



**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, 11 October 2012 at 6.30 pm**





# **A G E N D A**

## **1. Declarations of Interest**

At this point Members are asked to declare any personal, prejudicial or disclosable pecuniary 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 consideration of the following:

Annexes 2 and 3 to agenda item 7, relating to Cabinet Minute 33, (Sale of the Hungate Site) and Annex 2 to agenda item 7, relating to Cabinet Minute 34, (Admin Accommodation Portfolio) on the grounds that they contain information relating to the financial or business affairs of particular persons. This information 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).

Annex 4 to agenda item 7, relating to Cabinet Minute 33, (Sale of the Hungate Site) on the grounds that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. This information is classed as exempt under paragraph 5 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 - 20)**

To approve and sign the minutes of the last Council meeting held on 12 July 2012.

## **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 10 October 2012.**

## 6. **Petitions**

To consider any petitions received from Members in accordance with Standing Order No.7. To date, notice has been received of four petitions as follows:

- A petition to be presented by Cllr Barton on behalf of residents of The Ruddings, Wheldrake requesting resurfacing of their road.
- A petition to be presented by Cllr Barton on behalf of the A19/Deighton Speed Restriction Group.
- A petition to be presented by Cllr Brooks on behalf of residents of Dunnington asking that litter bins that were removed in the summer be replaced.
- A petition to be presented by Cllr Cuthbertson on behalf of residents of Haxby regarding traffic issues in Calf Close, Haxby.

## 7. **Report of Cabinet Leader and Cabinet Recommendations** (Pages 21 - 68)

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

Meeting	Date	Recommendations
Cabinet	17 July 2012	i) Minute 12: Capital Programme Outturn 2011/12 and Revisions to the 2012/13-2016/17 Programme
Cabinet	9 October 2012	Minutes to follow: ii) Minute 33:

## Sale of Hungate Site

iii) Minute 34:  
Admin Accommodation  
Portfolio – further property  
rationalisation

***[Copies of these draft minutes, marked to follow, together with the confidential annexes to these reports have now been added to this agenda.]***

### **8. Recommendations of the Joint Standards Committee (Pages 69 - 70)**

To consider the following recommendations for approval from the Joint Standards Committee:

Meeting	Date	Recommendations
Joint Standards Committee	12 September 2012	Minute 7: Implementation of New Standards Arrangements (Independent Persons)

### **9. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee (Pages 71 - 76)**

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

### **10. Independent Remuneration Panel (Pages 77 - 100)**

To consider the final report and recommendations of the Independent Remuneration Panel in relation to Members allowances and reimbursements.

### **11. Report of Cabinet Member (Pages 101 - 114)**

To receive a written report from the Cabinet Member for Planning, Transport and Sustainability, 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.

## 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://modgov.york.gov.uk/mgListOutsideBodies.aspx?bcr=1>

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

- Fire Authority – 20 June 2012
- Police Authority – 25 June 2012
- Safer York Partnerships – 9 August 2012
- Local Government North Yorkshire & York – 12 July 2012
- Without Walls – 21 May 2012

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 Simpson-Laing

“The City of York Council is concerned over the recent announcement that will allow household extensions, through Permitted Development Rights, to double in size without the need for Planning Consent

Council is concerned about the detrimental effect such large extensions could have on neighbours and neighbourhoods.

Council requests that Government undertake an extensive consultation on the extensions of Permitted Development Rights

Council requests that the Director of City and Environment bring forward proposals for an 'Article Four Direction', to limit the size of Household extensions not requiring Planning Consent, if the Government presses ahead with the proposed changes."

(ii) From Cllr Galvin

"Council believes in these difficult economic times, caused by the previous Labour government's financial incompetence, that the priority must be to protect both the vulnerable and residents' most basic council services. Council therefore pledges:

1. To restock and to maintain all existing salt bins throughout the coming winter: and
2. To rule out any additional charges to residents for the provision and removal of green waste bins for the remainder of this council.

The costs associated with these commitments, approximately £34k will be met by reallocating from the Economic Infrastructure Fund, £34,000 from New Homes Bonus funds for 12/13 and, from 13/14, by reducing the cost of Union support by the same sum"

(iii) From Cllr Reid

Council Notes:

Councillor Sonja Crisp's promise to Full Council in March that "all the salt bins required across all wards will be refilled from the core budget".

The decision taken last month by Councillor David Levene, Cabinet Member for Environmental Services, not to refill the 170 salt bins previously maintained through funding provided via ward committees.



Cuts and changes to the ward committee budgets now prevent these decisions being addressed at ward level.

Council believes:

- The plans to reduce overall salt bin provision in York from around 369 full bins to around 199 will, in a bad winter, have a significant and detrimental impact.
- Leaving the bins out empty is likely to lead to a further deterioration in their condition and make it harder to bring them back into use next winter.
- Public confusion is likely as residents will not know which salt bins are full and which salt bins are empty until they need to use them.
- The decision to cut provision before the promised review of salt bin locations for the winter of 2013/14 is misguided, as is the decision not to consult local residents or local councillors.
- The mistakes Labour made over the removal of 1-in-4 of York's dog and litter bins are being repeated.

