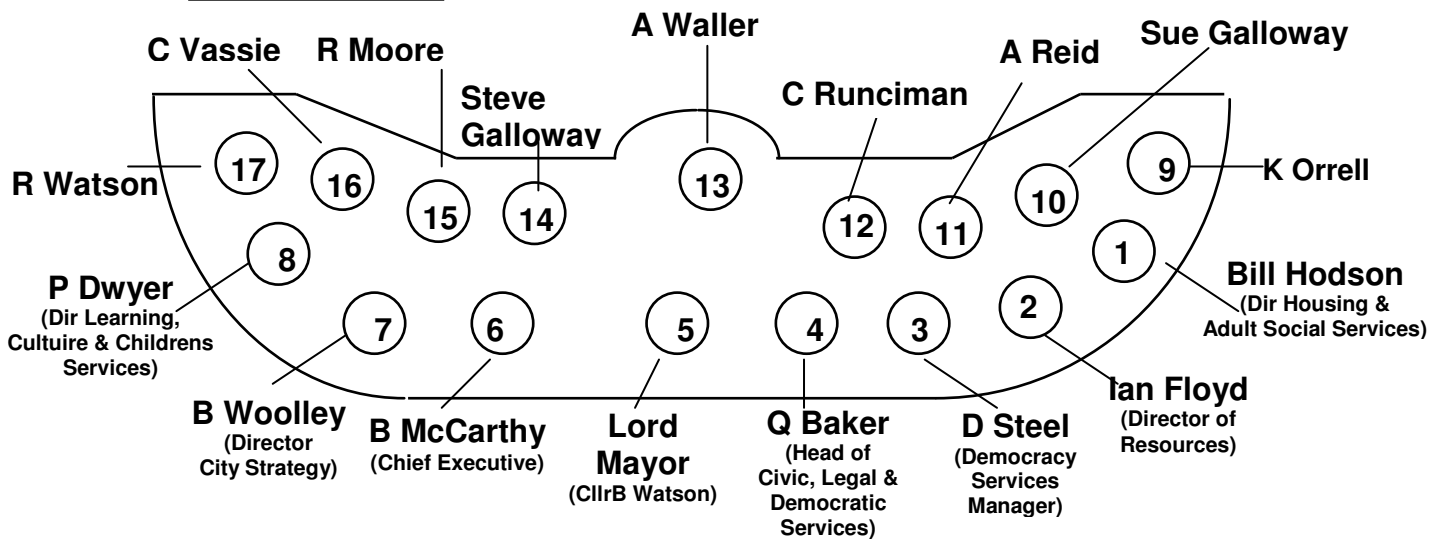
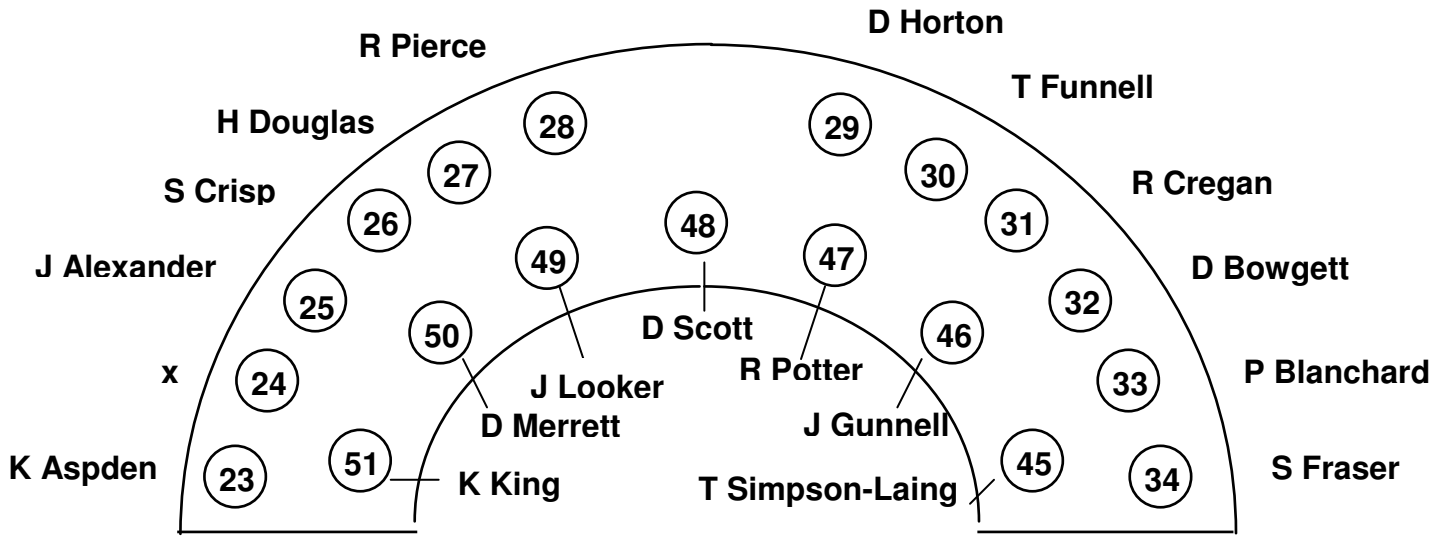


