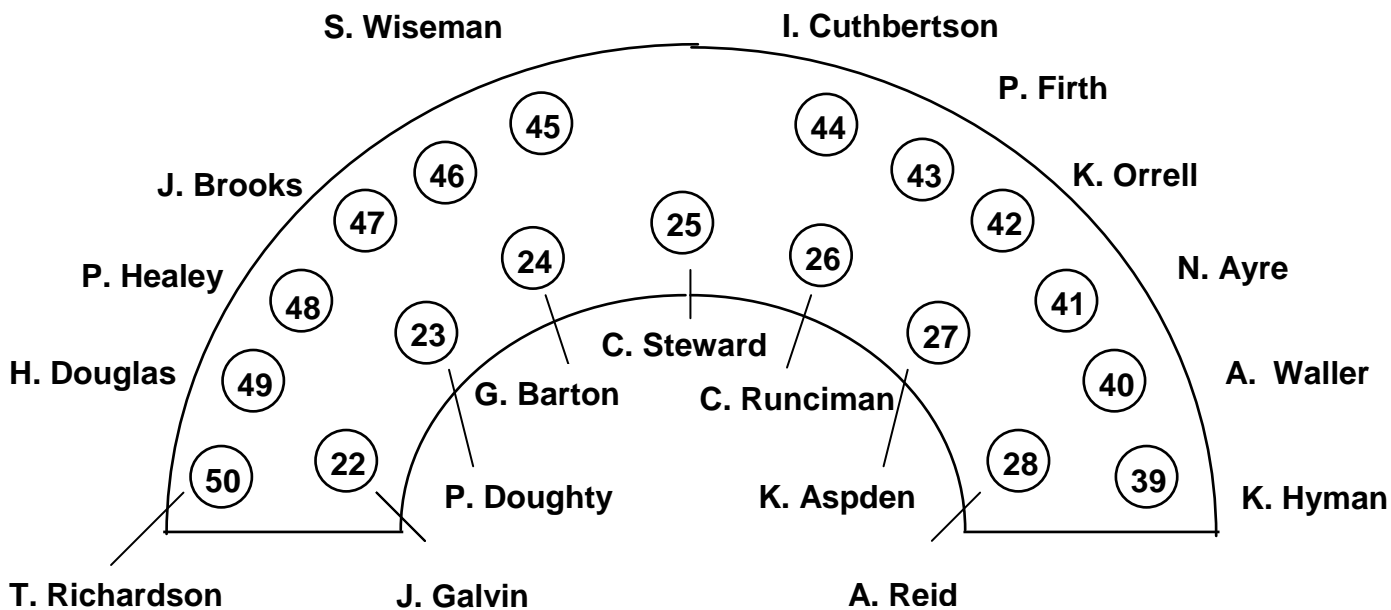


**CITY OF YORK COUNCIL
SUMMONS**

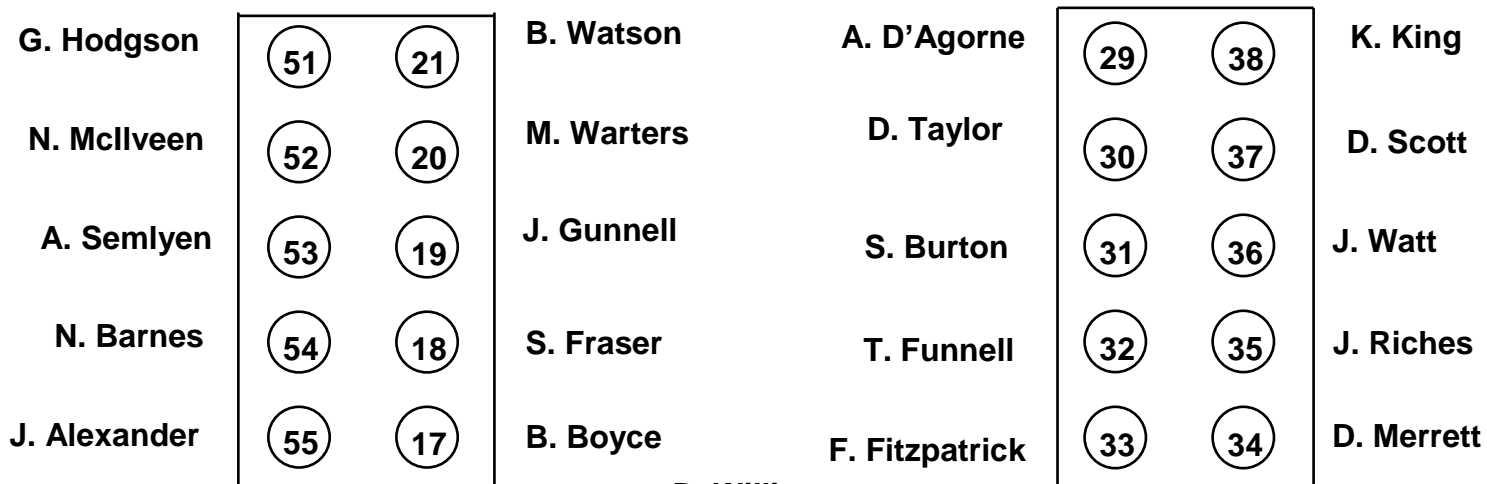
All Councillors, relevant Council Officers and other interested parties and residents are formally invited to attend a meeting of the **City of York Council** at the **The Guildhall, York**, to consider the business contained in this agenda on the following date and time

Thursday, 26 March 2015 at 6.50 pm

COUNCIL CHAMBER



Palantypist



Sally Burns
(Director, Communities & Neighbourhoods)

Sarah Tanburn
(Director, City & Environmental Services)

Guy van Dichele
Director, Adult Social Services)

J. Stonehouse
(Director of Children's Services, Education & Skills)

D. Steel
(Head of Civic & Democratic Services)

A. Docherty
(AD Governance & ICT)

Lord Mayor
(Cllr Ian Gillies)

K. England
(Chief Executive)

I. Floyd
(Director, CBSS)

A G E N D A

1. Declarations of Interest

At this point, Members are asked to declare:

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

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

2. Minutes (Pages 1 - 88)

To approve and sign the minutes of the following meetings of Council:

- Special Council meeting held on 11 December 2014
- Ordinary Council meeting held on 11 December 2014 and
- Budget Council meeting, held on 26 February 2015

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 25 March 2015**.

To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the internet - at the start of the meeting the Lord Mayor will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Public seating areas will not be filmed by the Council.

5. Petitions

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

- (i) Cllr McIlveen, on behalf of local residents, calling upon the Council to use those powers that they have to reduce anti-social behaviour taking place on privately owned land forming part of Clifton Moor Retail Park in liaison with the Owners and occupiers of the Retail Park and North Yorkshire Police.
- (ii) Councillor Waller, on behalf of local residents, calling upon the Council to bring back proposals for the Lowfields Care Village, acknowledging the need for provision of services for an aging population in the city and the restricted road network to access the site.
- (iii) Councillor Waller, on behalf of local residents, requesting that a pedestrian crossing is established at the crossing point on Askham Lane to Westfield School in order to assist with the safe crossing by residents, especially school children, on this busy road.
- (iv) Councillor Aspden, on behalf of local residents, calling upon the Council to adopt Nevinson Grove, Stirling Grove and Wilsthorpe Grove in order to allow the roads and footways to be included in future resurfacing plans.

