment for CQC managed and produced by Adults performance teams showed progress in 3 of the 7 Outcome areas for Adults, with all being rated as good, and receiving a first excellent judgement in respect of "Making a Positive Contribution".

I know that all staff involved in these services worked hard to ensure we met the expected levels and they should be congratulated for their excellent work.

**Councillor Tracey Simpson-Laing**  
**Cabinet Member for Health, Housing and Adult Social Services**  
**19th June, 2011**

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

### **Committees/Working Groups**

#### **Health Overview & Scrutiny Committee**

To appoint Cllr Fitzpatrick to the Committee, in place of Cllr Douglas.

#### **Community Safety Overview and Scrutiny Committee**

To appoint Cllr Douglas to the Committee, in place of Cllr Fitzpatrick.

#### **Effective Organisation Overview and Scrutiny Committee**

To appoint Cllr Funnell to the Committee, in place of Cllr Semylen.

#### **Main Planning**

To appoint Cllr Douglas as the 3<sup>rd</sup> Sub in place of Sonja Crisp.

### **Outside Bodies**

#### **Ainsty 2008 Internal Drainage Board**

To appoint Cllr Glyn Simpson, Copmanthorpe Parish Council onto the Board.

#### **Energy Partnership Board**

##### **The Energy Partnership**

Following the merger of the Energy Partnership with the Energy Partnership Board to form the Yorkshire Energy Partnership there is now only the one position on the Board. At Annual Council Cllr Merrett was appointed to the Energy Partnership Board and Cllr Looker and Healey to the Energy Partnership. To confirm Cllr Merrett's appointment to the Yorkshire Energy Partnership.

#### **York Theatre Royal**

To appoint Cllr Barbara Boyce as the second Labour member.

#### **Derwenthorpe Partnership Forum**

To remove Cllr Warters as a CYC representative on the Forum (He is already a member of the Forum as a member of Osbaldwick Parish Council ).

#### **Fair Trade City Steering Group**

To appoint Cllr Cunningham-Cross as the council's representative in place of Cllr Alexander.

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Annex to Motion from Cllr Alesander re the Budget

**Capital**

<b>Item</b>	<b>2011/12 £000s</b>	<b>2012/13 £000s</b>
Cancel second new council office project		-1394
Delay funding for unspecified recycling scheme	-2500	2500
Replace damaged bins primarily in the city centre with high quality replacements	75	
Restructuring of NH304, NH403, NH404 and NH405 (Communities and Neighbourhoods)	222	
Increase Access York contribution to £0.5m over two years	203	
Increase expenditure on road and footpath repairs	60	
Introduce smaller recycling boxes for single occupancy terraced houses and flats in the city centre (to yield higher recycling rate and save £55k this year and £111k each year from then on)	150	
Sale of land purchased for second new council office		-356
Increase Leeman Road flood defence allocation and include Clementhorpe and other flood defence (predicated on govt. contribution)		356
Demolition of Parliament Street toilet building and work towards market equipment storage area	134	
<b>SAVINGS LESS EXPENDITURE TOTAL</b>	<b>-1656</b>	<b>1106</b>

**Revenue**

<b>Ref</b>	<b>Item</b>	<b>2011/12 £000s</b>
CANS01	Increase reduction in use of recruitment agencies to save permanent jobs	-125
CANS119	Increase recycling rate to 47.3% from previous administration's plans of 45.8%	-55
CANS83	Increase savings in car park maintenance from £5k to £15k	-10
CANS98	Increase savings in anti-skid tarmac from £8k to £20k	-12
NH304	Capitalisation of slurry seal footpaths	-67
NH403	Capitalisation of 50% of surface dressing	-87
NH404	Capitalisation of 50% of asphalt repairs	-57
NH405	Capitalisation of 50% of concrete patching	-11
	Revenue impact of Labour capital proposals	-146

Annex to Motion from Cllr Alesander re the Budget

	Use of 2010/11 financial position to help save essential services for vulnerable people in lieu of spending commencing on previously agreed budget	-200
ACES99	Maintain support for last cohort of government-cut two year old childcare pilot by using funds from 3 and 4 year olds budget	-52
	Commit £80k to youth services and tackling youth unemployment	80
ACES23	Reverse rise in adult social services personal support, day care activities and transport by 50% (predicated on policy change)	175
ACES58	Reverse cut to health and disability assessment	5
ACES60	Reverse cut to respite care and increase by £20k	25
ACES64	Reverse £50k of cuts to short breaks for disabled children	50
ACES75	Reverse cut to disabled children's childcare equipment	14
ACES84	Reverse cut to teenage pregnancy budget	5
CANS110	Reverse cut to race day toilets	5
CANS114	Reverse cuts to ward committee budgets without prescription on allocation of spending	16
CANS16	Reverse reductions in library staff budget	40
CANS33	Reverse cut to realignment of homelessness prevention	15
CSTS42	Reverse increase in ResPark charges	12
OCES04	Reverse cut to Holocaust Memorial Day Budget	4
OCES07	Reverse cut to Talkabout and reallocate for organising 'York's Fairness Commission'	5.13
	Pump prime development of statutory bus partnership with measures for air quality improvements (6 months)	158
	Recycling promotion in poor performing areas (to yield increased recycling rate and £55k in year saving. Full year saving will rise to £111k)	20
	Small grant to the North Yorkshire Credit Union specifically for York promotion and facilitation	10
	Small grant for York Disabled Workers' Co-operative	1
	Small grant to York Older People's Assembly	2
	Increase pump-prime initiatives in the voluntary sector to £100k which will enable the council to reduce future costs	7
	Increase York Youth Café caretaker contribution to £30k without prescription	5
	Reverse cut in Trades Unions convenor time to have capacity required to deal with redundancies resulting from government cuts	37.65
	Reverse 50% of cut to Neighbourhood Management Unit	50
	Increase apprenticeship funding by 15%	15
	Increase jobs fighting fund by approximately 20%	17

Annex to Motion from Cllr Alesander re the Budget

Reverse full cuts to Hull Road Park funding	38
Increase Conservative political assistant entitlement to full-time whilst also maintaining Liberal Democrat entitlement at full-time	8.12
Special Responsibility Allowance for Leader of the Green Group	2.1
<b>SAVINGS LESS EXPENDITURE TOTAL</b>	<b>0</b>

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