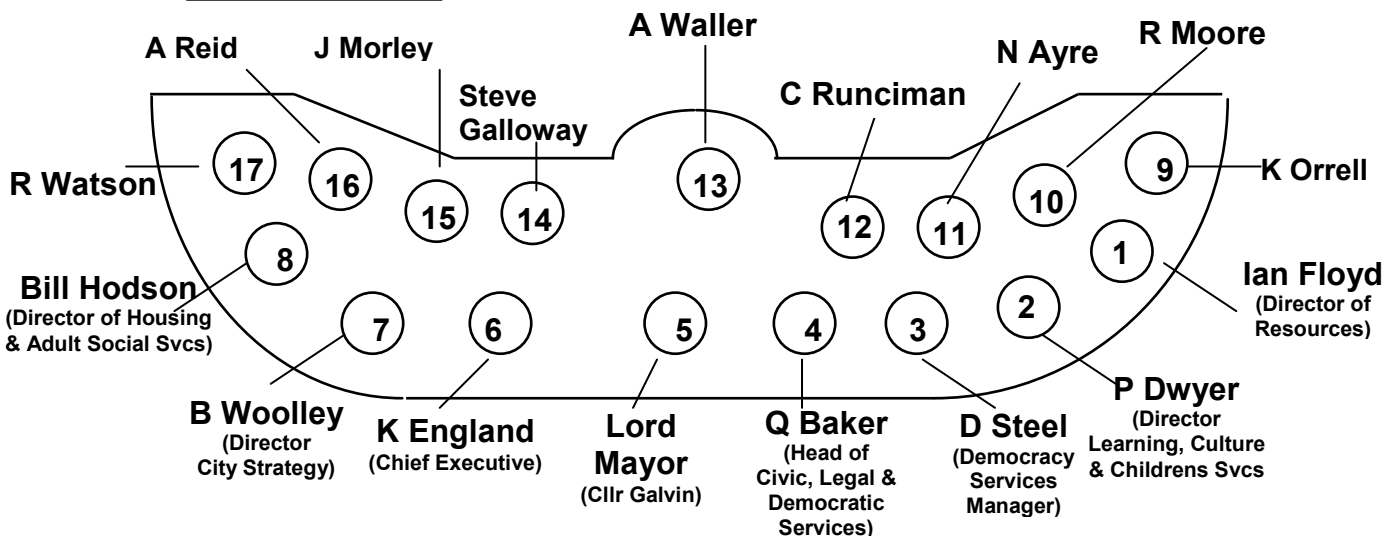
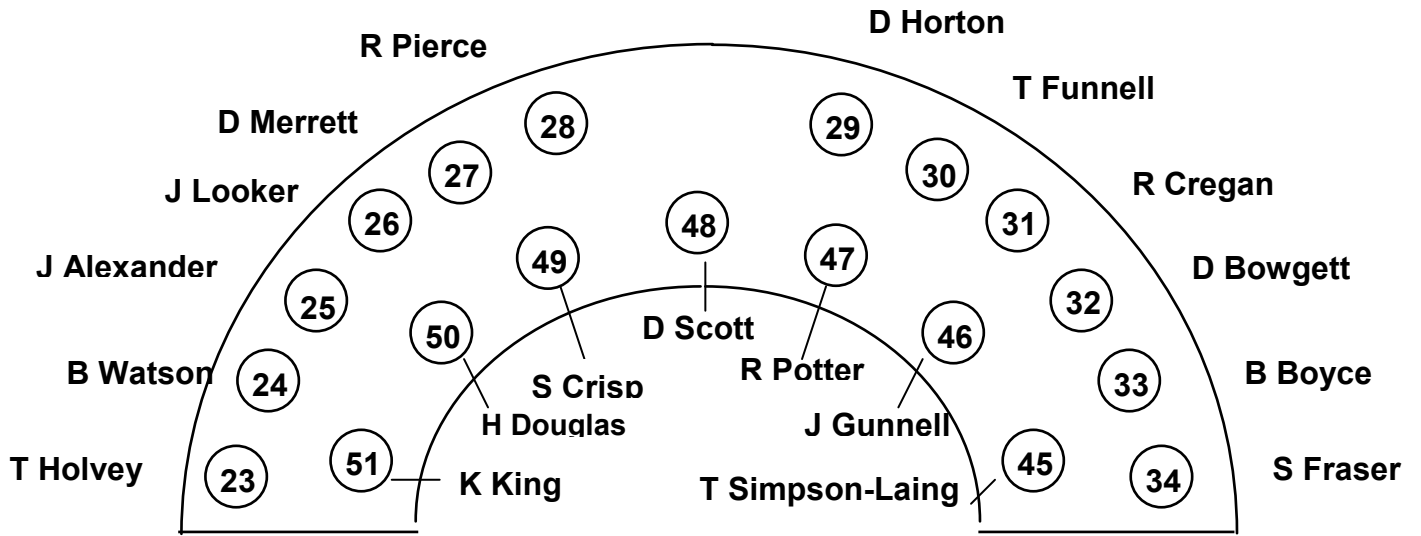


CITY OF YORK COUNCIL SUMMONS

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, 4 February 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. Minutes (Pages 1 - 30)

To approve and sign the minutes of the Special and Ordinary meetings of Council held on 3 December 2009.