6. Report of Cabinet Leader and Cabinet Recommendations (Pages 89 - 100)

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

Meeting	Date	Recommendations
Cabinet	16 December 2014	Minute 72: Capital Programme - Monitor Two 2014/15 Minute 74: The Replacement of Ordnance

Lane Homeless Hostel
<http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=733&Mld=8618&Ver=4>

Cabinet 3 March 2015 Minute 123: Yorwaste Limited & Implementation of the Teckal Exemption
<http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=733&Mld=8334&Ver=4>

7. Recommendations of the Audit and Governance Committee
(Pages 101 - 102)

Meeting	Date	Recommendations
Audit & Governance Committee	11 February 2015	Minute 74: Contract Procedure Rules Minute 75: Access to Information Rules http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=437&Mld=8119&Ver=4

8. Recommendations of the Gambling, Licensing and Regulatory Committee (Pages 103 - 104)

Meeting	Date	Recommendations
Gambling, Licensing & Regulatory Committee	23 February 2015	Minute 7: City Of York Council Community Governance Review Http://Democracy.York.Gov.Uk/ielistdocuments.aspx?Cid=606&Mid=8270&Ver=4

9. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee (Pages 105 - 110)

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

10. Report of Cabinet Member (Pages 111 - 114)

To receive a written report from the Cabinet Member for Education, Children and Young People 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.

11. Pay Policy 2015/16 (Pages 115 - 136)

To consider a report seeking approval to the Pay Policy Statement for 2015/16 relating to the pay of the Council's senior staff, to fulfil the requirements of Sections 38 – 43 of the Localism Act 2011.

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 via the Council's website at

<http://democracy.york.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12959&path=0>

Copies may also be obtained by contacting Democracy Support Group at West Offices, Station Rise, York (tel. 01904 551088)

- Local Government North Yorkshire & York – Employers Committee - 20 November 2014
- North Yorkshire Fire and Rescue Authority – 10 December 2014
- Pension Fund Sub-Committee – 21 November 2014
- North Yorkshire Police & Crime Panel – 15 January 2015
- Quality Bus Partnership – 15 December 2014
- York NHS Foundation Trust – 10th December 2014

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

13. Notices of Motion

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

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

None

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

(i) From Cllr Merrett:

Housing

“Council recognises the depth of the housing and affordability crisis facing the younger generation in York and the country, with home ownership amongst the 25-34 year olds falling from 59% in 2004 to 36% in 2014. Council notes the even bleaker position in York with house prices **8.5** times average earnings.

Council also recognises that private sector renting correspondingly has more than doubled from 21% to 48%, and that private sector average rent levels rose from £153 per week to £176.40 in 2014, at a time when incomes have been significantly squeezed in real terms, particularly for younger workers. York now has the most expensive private rents - by a significant margin – for one, two & three bedroom properties in the region and north of England.

Council notes that many younger families and individuals are paying disproportionate amounts of their incomes on rents. Those on middling incomes cannot now realistically save for deposits for home ownership whilst those on lower pay face a lifetime paying out increasing rents, with one in five renters now dependent on housing benefit, with the bill to taxpayers twice what it was five years ago – a completely unsustainable trend. Lower rent council housing is under double pressure from loss of stock through Right to Buy sales (with only one in ten being replaced nationally) and increased demand.

Council therefore notes the various National party commitments

to much higher levels of house building:

Lib Dems 250-300k per annum

Labour 220k per annum

Conservatives 200k starter purchase homes (albeit in place of Section 106 requirements)

Greens 500k social need housing by 2020

These figures reinforce the need for early adoption of a local plan in York providing good levels of new and affordable housing for the city, and Council welcomes the major increase in housing permissions, including affordable housing requirements, that the Council has given in the last two years.

Council also agrees to support the cross party LGA proposals in their "Investing for our Nation's Future – First 100 days of the next Government" report and agrees to the Chief Executive writing to the national parties in support of this, and also to the Secretary of State to make an immediate request for an exemption for York from the Right to Buy provision given the exceptionally difficult York housing picture."

