

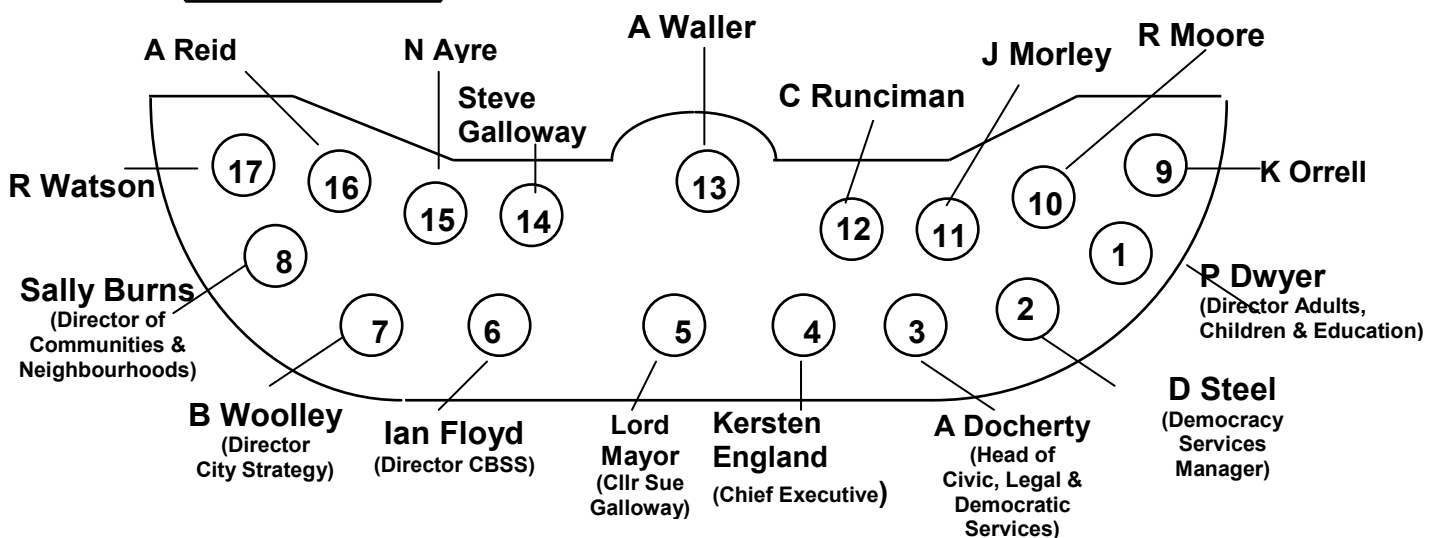
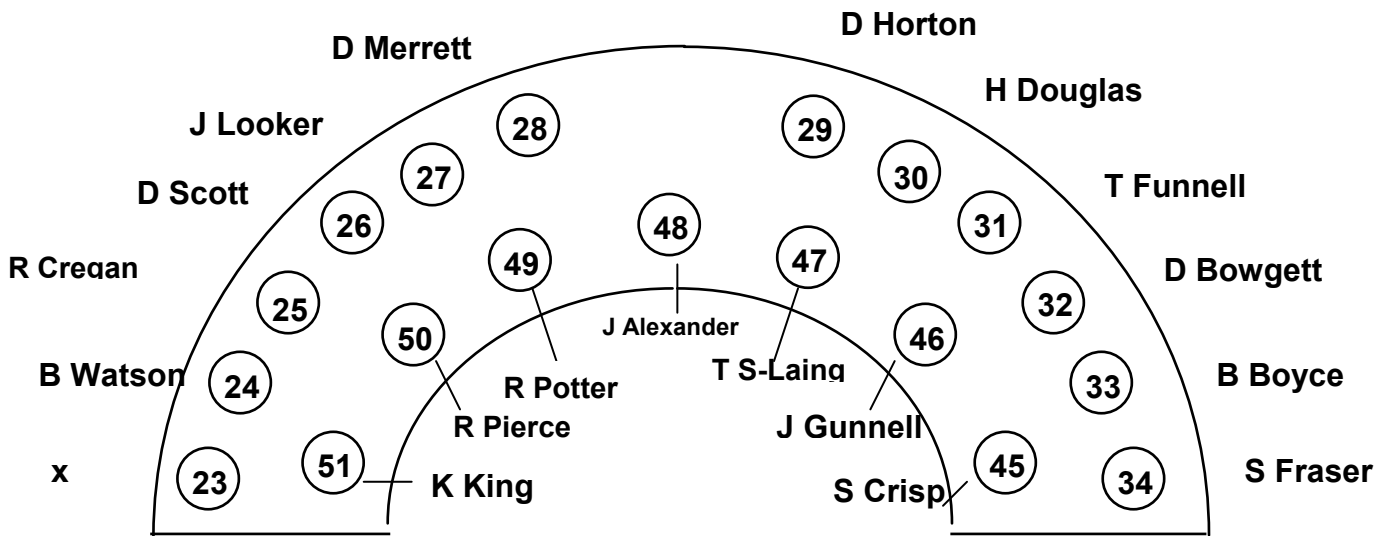
## CITY OF YORK COUNCIL SUMMONS