Council calls on Councillor Levene to reverse his decision and refill all salt bins for this winter pending a review of salt bins locations for next winter, and carry out an assessment of which bins are in need of repair. The initial £17,000 cost would be funded by reducing the budget for Cabinet Members Allowances from £128,625 to £110,625.

(iv) From Cllr Alexander

City of York Council is experiencing almost a third cut in funding from the Conservative-led Government. This has led to unpopular service reductions and the situation is becoming critical.

Local Government is being asked to find savings that far outweigh Government expenditure reductions in other areas. In 2014/15 there will be a 0.6% reduction in public expenditure but Local Government will experience a cut 9 times higher. In York the savings required could be 17 times as high.

From 2003 to 2010 City of York Council received an additional £52m in funding from the Labour Government. During which time the Liberal Democrat administration led a 'Fair deal for York' campaign which said York was underfunded.

Since the General Election the Council has had to identify £41m of savings. York is contributing to deficit reduction but the Conservative-led Government is using deficit panic to attack York's public services.

At the 2010 General Election no party won. The Conservative-led Government has no mandate for their destructive course of action and the Government only exists because of choices made by the Liberal Democrats. Council will pledge its commitment to lead on and sign up to a non-partisan 'Enough is Enough' campaign to stop the Government attacking York's public services.

**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 from Cllr Runciman:

"Does the Council Leader agree with Councillor Semlyen, Chair of the Economic & City Development Overview and Scrutiny Committee, that the recent floods prove it would be wrong to invest £3.6 million of public money in the Bonding Warehouse?"

(ii) To the Cabinet Leader from Cllr Runciman:

"Firstly, I would like to thank those on the ground for their efforts in tackling the recent floods. However, after complaints from members of the public and his own public criticism, will the Council Leader support a full scrutiny review to analyse the response to the floods from City of York Council, Yorkshire Water, the Environment Agency and other relevant organisations?"

(iii) To the Cabinet Leader from Cllr Reid:

“Could the Council Leader provide an update on the future of the Beckfield Lane site?”

(iv) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Doughty:

“In the Adult Social Services Finance Report presented to the Health, Overview and Scrutiny Committee on 12<sup>th</sup> September, it detailed a projected Council overspend in excess of £2.6M for the directorate in the current fiscal year. This report detailed where some of the overspend has taken place or is forecast. It indicated that some “mitigating actions have also been identified to help compensate for some of these pressures” and listed some very generalised areas without giving detail.

Can the Cabinet Member please expand on this to give Council a clearer indication as to how the £2.6M overspend will be tackled and which specific areas, if any will be reviewed?”

(v) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Doughty:

“The Adult Social Services Finance Report referred to in my previous question also indicated that the directorate is assessing which 2013/2014 savings proposals can be brought forward. Can the Cabinet Member indicate what these might be at this stage. If not, what timescale can we expect to hear about them?”

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

“Excluding the efforts of the various housing associations, can the cabinet member say how many affordable homes have been completed as a result of developer contributions during the period the Labour Administration has been in control?”

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

“Could the Cabinet Member update Council on what is happening

to the estimated 184 residents in the 'moderate' care bracket recently cut by Labour?"

(viii) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr Reid:

"What has the uptake been for council tenants installing Solar PV (photovoltaic) panels and what impact will this have on national grid capacity?"

(ix) To the Cabinet Member for Transport, Planning & Sustainability from Cllr D'Agorne:

"Can the Cabinet Member report what reviews are taking place following the combined travel disruption caused by flooding and gas works around the city?"

(x) To the Cabinet Member for Transport, Planning & Sustainability from Cllr D'Agorne:

"Will there be a review of the arrangements with utility companies to prevent work being allowed simultaneously on several key roads at the same time (Tadcaster Rd, Sim Balk Lane, Bishopthorpe Rd, Cemetery Rd)?"

(xi) To the Cabinet Member for Transport, Planning & Sustainability from Cllr Barton:

"Bearing in mind that yet another LDF Working Group meeting (1<sup>st</sup> October) has been cancelled, when will the Conservative motion from the Council Meeting of 12<sup>th</sup> July 2012 and referred to this group be debated and a recommendation brought to full council?"

(xii) To the Cabinet Member for Transport, Planning & Sustainability from Cllr Reid:

"How much has been spent on the '20's Plenty' Campaign and does this include the cost of all marketing and advertising?"

(xiii) To the Cabinet Member for Transport, Planning & Sustainability from Cllr Ayre:

“The budget for 2011/12 included £158,000 for a statutory bus partnership and a further £100,000 has been allocated in 2012/13. Does the Cabinet Member think it is acceptable that 5 months after raising the question, I am yet to receive a detailed breakdown of how this money is being spent? Could the Cabinet Member now provide a detailed breakdown of what this £258,000 has been spent on and what benefits have come from this?”

