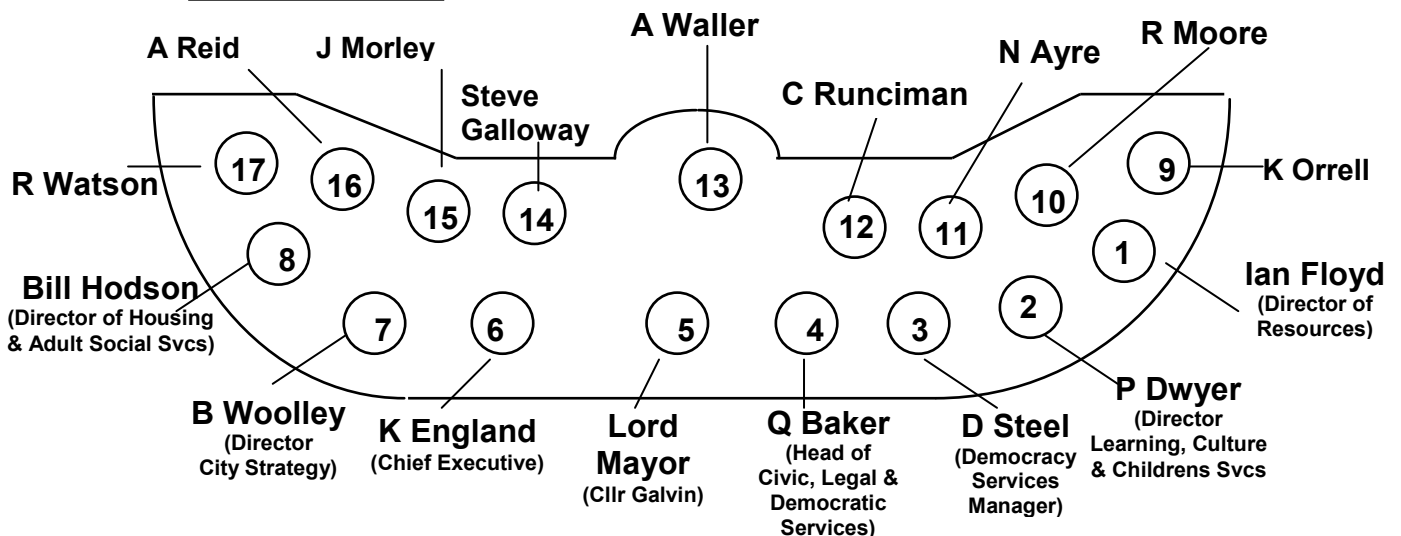
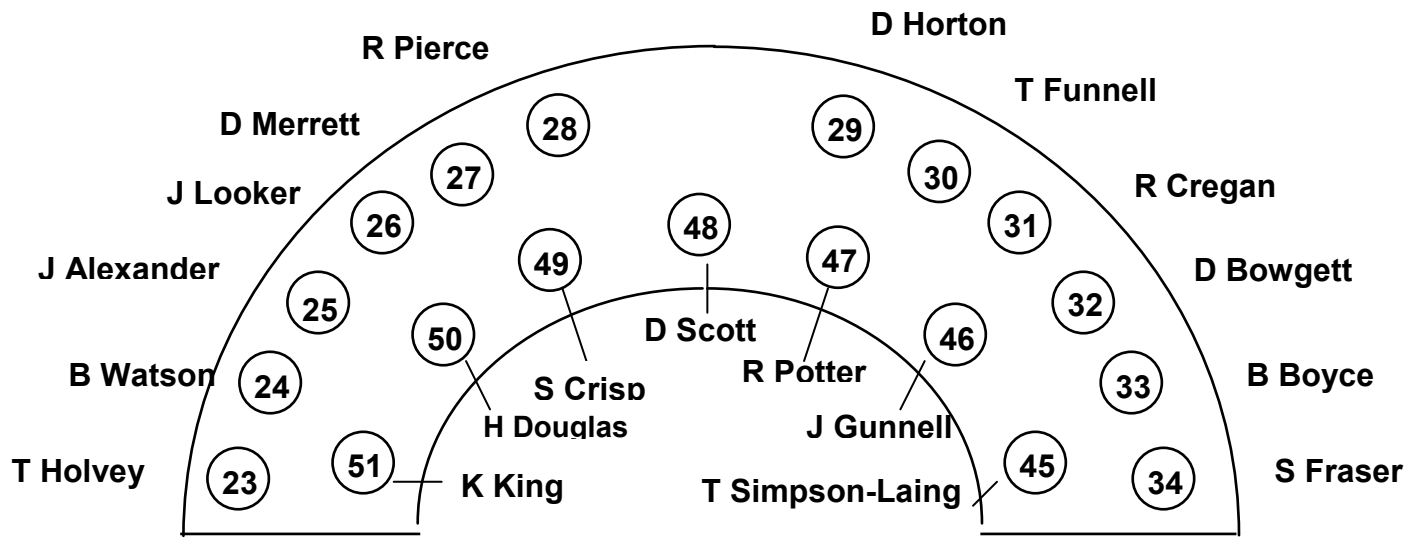