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, 7 October 2010 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 the exclusion of the press and public from the meeting during the debate on the recommendations contained in Executive Minute 75 (The Barbican Auditorium) at item 7 on this agenda, on the grounds that the discussion may refer to information relating to the financial or business affairs of particular persons, which is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

### **3. Minutes (Pages 1 - 24)**

To approve and sign the minutes of the Council meeting held on 15 July 2010.

### **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, 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, 6 October.**

### **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 Morley, on behalf of residents of Murton, calling for a 20 mph zone in their village.

- (ii) Cllr Potter, on behalf of residents of Heworth Ward objecting to the cutting of the no. 13 bus service.
- (iii) Cllr Runciman, on behalf of residents of Huntington concerned about speeding on New Lane.
- (iv) Cllr Douglas, on behalf of residents concerned about cycle track segregation on Crichton Avenue bridge.
- (v) Cllr Boyce, on behalf of Heworth residents objecting to care services no longer holding keys to customers' homes.
- (vi) Cllr Crisp, on behalf of residents objecting to commuter parking on Aldborough Way.
- (vii) Cllr Cregan, on behalf of residents of Hull Road asking the Council to apply for selective licensing powers over houses in multiple occupation in Hull Road Ward.

**7. Report of Executive Leader and Executive Recommendations (Pages 25 - 40)**

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	7 September 2010	Minute 61: <i>Capital Programme – Monitor 1</i> (to approve amendments to the programme)
Executive	21 September 2010	Minute 75 : <i>The Barbican Auditorium</i> (to approve financial implications for the capital programme)

*Note: a report clarifying the above recommendation and containing information from the exempt annex 4 referred*

*to in the minute was published with this agenda on 5 October 2010.*

*Minute 76: Changing Executive Arrangements (to approve draft proposals for change)*

- 8. Standards Committee Annual Report** (Pages 41 - 44)  
To receive the Annual Report of the Standards Committee for the Municipal Year 2009/10.
- 9. Recommendations of the Audit & Governance Committee** (Pages 45 - 46)  
To consider the following recommendations for approval from the Audit & Governance Committee:

Date of Meeting	Recommendations
28 July 2010	Minute 22: <i>Proposed Constitutional Change to Article 5</i> (to approve changes to Article 5 of the Constitution, relating to the Lorc Mayoralty).

- 10. Recommendations of the Gambling & Licensing Acts Committee** (Pages 47 - 48)  
To consider the following recommendations for approval from the Gambling & Licensing Acts Committee:

Date of Meeting	Recommendations
18 June 2010	Minute 5: <i>Review of Cumulative Impact Zone</i> (to approve changes to the CIZ boundary)

**11. Recommendations of the Licensing & Regulatory Committee**  
(Pages 49 - 50)

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

Date of Meeting	Recommendations
2 July 2010	Minute 7: Regulation of Sexual Entertainment Venues ( <i>to approve the application of amendments to statutory regulations</i> )

**12. Scrutiny - Report of the Chair of the Scrutiny Management Committee** (Pages 51 - 54)

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

**13. Report of Executive Member** (Pages 55 - 66)

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

**14. Activities of Outside Bodies**

Minutes of the following meetings of outside bodies, received since the last meeting of Council, have been made available for Members to view via the Council's website at

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

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

- North Yorkshire Fire & Rescue Authority – meeting on 23/06/10
- Quality Bus Partnership – meeting on 10/06/10
- Without Walls Partnership – meeting on 12/05/10
- NHS Foundation Trust – meeting on 21/04/10
- Economic Development Partnership Board – meeting on 20/05/10

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

- 15. Appointments and Changes to Membership** (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.

