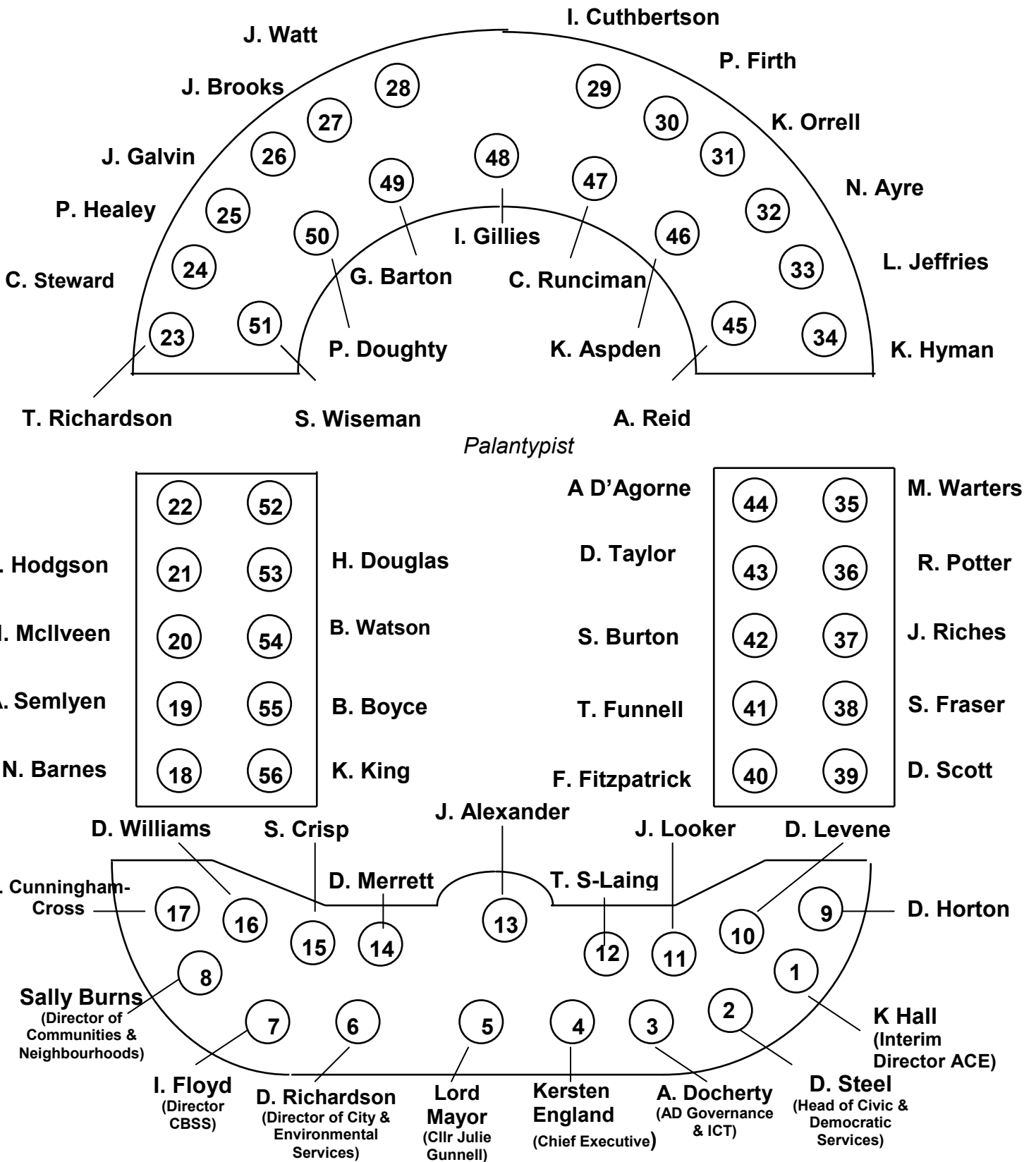


**CITY OF YORK COUNCIL
SUMMONS**

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, 18 July 2013 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 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. Exclusion of the Press and Public