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 2010/11.

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, 3 February 2010**.

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 Simpson-Laing on behalf of residents calling for the introduction of a 20 mph zone in Sovereign Park.
- (ii) Cllr Alexander, on behalf of residents supporting the 'Fair Fare' Campaign.
- (iii) Cllr Moore, on behalf of the residents of Garburn Grove, calling for the implementation of restrictions to address the problem of the school run.

6. Report of Executive Leader and Executive Recommendations (Pages 31 - 46)

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	19 January 2010	Minute 146: <i>Local Area Agreement Refresh 2009/10</i>
		<u>Note:</u> a copy of the draft refreshed LAA, for which approval is sought, is attached.

7. Recommendations of Audit & Governance Committee (Pages 47 - 52)

To consider the following recommendations for approval from the Audit & Governance Committee

Date of Meeting	Recommendations
21 December 2009	Minute 54: <i>Review of the Audit & Governance Committee's Terms of Reference (Articles & Functions)</i>
	<u>Note:</u> a copy of the terms of reference is attached, showing the changes recommended for approval.

8. Scrutiny - Report of the Chair of the Scrutiny Management Committee (Pages 53 - 54)

To receive a report from Councillor Healey, the Chair of the Scrutiny Management Committee (SMC), on the work of the SMC and to deal with any questions to the Chair received under Standing Order 11.2.

To date, notice has been received of the following questions to the Chair of SMC:

- (i) From Cllr Fraser
"Will the Chair of SMC look into the high-handed and

arrogant refusal of the Executive Member for Housing & Adult Social Services to attend the recent meeting of the Health Scrutiny Committee to account for his stewardship of the part of his portfolio relating to Adult Social Services, and specifically to assist in the consideration of his own Executive's reference regarding the disturbing budget overspend in that department ?”

(ii) From Cllr Fraser

"Will the Chair of SMC ensure that, in future, the Council's Constitution and scrutiny procedure rules (specifically, Pt 4 para 2.1.1 (f)) are fully complied with by all Members of the Council's Executive ?"

9. Report of Executive Member (Pages 55 - 60)

To receive a written report from the Executive Member for Housing & Adult Social 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.

10. 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)

- Quality Bus Partnership – meeting on 10/12/09
- Safer York Partnership – meeting on 09/12/09
- Without Walls Partnership – meeting on 09/12/09

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

11. Appointments and Changes to Membership (Pages 61 - 62)

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

12. 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 Morley

“Council supports the principle of helping more people with care needs to stay in their own homes and the measures in the Personal Care at Home Bill to achieve that aim.

However, Council is concerned that local authorities will be asked to fund a substantial part of the new entitlements included in the bill from their own resources, assuming additional savings, and that the proposed Government funding is inadequate, even if its estimates of the cost of the entitlements are correct.

Council also shares the LGA’s concern that the Government has underestimated the number of people likely to be covered by the provisions of the bill and calls on the Government to commit to fully funding any shortfall in budgets that results should these estimates prove to be incorrect.

Council therefore instructs the Director of Housing and Adult Social Services to respond to the consultation on the proposals, setting out the Council’s concerns about the impact the additional cost will have on social care budgets.”

(ii) From Cllr Simpson-Laing

“Council calls upon the Chief Executive to instruct Officers to draw up a ‘Lifetime Homes Supplementary Planning Document’ to ensure all York’s future homes are built to the

Lifetime Homes Standards from 2011 and that this document is completed by May 2010.”

(iii) From Cllr D’Agorne

“This Council notes:

1. The clear evidence that slower speeds on our roads save lives: government figures indicate 20% of pedestrians hit at 30mph die, while for those hit at 20mph mortality is cut to 3%. A London Assembly report showed a 42% reduction in accident rates in 20mph zones within the capital.
2. The successful introduction of a 20mph limit on all residential streets in the City of Portsmouth, (a Liberal Democrat-controlled authority), with initial results indicating a 13% cut in accidents and a 15% cut in casualties.
3. The proposed new guidance from the Department for Transport (16/12/09), which encourages highway authorities to adopt a 20mph limit for streets which are primarily residential in nature and for town and city streets where pedestrian and cyclist movements are high.

This Council therefore requests the Executive to:

- a) Ensure that the 'total 20' approach adopted in Portsmouth forms a key part of the consultation on the third Local Transport Plan for the City of York
- b) Extend the 'made you look' public road safety education programme to include greater emphasis on casualty reduction benefits of lower speeds in built up and rural areas.
- c) Report back to full council within 6 months, outlining implementation plans for this programme in the light of public consultation on LTP3.”

