

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

2010/11	£5,087	£4,255	£205	£9,547	£830	£10,377		-£200	£220	£20	£10,397
2011/12	£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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