To consider the exclusion of the press and public from the meeting during consideration of the following:

The Annex to Agenda Item 8 (Recommendations of the Staffing Matters and Urgency Committee) on the grounds that it contains information which is likely to reveal the identity of an individual. This information is classed as exempt under paragraph 2 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 - 60)

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

- Ordinary Meeting, held on 28 March 2013
- Annual Meeting, held on 23 May 2013

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 17 July 2013.**

6. Petitions (Pages 61 - 84)

- (i) To debate a petition signed by 1,236 people asking the Council to rethink Cabinet's plan to close Lendal Bridge for a 6 month trial and stop the ensuing gridlock in York. The petitioners state that "the planned closure of Lendal bridge will have a dire effect on pollution, traffic and business in York. Motorists will be forced to use the 3 already busy bridges crossing the river Ouse causing more traffic build up and pollution". The ePetition runs from 28/04/2013 to 28/09/2013. *[An explanatory report is attached to the agenda]*
- (ii) To consider any petitions received from Members in accordance with Standing Order No.7. To date, notice has been received of 6 such petitions as follows:
- A petition to be presented by Cllr Ann Reid opposing Labour's plans to use Green Belt land across York to build 22,000 houses on over the next 15 years.
 - A petition to be presented by Cllr Ann Reid objecting to the proposals in the council's Local Plan for the development of land lying between Wetherby Road and Knapton Village. We believe that the site should continue to be included in the Green Belt as it protects the rural setting of the western approach to the city which will otherwise begin to merge with the outer ring road.
 - A petition to be presented by Cllr Lynn Jeffries objecting to the proposal in the Council's Local Plan for the development of land lying between the existing urban area and the ring road. We wish to see this land retained in the "Green Belt". Instead we believe that the Council should concentrate any new buildings at previously developed, but now unused, sites such as Terry's, Nestle South, British Sugar and the area behind the station. We specifically object to the inclusion of part of Acomb Moor as a development site (H9) in the Council's Local Plan. We believe the site should continue to be included in the Green Belt as it protects the western approach to the City and avoids the dominance that any building near

the Great Knoll would have on the surrounding area. The Moor is an important informal recreation amenity for local residents and this should be recognised in the Local Plan.

- A petition to be presented by Cllr Lynn Jeffries calling upon the council to install a dog deterring fence around the play area off Grange Lane (next to Westfield School). We ask that more dog dirt bins, and litter bins, are provided close to the play equipment so that the health hazards, resulting from dog fouling and broken glass, can be tackled and to ensure that children can play safely on the equipment.
- A petition to be presented by Cllr Keith Aspden calling on City of York Council to give residents in Fulford a fairer deal and improve the road surfaces particularly in Fulford Park, Cherry Wood Crescent, Eastward Avenue and St Oswald's Road.
- A petition to be presented by Cllr Ann Reid objecting to the designation of land west of Woodthorpe for house building (ST10). Successive local plans have indicated that this land is important in enhancing York's rural setting. The nearby Askham Bogs nature reserve could be adversely affected by any development. Residents are concerned that the development in this area would exacerbate the traffic congestion problems which are already evident at certain times of the day. We therefore petition that the land continue to be included in the "Green Belt."