(xiv) To the Cabinet Member for Transport, Planning & Sustainability from Cllr Reid:

“While recognising the excellent work of those on the ground tackling the floods, there were complaints that there were no sandbags available in the Skeldergate area and people were being left to fend for themselves. Could the Cabinet Member confirm that there are 40,000 empty sacks in the depot with sufficient sand to fill and these were properly distributed during the floods?”

(xv) To the Cabinet Member for Crime & Stronger Communities from Cllr Healey:

“Can the Cabinet Member please outline progress on the priorities identified from your administration’s Crime summit?”

(xvi) To the Cabinet Member for Crime & Stronger Communities from Cllr Healey:

“How does the Cabinet Member envisage his role changing with the election of a Police and Crime Commissioner for North Yorkshire?”

(xvii) To the Cabinet Member for Crime & Stronger Communities from Cllr Healey:

“Does York Consortium’s £13,405 management fee of the Community Fund represent good value for money?”

(xviii) To the Cabinet Member for Crime & Stronger Communities from Cllr Orrell:

“How many Community Ward Contracts have been fully agreed and signed-off?”

(xix) To the Cabinet Member for Crime & Stronger Communities from Cllr Ayre:

“After first raising concerns in August, I have yet to receive a satisfactory answer to questions on the York Travellers Trust loss of £13,291 CYC funding. Could the Cabinet Member now confirm if this funding is being removed or whether they are receiving funds from a different pot? If they have lost funding what plans are in place to support the Trust? And will the Trust be able to continue without this funding?”

(xx) To the Cabinet Member for Leisure, Culture & Tourism from Cllr Richardson:

“Is the Cabinet Member going to resign as chair of the Equality Advisory Group given her comments made regarding Cllr. Jeffries and if not will she be apologising to this Group which is tasked with upholding equality in this city?”

(xxi) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Ayre:

“An update sent to staff confirms that a project board has been convened to prepare a detailed ‘social enterprise’ model to transfer ownership of libraries from the Council. The recently launched library consultation does not ask residents for their views on this. Therefore, given that the consultation ignores the most important question, would the Cabinet Member consider withdrawing it and starting a proper full and frank discussion about the future ownership of libraries?”

(xxii) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Ayre:

“Does the Cabinet Member believe that the ‘social enterprise’ model is the only way to deliver future library services?”

(xxiii) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Ayre:

“Can the Cabinet Member guarantee that whatever the future ownership model of libraries, current staffing levels will be maintained?”

(xxiv) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Ayre:

“When will the responsibility for equalities and inclusion transfer to the Cabinet Member for Crime and Stronger Communities?”

(xxv) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Ayre:

“Could the Cabinet Member give a detailed breakdown of the cost of ‘Illuminating York’ for the last 3 years and for this year?”

(xxvi) To the Cabinet Member for Corporate Services from Cllr Cuthbertson:

“In light of the disastrous 2012-13 Performance and Finance Monitor 1 report which showed a projected overspend of £5.9 million, could the Cabinet Member outline how this situation will be rectified?”

(xxvii) To the Cabinet Member for Corporate Services from Cllr Cuthbertson:

“Will the Cabinet Member ensure that as soon as she receives information on the proposed growth items and savings for next year’s budget, these will be made available to opposition councillors?”

(xxviii) To the Cabinet Member for Corporate Services from Cllr Cuthbertson:

“What was the total revenue lost to this Council through the traffic wardens strike in July?”

(xxix) To the Cabinet Member for Corporate Services from Cllr Reid:

“In the light of other colleagues not having answered this question, I am now asking the Cabinet Member for Corporate Services – In April the Council said it expected to “receive full payment within the next month” for the outstanding rent still owed by UK Entertainment Online Ltd in regards to the Winter Wonderland in Exhibition Square last December. Could the Cabinet Member indicate whether this was achieved and if not what money is still owed to the Council?”

(xxx) To the Cabinet Member for Environmental Services from Cllr Firth:

“Will the Cabinet Member confirm that his colleague, Councillor Sonja Crisp, was wrong to say in March that “all the salt bins required across all wards will be refilled from the core budget?”

(xxxii) To the Cabinet Member for Environmental Services from Cllr Aspden:

“The Cabinet Member recently said that he thinks the “Liberal Democrats could be more constructive” when it comes to reducing litter. Does he agree that the most constructive way to reduce litter would be for Labour to listen to the thousands of residents that have signed petitions and return the 349 litter and dog bins removed earlier this year?”

(xxxii) To the Cabinet Member for Environmental Services from Cllr Reid:

“What does the Cabinet Member intend to do about the salt bins that are out on the street but in need of repair?”

(xxxiii) To the Cabinet Member for Environmental Services from Cllr Reid:

“Can the Cabinet Member confirm that the Snow Wardens scheme will continue?”

(xxxiv) To the Cabinet Member for Environmental Services from Cllr Reid:

“When will the public consultation on changes to the green bin



service take place?”

(xxxv)To the Cabinet Member for Environmental Services from  
Cllr Reid:

“Given the delays in consultation, the threat of a rise in landfill tax charge, and the public opposition, will the Cabinet Member formally rule out introducing charging for the green bin service?”

### **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

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

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Contact details are set out above.