- 16. 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 Order 12.1(b)**

- (i) From Cllr Vassie

“Council notes the intention of the Coalition Government to hold a referendum on introducing the Alternative Vote system for United Kingdom General Elections.

Council also notes the commitment of the previous Labour Government to the introduction of voting reform for UK General Elections, the commitment of the Green Party to a fair voting system, and the commitment of the Liberal Democrat Party ‘to seek to include proportional representation for local government elections in England and Wales as part of the political reform programme of the coalition government.’

Council agrees that both national and local authority elections should employ a more proportional and representative voting system in order to better represent the voting intentions of their electorates.



Council therefore resolves to write to the Deputy Prime Minister to call on the Coalition Government to introduce a fair voting system for local elections as part of its package of political reforms and indicates Council's willingness to see a more proportional voting system employed in future local elections in York."

(ii) From Cllr Simpson-Laing

"Council is gravely concerned for the future of the Royal Mail Sorting Office in Leeman Road and deplores the recent announcement by Vince Cable MP, Business Secretary, to privatise the Royal Mail, which could hasten the proposed removal of First Class Mail sorting from York to Leeds.

Council is concerned at these recent announcements, given that :

- A recent YouGov Poll found a majority of voters of every major party opposed Royal Mail privatisation;
- Royal Mail is a market leader whose profits rose by 26 percent to £404m in 2010;
- A fully funded modernisation programme has been agreed by management and unions, in York and nationally, to bring stability to the company;
- Privatisation will lead to the separation of Royal Mail and the Post Office Network, putting the existence of many Post Offices in York and throughout the country at risk;
- Privatisation will put at risk the universal collection and delivery service for households and business, result in a reduction of post boxes, in York and nationally, and has the potential to harm the UK economy;
- The removal of mail sorting from York to Leeds is enormously wasteful in terms of transport and greenhouse gas emissions;
- The loss of the York Sorting Office jobs will impact on the York economy and affect the health and well being of workers and their families.

Council instructs the Chief Executive to:

- Write to the Royal Mail Chief Executive, Moya Greene, to express concerns on the impact of removing first class mail sorting from York to Leeds, and ask that the modernisation programme is allowed time to deliver its goals;
- Write to the Business Secretary and request a halt to the announced Royal Mail privatisation plans so that the recently agreed modernisation plans can be allowed to progress.”

(iii) From Cllr Gillies

"This Council welcomes the proposals recently put forward by the Department of Communities and Local Government (DCLG) as part of its efforts to improve local transparency and accountability.

This Council therefore commits itself to complying with the DCLG recommendations and by 1st January 2011 at the latest will publish and continuing publishing online:

1. Details in full of total cumulative spending over £500;
2. Information on all posts paying over £50,000 per year (including details of benefits and expenses) and their job descriptions;
3. Councillor allowances and expenses in a real time rather than annual format.

None of the above shall include information that:

- a) Relates to a commercial agreement in negotiation;
- b) Is not publishable under the Data Protection Act;
- c) Relates to the protection of vulnerable adults and/or children.

This Council also pledges that this information shall be published at zero cost to the taxpayers, with its collation and presentation forming part of other processes already carried out by the Council.

With some of this information already available, the Council further pledges to make itself even more transparent by requiring that the various strands of information be collected and brought together on the Council website, with

a link on the front page, under the heading 'www.york.gov.uk/transparency' to make it easy for residents to find."

(iv) From Cllr Alexander

"Council believes that:

- Residents of houses in multiple occupation, including students, can be good neighbours and are valued members of communities. They often work locally and contribute positively to the local economy but sometimes can gain an unfair reputation.
- Some landlords are not living up to their responsibility to maintain properties in the interest of local residents and student tenants. Therefore the Council's Voluntary Code of Best Practice is not working.
- This affects community cohesion.