7. Report of Cabinet Leader and Cabinet Recommendations (Pages 85 - 96)

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	2 April 2013	Minute 122: Neighbourhood Working

7 May 2013 Minute 144: New Council House Building – Phase 1

16 July 2013 *Any matters referred to Council from this Cabinet meeting (to follow)*

Minute 31: Capital Programme Outturn 2012/13 and Revisions to the 2013/14-2017/18 Programme

Minute 32: Combined Authority Governance Review and Scheme

8. Recommendations of the Staffing Matters and Urgency Committee (Pages 97 - 100)

To consider the following recommendations for approval from the Staffing Matters and Urgency Committee, together with supporting financial information in relation to Minute 12 (i):

Meeting	Date	Recommendations
Staffing Matters and Urgency Committee	10 June 2013	Minute 12: Redundancy

9. Recommendations of the Joint Standards Committee (Pages 101 - 102)

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

Meeting	Date	Recommendations
Joint Standards Committee	26 June 2013	Minute 11 – Recruitment of Independent Person

10. Recommendations of the Audit and Governance Committee
(Pages 103 - 108)

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

Meeting	Date	Recommendations
Audit and Governance Committee	9 July 2013	Minute 12: Review of the Terms of Reference of the Audit & Governance Committee (<i>copy of amended Terms of Reference attached</i>) Minute 13: Appointment of Independent Member to the Audit & Governance Committee

11. Recommendations of the Member Support Steering Group
(Pages 109 - 120)

To consider the following recommendation for approval from the Member Support Steering Group:

Meeting	Date	Recommendations
Member Support Steering Group	1 July 2013	Minute 8 : Review of Member Training and Development Policy (<i>copy of the revised policy is attached</i>)

12. Audit and Governance Committee (Pages 121 - 132)

To consider a report which presents to Council the recommendations of the Audit and Governance Report in respect of their Annual Report for the extended period covering October 2011 to April 2013.

13. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee (Pages 133 - 136)

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

- 14. Report of Cabinet Member** (Pages 137 - 142)
To receive a written report from the Cabinet Member for Education, Children and Young People's Services, 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.
- 15. Scheme of Delegation for Planning Matters** (Pages 143 - 168)
To consider a report which asks Council to consider options to revise the Council's Constitution for the scheme of delegation in respect of planning matters
- 16. 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 the Guildhall, York (tel. 01904 551088)

- Yorkshire Purchasing Organisation – 22 March 2013
- Without Walls – 27 March 2013
- Quality Bus Partnership – March minutes have not been approved and will not be for the foreseeable future as the partnership is possibly being disbanded.
- Safer York Partnership – 18 April 2013
- NHS Foundation Trust – 20 March 2013

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

- 17. 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

“Council agrees with the need to upgrade York's Outer Ring Road to alleviate congestion which is increasingly a barrier to jobs and growth.

Council also endorses efforts to produce a funding package through the West Yorkshire Plus Transport Fund to achieve this goal within a decade.

Council notes the MP for York Outer's earlier commitment to such an upgrade, as reported in The Press on 12th June 2007:

"Tory Julian Sturdy, who has made calls for dualling a key plank of his campaign to win the new York Outer seat at the next General Election" and "The high cost of dualling - estimated at about £140 million - means it would be impossible without Government funding".

Mr Sturdy has now been in office for over three years and has been a Parliamentary Private Secretary to a Department of Transport Minister for a year. Council therefore invites Mr Sturdy to a meeting of City of York Council to provide an update on any progress made towards his and the Council's shared aspiration of a completed dualled outer ring road for the city”.

(ii) From Cllr Watt

“Council agrees to respect the citizens of York and promises to produce a ‘Local Plan’ which acknowledges and respects any clearly expressed wishes of the people, from their responses to the ‘Preferred Options’ consultation.”

(iii) From Cllr Aspden

“Council notes the failure of the Labour Cabinet to build-on

the achievements of the previous Liberal Democrat administration and bring forward a distinct vision for a greener council and greener York.

This approach has seen a fall in recycling rates, the closure of Beckfield Lane, the reduction in opening hours at Towthorpe, the introduction of unpopular green bin charges, the failure to bring forward a replacement to the successful 'Carbon Reduction Programme', the ending of the Green Jobs Task Group, and the failure to innovate and lead the development of new approaches to tackling climate change and improving the environmental credentials of York.