CITY OF YORK COUNCIL SUMMONS

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, 15 October 2009 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. Exclusion of Press and Public

To consider excluding the public and press from the meeting during any discussion of the exempt minute of the Extraordinary Council meeting held on 22 July 2009 (agenda item 3 refers), on the grounds that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings, which is classed as exempt under paragraph 5 of Schedule 12A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

3. Minutes (Pages 1 - 26)

To approve and sign the minutes of the Ordinary Council meeting held on 9 July 2009 and the Extraordinary meeting of Council held on 22 July 2009.

4. Civic Announcements

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

5. Public Participation

At this point in the meeting, members of the public who have registered their wish 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, 14 October 2009**.

6. Petitions

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

- (i) Cllr Simpson-Laing, on behalf of residents calling for a 20mph zone in Ouseburn Avenue.

- (ii) Cllr Simpson-Laing, on behalf of residents calling for a 20mph zone in Millgates.

7. Report of Executive Leader and Executive Recommendations (Pages 27 - 44)

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

Meeting	Date	Recommendations
Executive	21 July 2009	Minute 55: <i>Land at the Rear of Acomb Explore, Front Street, Acomb</i>
Executive	8 September 2009	Minute 68: <i>Minutes of Working Groups</i> Minute 69: <i>Capital Programme Monitor 2</i>
Executive	22 September 2009	Minute 81: <i>Administrative Accommodation Financial Project Update</i>
Executive	6 October 2009	Minute 90 : <i>Revised Financial Regulations</i> <i>[Note: Members are reminded that they have already received a full copy of this document. The draft revised Regulations can however also be accessed via the web link below:</i> <u>http://democracy.york.gov.uk/ieListDocuments.aspx?Clc=102&MId=4314&Ver=4</u> Minute 91 : <i>Swimming Facilities</i>

[Note: all Members have received a copy of the report to Executive on this item. It can also be viewed via the web link below

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&MId=4314&Ver=4>

8. Recommendation of the Standards Committee (Pages 45 - 46)

To consider the following recommendations for approval from the Standards Committee in respect of the Review of the Protocol on Officer / Member Relations, which was referred back to the Committee by Council on 9 July:

Date of Meeting	Recommendations
28 August 2009	<i>Minute 21: Review of the Protocol on Officer/Member Relations – Reference back from Council</i> <i><u>Note:</u> the draft revised Protocol can be accessed via the web link below:</i> <i>http://democracy.york.gov.uk/ieListDocuments.aspx?CId=140&MId=4969&Ver=4</i>

9. Recommendations of the Audit & Governance Committee (Pages 47 - 50)

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

Date of Meeting	Recommendations
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21 September 2009 Minute 31: *The Introduction of a Corporate Approach to Handling Petitions and e-Petitions*

Minute 32: *Review of the Audit & Governance Committee's Terms of Reference (Articles and Functions)*

10. Scrutiny - Report of the Chair of the Scrutiny Management Committee and SMC Recommendations (Pages 51 - 56)

To receive a written report from the Chair of Scrutiny Management Committee (SMC) on the work of the SMC, and to consider the SMC's recommendations for approval, as set out below:

Date of Meeting	Recommendations
28 September 2009	Minute 14: Referral from Community Safety Overview and Scrutiny Committee

11. Report of Executive Member (Pages 57 - 60)

To receive a written report from the Executive Member for Neighbourhood Services and to question the Executive Member thereon, provided any such questions are registered in accordance with the timescales and procedures set out in Standing Order 8.21.

12. 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 on the Council's website:

- North Yorkshire Fire & Rescue – meeting on 24/06/09
- North Yorkshire Police Authority – meeting on 29/06/09
- Quality Bus Partnership – meeting on 04/06/09
- Regional Transport Forum – meeting on 16/06/09

- Safer York Partnership – meeting on 23/06/09
- Without Walls Partnership – meeting on 14/07/09
- Yorkshire & Humber Assembly – meeting on 16/01/09

The web link is:

<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).