Council notes:

- The changes to householder profiles, particularly in council wards that surround York's higher education institutions.
- That the recently published Student Housing report was discussed at the Local development Framework Working Group on 6<sup>th</sup> September 2010, where the recommendation of the former Chair of Liberal Democrats Youth Wing was to do nothing on this issue.
- That 15% of all properties in Hull Road ward currently receive student council tax exemption.
- Hull Road ward residents' concerns about landlords not taking responsibility over the upkeep of their properties, to the detriment of local residents and student tenants.
- That by obtaining "Selective Licensing" powers from the Government, the Council would be able to license student properties.
- That in areas of Leeds where these powers are used, landlords have to prove they are a fit and proper person, and that their property meets certain conditions before they are granted a licence to rent out their properties. Landlords must ensure tenants

have appropriate references, keep their properties decent and ensure good management. A fine of £20,000 could result from anybody renting a property without a licence. If a landlord has a licence they can still be fined up to £5,000 if they fail to meet the conditions.

Council requests:

- The Director of Communities & Neighbourhoods to apply to the Conservative / Liberal Democrat Coalition Government for 'Selective Licensing' powers under part three of the Housing Act 2004 to license landlords in Hull Road ward, and other affected areas as appropriate, in the interests of both residents and student tenants."

(v) From Cllr Reid

"Council welcomes the announcement that 19 new Council homes are to be built on Lilbourne Drive, with funding from City of York Council and the Homes and Communities Agency.

Council also welcomes the fact that the new homes will be one of only a handful of projects nationally to achieve Code Level 5 sustainability, saving future residents money on energy bills and further enhancing York's reputation as a centre of excellence for eco construction.

Council notes that the new homes will be the first Council houses to be built in the city for 20 years, despite 13 years of the Labour government making numerous promises of support for new Council houses.

Council thanks officers for their hard work and commitment to taking the project forward at a time when opposition Councillors were busy talking down the chances of securing funding for the scheme.

Council resolves to ask the Director of Communities & Neighbourhoods to write to the Housing Minister to urge the government to do all they can to support further

construction of new Council houses in York.”

**17. 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 Leader, from Cllr Alexander:  
“Will the Executive Leader agree to sign a joint letter with the Leader of the Opposition addressed to the Defence Secretary lobbying to maintain the presence and number of Ghurkhas at Imphal Barracks?”
- (ii) To the Executive Leader, from Cllr Alexander:  
“On 6th July 2010 the Executive delegated power to set pay grading of assistant directors to the Head of Paid Services. Does the Leader think that in this current financial climate it is appropriate for the Executive to delegate senior pay levels to other senior officers?”
- (iii) To the Executive Leader, from Cllr Merrett:  
“Would the Executive Leader explain why the long term assumption for the recycling rate in the proposed Waste PFI contract is so low?”
- (iv) To the Executive Member for Neighbourhood Services, from Cllr Crisp:  
“Will the Executive Member agree that changes to non-recycling waste collections in Holgate and Westfield have been an unmitigated disaster for local residents?”
- (v) To the Executive Member for Neighbourhood Services, from Cllr Aspden:  
“Can the Executive Member give Council an update on the progress with the roll out of the new three box recycling system and also give any indication of the effect of the new system on the amount of recycling collected?”
- (vi) To the Executive Member for Children & Young People’s Services, from Cllr Bowgett:  
“Does the Executive Member believe that the possible

redirection of resources from local authority schools to free schools is an unwelcome piece of Government legislation?"

(vii) To the Executive Member for Children & Young People's Services, from Cllr Wiseman:

"Would the Executive Member please inform the Council about the plans for Local Democracy Week?"

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

"Can the Executive Member inform the Council of the response received from Sarah Teather on requesting York to keep some of the playbuilder funding earmarked for claw back?"

(ix) To the Executive Member for Leisure, Culture & Social Inclusion from Councillor Hogg:

"Can the Executive Member tell Council how visitor numbers for the new York Explore compare with the figures before the refurbishment?"

(x) To the Executive Member for Corporate Services, from Cllr Brian Watson:

"Will the Executive member agree to postpone the publication of *Your City* until after the next local elections in order to avoid any allegations of it being used for political propaganda?"

(xi) To the Executive Member for City Strategy, from Cllr Alexander:

"Can you please direct me to where and when 'some Labour Councillors' have made 'contrary claims' to elderly people who are unable to walk to the nearest bus stop, being entitled to £50 worth of travel tokens?"

## **18. Urgent Business**

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

Democracy Officer for this meeting:

Name: Fiona Young

Contact details:

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