Council Resolves to:

Confirm its vision to make York the greenest city in the North of England with the highest unitary council recycling rates in the area, a long-term commitment to a food waste recycling scheme, and as a regional centre for Green Jobs.

Ask Cabinet to immediately bring forward the details of the next stage of the 'Carbon Reduction Programme' with renewed commitments to reduce emissions.

Agree to set-up a cross-party 'Green Policy Working Group' (which will incorporate a re-established the Green Jobs Task Group) and will seek to turn this vision into a detailed strategy. This Group should consider issues such as developing a renewable energy company, a sustainable food strategy, a waste minimisation programme and work on fuel poverty and energy efficiency. The Group should be supported in this work by the recently expanded 18-officer strong 'Policy, Performance and Innovation' Team."

(iv) From Cllr Simpson-Laing

"Council notes the distress that the Bedroom Tax is causing many York residents and their families.

Government claims that the Bedroom Tax is part of its policy to get residents into work. However, a majority of

people receiving Housing Benefit in York are in work.

Government has also claimed that the Bedroom Tax is to ensure more appropriate use of Housing Stock. However, across the country there are not enough smaller homes for people to move to

Whilst Government have attempted, nationally, to ensure that those who need a spare room are not penalised it is clear that many still are. Those still being penalised include:

Foster Carers who require more than one room due to the complexities of children they care for
Parents of service people based in Barracks
Partners of people with health complications
Those with 'Safe Rooms' installed in their homes

Government informs that the Discretionary Housing fund is to help such people. However it is becoming clear, both locally and nationally, that this fund is not enough

Council calls upon the Government to end the Bedroom Tax (Spare Room Subsidy) due to the hardship and distress that the policy is causing many residents."

That the Chief Executive writes to the Secretary of State for Work and Pensions to express Council's concern and request that this Tax is abolished as soon as possible".

18. 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 Aspden:

"The Cabinet Leader recently welcomed the cross-party support for the Poverty Strategy. Would he agree with me that a cross-party approach to supporting residents with welfare reforms is also needed? If so, would he agree to set-up a cross-party

welfare reform working group as soon as possible, including opposition councillors and relevant council officers, through which the council can objectively assess the effects of welfare changes in York, ensure that the council is using its staff and resources to help and inform the most vulnerable, and collectively lobby the government where necessary?”

(ii) To the Cabinet Leader from Cllr Ayre:

“How much has the Council spent to date on work connected with the tender for the Community Stadium and how much taxpayers’ money does the Leader now expect to invest in the project in total?”

(iii) To the Cabinet Leader from Cllr Hyman:

“Would the Council Leader confirm how much the Council spent in assessing the suitability of the Bonding Warehouse for use as a media centre?”

(iv) To the Cabinet Leader from Cllr Ayre:

“Will the Cabinet Leader agree to join me for a walk along the section of Millennium Way that passes through Heworth Without so he can fully understand the impact of the Local Plan Proposals on the natural environment?”

(v) To the Cabinet Leader from Cllr Ayre:

“Regarding the Tour de France, how many new posts are being created or adapted to support the TDF – on which scale and at what cost to the Council?”

(vi) To the Cabinet Leader from Cllr Ayre:

“Besides the £500,000 hosting fees already paid by the citizens of York to secure the Tour De France what other expenses are forecast to be incurred, (broken down by category where possible)?”

(vii) To the Cabinet Leader from Cllr Ayre:

“In responding negatively to the government proposal to allow conversions of offices to housing, the Cabinet Leader said there is a shortage of office accommodation in York. Could he tell me how many square feet of office space is currently vacant in the City?”

(viii) To the Cabinet Leader from Cllr Ayre:

“Does the Cabinet Leader think it is acceptable that opposition councillors were prevented from seeing key evidence for the Local Plan prior to the public consultation?”

(ix) To the Cabinet Leader from Cllr Ayre:

“Given the Labour Leader’s public statement in 2010 that opposition councillors should not be prevented from seeing key Community Stadium documents because of commercial confidentiality, can he explain why his administration is now preventing councillors from seeing documents for this very reason?”