CITY OF YORK COUNCIL SUMMONS

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, 22 January 2009 at 6.35 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. Minutes (Pages 1 - 18)

To approve and sign the minutes of the Council meeting held on 27 November 2008.

3. Civic Announcements and Lord Mayor Elect

To consider any announcements made by the Lord Mayor in respect of Civic business, and in particular the nomination of the Lord Mayor Elect and the Sheriff of York for the Municipal Year 2009/10.

4. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the remit of Council may do so. Anyone who wishes to register, or requires further information, is requested to contact the Democracy Officer for this meeting. Contact details are listed at the foot of this agenda. The deadline for registering is **5:00pm on Wednesday, 21 January 2009.**

5. 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 Bowgett, on behalf of residents objecting to 'rat running' on Grantham Drive.
- (ii) Cllr Gunnell, on behalf of residents calling for improvements to the no. 11 bus service for the South Bank / Bishopthorpe Road areas and Micklegate Ward generally.
- (iii) Cllr Potter, on behalf of local residents calling for the completion of the James Street Link Road between Heworth Green and James Street.

- (iv) Cllr Potter, on behalf of residents supporting the introduction of a 20 mph speed limit throughout the City in residential areas.
- (v) Cllr Simpson-Laing – on behalf of local residents regarding the extension of yellow lines on Iver Close.
- (vi) Cllr Simpson-Laing, on behalf of residents of Sovereign Park seeking a rebate of and reduction in Council Tax.
- (vii) Cllr Reid, on behalf of residents requesting the closure of the snicket between Moor Lane Bridge and Old Moor Lane.

6. Report of Executive Leader and Executive Recommendations (Pages 19 - 28)

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	23 December 2008	Minute 145 – <i>Corporate Efficiency Programme and Update on Specific Efficiency Reviews</i> Minute 146 – <i>Web Casting of Council Meetings</i> Minute 148 – <i>Urgent Business: Granting a Loan to an Outside Body – York Credit Union</i>

7. Recommendations of the Audit and Governance Committee (Pages 29 - 30)

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

Meeting	Date	Recommendations
Audit and Governance Committee	13 January 2008	Minute 36 - <i>Proposed Change to the Council's Constitution Regarding Petitions</i> Minute 37 - <i>The Audit of the Financial Statements 2007/8 – a Progress Report</i>

8. Scrutiny - Report of the Chair of the Scrutiny Management Committee (Pages 31 - 42)

To receive a report from Councillor Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC, including a motion to be moved by Cllr Galvin in respect of the advice offered by the Working Group set up by Council to advise on the implementation of the re-structure of the scrutiny process.

9. Holocaust Memorial Day (Pages 43 - 46)

To consider a report prepared by the Head of Civic, Democratic and Legal Services, in response to the motion approved at the last meeting of Full Council, setting out detailed proposals and costings for including in the Civic Calendar an annual event to mark Holocaust Day.

10. Allocation of Local Choice Function – Approval of Local Area Agreement (Pages 47 - 50)

To consider a report of the Head of Civic, Legal and Democratic Services which recommends that the 'local choice' function to approve the Local Area Agreement (LAA) be allocated to the Executive.

11. Report of Executive Member (Pages 51 - 52)

To receive a written report from the Executive Member for City Strategy, 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)(a).