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

13. Appointments and Changes to Membership

a) Appointments Committee for the Post of Head of Legal Services (Monitoring Officer) (Pages 61 - 66)

This report seeks formal approval to establish an Appointments Committee for the post of Head of Legal Services and to delegate sufficient powers to that committee to enable it to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.

b) Membership of Committees, Working Groups and Outside Bodies (Pages 67 - 68)

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

14. Notices of Motion

To consider the following Notices of Motion under Standing Order 12:

A – Motions referred from the Executive in accordance with Standing Order 12.1(a)

None

B – Motions submitted for consideration directly by Council, in accordance with Standing Orders 12.1(b)

(i) From Cllr Waller

“Council notes:

1. The suspension of the development of York Central by Network Rail and the National Railway Museum (National Museums of Science and Industry) due to the current difficult economic climate.
2. The importance of the York Central site to the long term economic interests of the city and to the wider region.
3. The progress that has been made by the York Central Board.

Council calls for the York Central Board to remain in operation to aid with:

1. The promotion and development of the site
2. Maintaining work on the development potential of the site with partner
3. Examination of funding sources, and mechanisms, for infrastructure costs associated with the development of the site.”

(ii) From Cllr Potter

“The UK has ambitious targets to reduce damaging greenhouse gases over the coming decades, most notably to reduce its own share by 80% by 2050 below 1990 levels.

Council believes every individual and every organisation, both large and small, has a responsibility to contribute to this reduction, as this is the only way both short and long-term targets will be achieved.

The current 10:10 campaign is targeting individuals, schools, hospitals businesses and every other type of organisation to get them to commit to reducing their carbon emissions by 10% by the end of 2010.

Council recognises the importance of collective action, and importantly of its own ability to show leadership by signing up to the campaign. In doing so, Council is signalling its serious intent to reduce its impact on the environment, whilst also benefiting the tax payer by saving money.”

Council therefore resolves to sign up to the 10:10 campaign immediately, and to task officers with setting out within three months the action required to ensure Council achieves this target.”

(iii) From Cllr Gillies

“The new scrutiny format has made the institution of the Shadow Executive redundant. The Council therefore moves to amend the Constitution to abolish the role of Shadow Executive with immediate effect and with the consequence of not paying special responsibility allowances for Shadow Executive spokespersons.

The Council therefore instructs the Monitoring Officer, in accordance with the powers under Article 16 of the Constitution, to effect the necessary changes to the Constitution and to report back upon the details to the Executive in due course.”

(iv) From Cllr Scott

“Council calls upon the Chief Executive of the City of York Council to write in support of the campaign to ensure that York residents retain their 15% discount from Yorkshire Water as agreed at the time of the merger.”

(v) From Cllr Reid

“Council notes that good progress is already being made towards meeting the authority’s target of 25% reduction in CO2 emissions by 2013 through the Carbon Management Programme developed in conjunction with the Carbon Trust and approved by the Council Executive in March 2009.

Council recognises the role that signing up to the 10:10 campaign can have, both locally and nationally, in driving forward cuts in CO2 emissions and showing the desire for national and international action on climate change.

Council resolves to sign up to the 10:10 campaign and to continue the work currently underway to help residents reduce their own emissions.”

Note: this motion may be ruled out of order by the Lord Mayor at the meeting, on the basis that, if put to Council, it would be substantially repetitious of motion (ii) above in the name of Councillor Potter.

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

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

(i) To the Executive Member for Corporate Services, from Cllr Scott

“Does the Executive Member believe in openness and transparency in local democracy and in the operation of the Council?”

(ii) To the Executive Member for Children & Young People’s Services, from Cllr Douglas

“Can the Executive Member provide details of how many Physical Education (PE) sessions have been cancelled at each primary and at each secondary school operating under the Local Education Authority (LEA), due to the timetabling of extra activities such as concerts, plays and visits, during the last academic year, both as a total and as a percentage of all timetabled PE sessions?”

(iii) To the Executive Member for Children & Young People’s Services, from Cllr Waudby

“Can the Executive Member tell Council more about The Fostering Network annual conference which she attended

in York earlier this month?”

(iv) To the Executive Member for Children & Young People’s Services, from Cllr Jamieson-Ball

“Can the Executive Member tell Council what steps are being taken to tackle youth unemployment in the city?”

(v) To the Executive Member for Children & Young People’s Services, from Cllr Aspden

“Can the Executive Member give Council details of the recent GCSE results achieved by pupils in the city?”

16. Urgent Business (Pages 69 - 74)

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

The Lord Mayor has agreed to consider under urgent business a report titled “**Appointments Committee for the Post of Assistant Director of City Development and Transport**”. This is in order to enable the appointment of Assistant Director of City Development and Transport to proceed as quickly as possible given that this is considered an essential role in developing York’s first Spatial Plan.

Democratic Services Officer responsible for this meeting:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027

E-mail – fiona.young@york.gov.uk

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

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

Contact details are set out above.