(iv) From Cllr Horton

“This City of York Council, given the anticipated expenditure of £285k of Government - funded monies for alleged cycle improvements to the south end of Beckfield Lane, is appalled that the Executive Member for City Strategy appears to be intent on progressing this joint-user footpath scheme in spite of the overwhelming opposition of local residents, the Blind and Partially Sighted Society and the outright objections of York Cycle Campaign.

Council, therefore, calls on the Executive Member for City Strategy to give serious consideration to abandoning the scheme forthwith rather than using further valuable resources to develop this scheme, and to agree to concentrate efforts on much more advantageous cycling safety schemes in the City.”

(v) From Cllr Kirk

”Council notes that:

- Cold Weather Payments of £25 per week are paid to people on low incomes who receive a qualifying benefit, such as Pension Credit.
- The form to apply for Pension Credit is 18 pages long. The advisory notes on how to fill it in are 19 pages long.
- Last year 1.7million pensioners missed out on an average of over £1700 each of pension credit
- The Government has saved £17.5billion in 11 years that has not gone to struggling pensioners in pension credit payments.

Council is concerned that the complexity of the system to claim Pension Credit has put so many people off claiming the credit and that consequently they also do not receive the additional cold weather payments.

Council therefore instructs the Chief Executive to write to the Secretary of State expressing Council’s wish to see the system for claiming pension credit simplified.”

13. 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:
“Can the Leader of the Council please tell me what the monetary value is of the savings made subsequent to your meetings with the Council’s Efficiency, Procurement and Risk Management Champion?”

- (ii) To the Executive Leader, from Cllr D’Agorne:
“What are the costs to CYC arising from the appointment of 6 'Renaissance team' staff (on costs, accommodation etc) and to whom are they accountable?”

- (iii) To the Executive Leader, from Cllr Vassie:
“Does the Executive Leader agree that openness and transparency could be improved if the Council published details of all Freedom of Information requests and subsequent answers on its website? Would the Executive Leader agree to take a report to the Executive reviewing the costs and processes used in implementing the FOI Act locally together with options for improving the transparency and efficiency of the system?”

- (iv) To the Executive Leader, from Cllr Alexander:
“Will the Leader of the Council ensure that this council writes to all other authorities in the country and asks them to adopt measures to support the Press’s Lifesavers campaign?”

- (v) To the Executive Leader, from Cllr Merrett:
“Would the Council Leader explain why the requirement of the January 2008 Council decision that *‘bi-monthly update reports - copied to all Council Members - be submitted via the Group Leader / Shadow Executive / Executive process detailing progress made on the delivery of the Action Plan for tackling climate change within the Council’* has not been implemented, and will he now ensure the decision is belatedly implemented?”

- (vi) To the Executive Member for City Strategy, from Cllr D'Agorne:
"What actions (beyond the current 'Fulford Corridor' highway works) might be put in place to address poor air quality in Fulford as a result of the declaration of an Air Quality Management Area?"
- (vii) To the Executive Member for City Strategy, from Cllr D'Agorne:
"What information will you be providing to Fulford Rd/ Main St residents explaining the benefits of declaring their area as an AQMA in order to help them respond to the recent questionnaire in the ward newsletter?"
- (viii) To the Executive Member for City Strategy, from Cllr D'Agorne:
"What is the timetable for citywide consultation on the draft LTP3 and measures that will reduce air pollution to meet the air quality limits for the city centre AQMA?"
- (ix) To the Executive Member for Corporate Services, from Cllr Fraser:
"Can the Executive Member for Corporate Services provide details of the rollout of the planned new fibre-optic ICT infrastructure to all the Council's various buildings, including the priority for the various categories of buildings referred to in the email briefing to councillors sent out by the Head of IT last month?"
- (x) To the Executive Member for Neighbourhood Services, from Cllr Firth:
"Can the Executive Member outline the Council's response to the severe weather situation over the Christmas period?"
- (xi) To the Executive Member for Neighbourhood Services, from Cllr D'Agorne:
"Will she make available to members a full report of dates and times of gritting of cycle routes as well as roads and paths outside the 'priority network' and what work is planned to assess what can be learnt from accident records and injury claims arising from the recent icy weather?"

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

"Can the Executive Member tell Council how the Adoption Service performed in its recent Ofsted inspection?"

(xiii) To the Executive Member for Housing & Adult Social Services, from Cllr Fraser:

"Can the Executive Member for HASS tell us how he justifies his refusal to attend the recent meeting of the Health Scrutiny Committee to account for his stewardship of the part of his portfolio relating to Adult Social Services, and specifically to assist in the consideration of his own Executive's reference regarding the disturbing budget overspend in that department?"

(xiv) To the Executive Member for Leisure, Culture & Heritage, from Cllr B Watson:

"Can the Executive Member for Leisure, Culture and Heritage define the remit of the Heritage Champion and outline his work to date?"

(xv) To the Executive Member for Leisure, Culture & Heritage, from Cllr Holvey:

"The recent Active People Study showed a 6% increase in adult participation in sport from 19% to 25%. Could the Executive Member update Council on the current situation regarding Adult participation?"

14. 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 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.