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://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)

- Without Walls Partnership – meeting on 19 November 2008
- Quality Bus Partnership – meeting on 11 December 2008

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** (Pages 53 - 54)

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 11:

A – Motions referred from the Executive in accordance with Standing Order 11(a)(i)

None

B – Motions submitted for consideration directly by Council, in accordance with Standing Orders 11(a)(ii)

(i) From Cllr Steve Galloway

“Council notes the campaign being launched by the Local Government Association to ensure that the national concessionary fares scheme is fully funded by central government grant at individual local authority level.

Council further notes that in the case of the City of York Council for 2009/10 the difference, between the government grant announced for concessionary fares and the actual cost, could be as much as £1 million.

Council resolves to support the LGA campaign and instructs the Chief Executive to write to the LGA, together with the City's 4 MPs, with details of the potential impact of the grant settlement on the City, its Council Tax level and public service standards."

(ii) From Cllr Lookder

Council notes that:

- The Barbican auditorium has failed to hold any entertainment events since the agreement was entered into with Absolute Leisure and in fact has lost significant contracts such as the UK Snooker Championships, which had been such a successful part of the York scene, and a number of potential conference opportunities.
- There is still no start date for the proposed alterations and adaptations to the auditorium, which have received planning permission, and so consequently no clear idea as to when the venue will re-open for business.
- When the economic outlook is uncertain, it is imperative that the city maximises its opportunities for a wide variety of business opportunities and the loss of conference income and major entertainment events income are making York a less and less attractive destination for visitors and business clients.
- The building is falling into disrepair and is rapidly becoming a major eyesore both for residents and visitors to the city.
- Absolute Leisure has failed to meet set deadlines for the proposed refurbishment and the £3m deposit required to fulfill this.

Council recognises that:

- the current Liberal Democrat administration has failed to provide York residents with an entertainments programme as befits a city such as York.

Council recommends:

- That the Executive be requested to instruct Officers to cease all negotiations with Absolute Leisure and seek a new solution for the auditorium.

Council invites the Leader of the Council to take responsibility for this project and provide a written progress report at all future Full Council meetings until the Barbican Auditorium is in full operational usage.”

(iii) From Cllr D’Agorne

“Council notes:

- i) That it is now over 5 years since the closure of the Barbican, resulting in the loss of sports and swimming facilities in the area and the departure of the UK Snooker Championship from the city.
- ii) That Absolute Leisure has failed to comply with the legal agreement with the council by the deadline, meaning that the future of the auditorium is now in jeopardy, with further delay before it is brought back into public use.

Council condemns the repeated delays to the project and calls for the Executive to undertake an urgent thorough review of all options now open to the Council. This should include a re-examination of the potential for creating a trust to deliver sports, leisure facilities, entertainment and community use on the site.”

(iv) From Cllr Scott

“The City of York has two rivers and a number of other water courses, yet currently only has 2 public swimming pools with a total of only 12 swimming lanes for a population of over 186,000 people.

Council notes that:

- The Liberal Democrat administration promised a replacement pool for the Barbican.
- No site or funding so far have been identified for the third new city centre pool as agreed by Council.
- There has no planning permission, proposed start date for construction or opening date for that replacement pool.
- The city is devoid of council provided city centre leisure facilities.

Council recognises that:

- The current Liberal Democrat administration has failed

to provided leisure facilities in the city.

- The City of York is already short of swimming facilities in the city and that the proportion of swimming lanes to residents is set to further deteriorate in future years as set out in recent council reports

Council calls on the Leader of the Council to report at all future Full Council meetings until public swimming provision has been replaced.”

(v) From Cllr Sue Galloway

“Council notes attempts by the Government to impose an average rent increase of 7.7% on Council tenants in the city for 2009/10 in order to reach rent convergence in 2011/12.

Council notes that it is now proposed that the convergence deadline is extended to 2023/24 (for 1 year only). Even with this extended deadline council rents in York would increase by an average 6% causing further potential financial pressures for those who do not qualify for rent rebates.

Council therefore calls for the end point for the convergence of Council rents to be further extended, to take account of the current economic situation and to give tenants more time to adjust their household budgets, and instructs the Chief Executive to write to the Secretary of State accordingly.”

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 10(a):

(i) To the Executive Leader, from Cllr Aspden

“What steps are being taken to promote environmentally sustainable job in York?”