(ii) From Cllr Healey

Draft Local Plan

"Council notes that since York became a unitary authority that it has failed to secure a Local Plan and that it is now vital that a Local Plan which includes the wishes of residents is put in place;

Council believes that to date the proposed plan has favoured excessive housing growth based on a reliance on presumed high employment growth and associated in-migration which is not reflected in current statistics;

Council also believes that the reliance on such inflated statistics would fail an inspection, resulting in a verdict similar to that recently given by the Planning Inspector to the City of Durham Council, who said that their proposed local plan relying on similar high growth assumptions 'represents an unacceptable risk' and that it 'necessitates huge releases of green belt land around the city, which I cannot support';

Council also notes the recent DCLG census data which shows

the level of demand for York is not as high as the current Labour plan and that a further reduction should be made to reflect this;

Council concludes that whilst the Labour administration's modest proposal to reduce housing numbers is a move in the right direction, it does not adequately reduce proposed building on the green belt, nor adequately reflect the number of brown field sites potentially available, possible windfall sites or differences of opinion regarding the amounts of safeguarded land necessary to be provided;

Council therefore instructs officers to review and present to Cabinet a revised draft local plan for York reflecting the number of houses actually needed and achievable in York rather than a plan based on assumptions of high growth which will not be supported at inspection."

(iii) From Cllr Aspden:

Committee System

Council Notes:

- The 2011 Localism Act gave local authorities new powers over their executive arrangements allowing them to operate a committee system. Subsequently, a number of councils including Sutton, Brighton, Reading, Norfolk and Hartlepool have moved to a committee-style system.

Council Believes:

- Since 2011 (under both a majority group rule and no overall control) the Cabinet and leader system has proved that it is not fit-for-purpose.
- Regardless of the results of May's elections, it is in the public interest for different political viewpoints to have an influence on the decision-making process and for decisions to be made in a more open and collaborative way.
- All councillors should have the opportunity to be involved in making real decisions on matters that affect their residents and be held accountable for them.

Council Resolves:

- To instruct Officers to bring forward proposals to change the Council's governance arrangements to implement a return to a committee system after May's local elections. Under this system executive power will be exercised by a number of committees made up of councillors in proportion to the political balance of the Council.

(iv) From Cllr Burton

Cost of Living

“Council notes that those living in Yorkshire are £2,380 a year worse off on average in real terms compared to 2010 [1]. This is equivalent to almost a 9% pay cut, worse than the national average.

Council resolves to:

- Commit to the principle of a business rate discount for small businesses paying the Living Wage, as Labour-run Brent Council has done. This will in turn help support the small, independent businesses that make York special;
- Lobby for greater devolution to local government over regulation of bus fares and private tenancy rents, as the Local Government Association (LGA) Labour Group is doing. This is a particular issue in York which has the most expensive private rents - by a significant margin - in the region and north of England [2];
- Support the freezing of energy bills and the extension of free childcare, as a Labour Government would deliver. York's 2014 Childcare Sufficiency Assessment states that “Parents and carers expressing that they feel that childcare is not affordable is the strongest single message from families through the parental consultation.”

In order to start tackling the cost of living crisis facing York residents.”

[1] February 2015, Annual Survey of Hours and Earnings RPI

adjusted

[2] Shelter Housing Databank

(v) From Cllr Scott

Councillor Champions

“The need for open and transparent governance has never been more needed in this Council. The Council therefore moves to amend the Constitution to establish with immediate effect the roles of Councillor Champions (“the Champions”) for:

1. Children and Young People;
2. Older People;
3. Heritage;
4. Transparency and Effective Governance.

Council will then immediately after passing this motion accept nominations from the floor of the Chamber to immediately appoint the Champions whose terms of office will be until midnight on 7th May 2015.

Thereafter the Champions will be appointed for 2 years at Annual Council commencing at the 2015 Annual Council.

For the Children and Young Peoples’ Champion and the Older Peoples’ Champion the Champions and the Council shall consult with the Youth Council and the Older Peoples’ Assembly as to how to how best to select their Champion subsequently.

All the Champions will work with the appropriate Scrutiny Committees to develop job description for their role, responsibilities and duties. Such Job descriptions shall be provided to the Corporate and Scrutiny Management Committee and Cabinet for approval by 1st November 2015.