- (ii) To the Executive Member for City Strategy, from Cllr Galvin:

“In the light of the resolution at the Council Meeting of 25th September referring to a link road between Bishopthorpe Road and Sim Balk Lane, will the Executive Member please advise Council as to the progress made to date on the first part of the resolution i.e:

‘To aid the development of the Terrys Site, the Council instructs the appropriate officers to develop as a matter of urgency and in a timescale to inform any future planning application, an assessment of the need for, and effectiveness of providing, a Link Road between Bishopthorpe Road and Sim Balk Lane to the south side of the A64.’”

- (iii) To the Executive Member for City Strategy, from Cllr Galvin:

“Will the Executive Member also advise as to when the report referred to in the remainder of the resolution will be presented to Council i.e:

‘Officers are therefore instructed to report to the Full Council as soon as possible addressing the potential for funding the Link Road, with a contribution from Developers and other sources.

The report should also indicate how any proposed future development allocated through the LDF process could contribute to the construction costs of such a link road proposal.

Such report also to investigate the possibility of constructing a new junction to the west of London Bridge to facilitate speedy access on to the A64 slip roads.’”

- (iv) To the Executive Member for City Strategy, from Cllr Merrett:

“Would the Executive Member for City Strategy outline the progress on implementation of the council's Green Transport Plan and indicate the latest modal split figures compared to the starting base line, including a breakdown of the figures by department?”

- (v) To the Executive Member for City Strategy, from Cllr Merrett:
“Can the Executive Member for City Strategy explain why requests for lighting column repainting in Micklegate Ward going back to at least February 2005, which were part of an extensive list of lighting columns agreed for repainting in September 2007, had still not been completed when this area of responsibility was recently transferred to Neighbourhood Services?”
- (vi) To the Executive Member for City Strategy, from Cllr Merrett:
“Will the Executive Member for City Strategy inform Council what action has been taken since the last Council meeting to re-invigorate the stalled Carbon Management Programme and what steps are being taken to properly resource the need for data analysis to inform the implementation of the programme?”
- (vii) To the Executive Member for City Strategy, from Cllr Potter:
“Will the Executive Member for City Strategy describe what progress has been made in respect of setting a target to achieve at least a 5% reduction in the Council’s energy consumption over the next 12 months?”
- (viii) To the Executive Member for Children & Young People’s Services, from Cllr Merrett:
“Would the Executive Member for Children's Services explain comments in The Press, attributed to a departmental source, regarding the possible closure of a secondary school on the east side of the city. In doing so, will she outline the actual position on this issue and give assurances and/or advise when and how pupils, parents, staff and the wider community in the area are going to be told about what is actually going on, and outline when they will be involved in a meaningful consultation on any proposals to re-organise education in that part of the city and that they will be presented with genuine options and not a single fait accompli solution?”

- (ix) To the Executive Member for Children & Young People's Services, from Cllr Alexander:
"Can the Executive Member for Children's Services outline what progress is being made with regards to the Myplace bid and whether she is still confident of a successful bid for a major central facility for the City's young people?"
- (x) To the Executive Member for Children & Young People's Services, from Cllr Alexander:
Will the Executive Member for Children and Young People's Services confirm that she supports me in requesting the Chief Executive:
- Ensures that York secondary schools shows the film 'Live Now, Drive Later' to their pupils annually.
 - Contacts every Council Leader and Cabinet Member for Children's Services in the country to request that they adopt the 'Live Now, Drive Later' campaign, enclosing a copy of the DVD."
- (xi) To the Executive Member for Housing & Adult Social Services, from Cllr Horton:
"In respect of the empty property at 17 Almsford Road, Acomb would the Executive Member explain for my benefit and those of adjacent neighbours, without blaming others, her unfulfilled promise given at the last Full Council meeting on 27th November, 2008 "that the property should be available for letting within the next couple of weeks", especially noting that the property was further trashed between Christmas and New Year?"
- (xii) To the Executive Member for Housing & Adult Social Services, from Cllr Simpson-Laing:
"Will the Executive Member for HASS explain how she plans to relaunch the idea of 'living above the shop' as mentioned in the recent 'Affordable Housing Initiatives' paper as a means to providing affordable homes in the city."
- (xiii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Holvey:
"Can the Executive Member give Council an update on the success of the smart meter loan scheme that has been

recently introduced into the City's libraries?"

16. 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

For more information about any of the following please contact the Democracy 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.