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 Cabinet in due course.”

Note: Council will be required to suspend the relevant Standing Orders if it is minded to allow consideration of five

motions at this meeting.

14. Questions to the Cabinet Leader and Cabinet Members received under Standing Order 11.3(a)

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 (including Finance & Performance) from Cllr Steward:

“Does the council leader see York’s Combined Authority future as sitting in the West Yorkshire Combined Authority or does he think a different authority should be considered, whether entirely different or one including West Yorkshire plus other council areas, and, if he is prepared to consider other options what discussions has he had and what does he propose to have with North Yorkshire and East Yorkshire Councils?”

- (ii) To the Cabinet Leader (including Finance & Performance) from Cllr Aspden:

“Does the Cabinet Leader believe that with the publication of the latest household projections (Department for Communities and Local Government 27th February) the annual housing targets in York’s Local Plan should be revised down from the 926 figure agreed in December?”

- (iii) To the Cabinet Leader (including Finance & Performance) from Cllr Doughty:

“As the Cabinet Leader also has the main Finance portfolio responsibility within the Council, can he please tell Council when he first became aware that his own groups much-touted and failed Care Home programme was unaffordable?”

- (iv) To the Cabinet Leader (including Finance & Performance) from Cllr Ayre:

“Could the Cabinet Leader detail the results of the 2015/16 public budget consultation process?”

(v) To the Cabinet Leader (including Finance & Performance) from Cllr Steward:

“Would a future Labour administration always try and take government council tax grant freezes if they are baselined?”

(vi) To the Cabinet Leader (including Finance & Performance) from Cllr Galvin:

“What are the current arrangements for the management and operation of the use of the Guildhall Complex, including staffing and security?”

(vii) To the Cabinet Leader (including Finance & Performance) from Cllr Galvin:

“Are there any other alternative short or medium term proposals for the management and useage of the Guildhall complex, including staffing and security, which the Council ought to be aware of?”

(viii) To the Cabinet Leader (including Finance & Performance) from Cllr Doughty:

“How will the Cabinet Leader ensure there is a full and open review into Labour's Care Home debacle?”

(ix) To the Cabinet Leader (including Finance & Performance) from Cllr Steward:

“Will the leader use the last Full Council of this term to offer the first ever Labour apology for the Lendal Bridge debacle?”

(x) To the Deputy Cabinet Leader from Cllr Doughty

“Does the Cabinet Member find it a worrying indictment on this Labour Council administration that in testament to the failure of engagement, the Freedom of Information process is now becoming commonplace as the only realistic means of route to elected Members as well as citizens of the city in obtaining some answers at least to questions that are vitally important to the running of the city? I would appreciate a yes or no”

(xi) To Cabinet Member for Leisure, Culture & Tourism from Cllr Barton:

“How much to date has been spent on Consultants Fees, Officers Time and Overheads in preparation for the building of the Community Stadium?”

(xii) To Cabinet Member for Leisure, Culture & Tourism from Cllr Barton:

“Can she give an accurate date for “the first brick to be laid” in the planned Community Stadium?”

(xiii) To Cabinet Member for Leisure, Culture & Tourism from Cllr Barton:

“Can she give an accurate cost to the Council, including ALL FACETS of the overheads incurred, for the building of the Community Stadium?”

(xiv) To Cabinet Member for Leisure, Culture & Tourism from Cllr Barton:

“Does she plan to continue abdicating responsibility to a senior officer for informing of fellow Councillors of the progress (or lack of it) in the building of the Community Stadium?”

(xv) To Cabinet Member for Leisure, Culture & Tourism from Cllr Barton:

“In view of York City’s current poor performance, should they sadly be relegated from the Football League, will plans to build the Community Stadium continue?”

(xvi) To the Cabinet Member for Health & Community Engagement from Cllr Doughty:

“Could you please advise the Council when you or your predecessor as Cabinet Member for health or indeed any member of the Cabinet became aware that the plans for Labour’s abandoned care home programme were unviable and unworkable, that is, at what point did it become conclusive that these plans needed a financial commitment that the council could

not meet and therefore the council could not proceed?”

(xvii) To the Cabinet Member for Health & Community Engagement from Cllr Runciman:

“What is the total amount of Better Care Funding received in York since the scheme was launched in 2013 and can the Cabinet Member outline how this money has been spent?”

(xviii) To the Cabinet Member for Health & Community Engagement from Cllr Doughty:

“Can the Cabinet Member please advise which areas of social care in the city have suffered or will suffer because her own group has squandered at least £350,000 in the failed procurement of Care homes in the city?”

(xix) To the Cabinet Member for Health & Community Engagement from Cllr Waller:

“What performance indicators exist for residents coming into West Offices for benefits advice and what is the current average waiting time before being seen?”

(xx) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Richardson:

“Of the sites with in the City of York Boundary measuring NOx emissions. What percentage of them have risen under this administration in the past four years and what lessons have been learned in tackling the high levels of emissions across the City?”

(xxi) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Reid:

“What are the target times for repairing streetlights and could the Cabinet Member outline performance in this area over the last 12 months?”

(xxii) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Richardson:

“Will the Cabinet Member give his assurance that the works preventing vehicles from turning outside the Art Gallery will be

moved to reduce traffic over Lendal Bridge and reduce the NOx emissions in that area?”

(xxiii) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Waller:

“What was the reasoning for leaving Vesper Drive deteriorating for three years and then filling in potholes shortly before the whole road was resurfaced and how much did this pothole filling cost?”

(xxiv) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Richardson:

“Given the drop in the percentage of recycled waste from 2011 for the City of York, can the Cabinet Member quote the percentage of recycled waste for this financial year?”

(xxv) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Orrell:

“Could the Cabinet Member outline the total costs of the blanket 20mph roll-out across York so far and provide a road-by-road record of average speeds before and after the limits were introduced?”

(xxvi) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Richardson:

“How many of the Company’s providing Bus Services across the City have applied for the government Grant to replace existing buses running on diesel to the new hybrid units and when will this council introduce a city wide exclusion area for diesel powered units?”

(xxvii) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Aspden:

“Could the Cabinet Member confirm how much money has been spent so far contesting the legal decision on the Lendal Bridge/Coppergate ruling and when he expects a final judgement to be announced?”

(xxviii) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Waller:

“When the Cabinet announced a scheme for additional business rate relief on new small businesses in Acomb, £50,000 was allocated for businesses opening in previously empty premises. Please could the Cabinet Member detail how many businesses have benefitted from the scheme to March 2015, and how much support has been given?”

(xxix) To the Cabinet Member for Transport, Planning and Economic Development from Cllr Waller:

“Would the Cabinet Member detail how much of the £30,000 investment scheme for Acomb Shops (as allocated by the Cabinet report in September 2013) has been spent to date and will he give a guarantee that any unspent resources will be carried forward into the new financial year?”

(xxx) To the Cabinet Member for Communities from Cllr Waller:

“In the last six months how many households have seen their recycling collected in a normal refuse lorry to be sent to landfill?”

(xxxi) To the Cabinet Member for Communities from Cllr Reid:

“Could the Cabinet Member outline the timetable for introducing a charge for all green bin collections as agreed in the Budget last month?”

(xxxii) To the Cabinet Member for Communities from Cllr Cuthbertson:

“Could the Cabinet Member outline the total cost to the Council of Landfill Tax for every year since 2010 along with the yearly recycling rates (including the present rate)?”

(xxxiii) To the Cabinet Member for Communities from Cllr Waller:

“What action has been taken to deal with dog fouling complaints

by residents to council officers in the past year?”

15. Urgent Business

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

Democracy Officer for this meeting:

Name: Jill Pickering

Contact details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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



(01904) 551550