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

“Does the Cabinet Member for Health, Housing & Adult Social services agree with the statement from York City of Sanctuary’s report that there are 4500 refugees on the Council’s housing waiting list and does she plan to fast track these applicants when the breath taking number of affordable homes cited on the Local Plan become available?”

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

“How long has Oliver House been empty, how much is it costing to maintain the building and when will it be brought back into use?”

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

“Given the importance of the document, will the Cabinet Member make the ‘Get York Building Survey’ available for members and/or members of the public?”

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

“Could the Council Leader outline the estimated unit cost of each Council house/flat (including a notional site value) being built on Newbury Avenue, Chaloners Road and Beckfield Lane, and with a number of 2 bedroomed properties currently being advertised for sale on the open market in York priced at around £100,000, and would the Leader say how much of the New Homes Bonus he is prepared to invest in purchasing these properties with a view to adding them to the pool of social rented accommodation available in the City?”

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

“The Annual Report of the Head of Internal Audit found significant failings in budget control in adult social care and “no clear links between control of expenditure and budget responsibility in some areas”. Could the Cabinet Member explain what plans she has put in place to deal with this issue?”

(xv) To the Cabinet Member for Crime and Stronger Communities from Cllr Barton:

“Can the Cabinet Member for Crime & Stronger Communities describe what tangible results were evident as a result of the £5000 invested in York City of Sanctuary by the CYC Transformation Fund and can she advise if she has plans to give further funds to this organisation?”

(xvi) To the Cabinet Member for Crime and Stronger Communities from Cllr Orrell:

“The so-called ‘community contracts’ are widely unpopular and often ignored in wards by members across political parties. Will the new Cabinet Member recognise that a different form of community governance is needed in York?”

(xvii) To the Cabinet Member for Leisure, Culture and Tourism from Cllr Barton:

“The recent explosion in the numbers of geese populating the City and the consequential amounts of excreta they leave in some of our most attractive tourist sites are creating a deterrent to tourists and residents alike visiting the City Centre. Can the Cabinet Member for Leisure, Culture & Tourism explain what measures have been taken to implement a humane cull in an attempt to minimise the danger they present in terms of both health and safety?”

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

“How much has been raised by the organisers towards the cost of the “Arts Barge” project, when will a business plan for running the barge be published, when will the barge be open for business and what process is in place to recover the Council’s contribution - to the purchase price of the barge - should the project fail?”

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

“Will the Cabinet Member state which meetings of the ‘Community Stadium Project Group’ have been attended by key stakeholders e.g. the football club, rugby club, athletics club?”

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

“Will the Cabinet Member confirm publically that the only reason for the delay in the stadium project is the ‘newt issue’?”

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

“On the 5th October 2009 the Cabinet Member proudly announced she would set up a leisure reserve to fund a city-centre pool. She repeated this promise again in November 2009 stating "we are the party that will do rather than offer empty promises". Can she therefore state how much is currently in the promised leisure reserve?”

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

“Given Labour's pledge to provide a city-centre swimming pool, yet its omission from their strategic plan to 2030, could the Cabinet Member define what she would say a "long term aspiration" is?”

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

“Can the cabinet member state the 2012/13 budget for each of the council leisure facilities and the total actual spend?”

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

“Would the Cabinet member join with me in congratulating First York on arranging to consult with passengers before deciding what changes to introduce to routes in the autumn, and would he also join with me in urging First to publish the service reliability data that it holds for each route to ensure an informed discussion on the need for changes?”

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

“What is the cost of establishing and maintaining the ‘i-travel’ web site and could he explain what the technical problem has been with the feed from the traffic cameras to the website?”

(xxvi) To the Cabinet Member for Transport, Planning & Sustainability from Cllr Firth:

“During the closure period on Lendal Bridge, what will be the average increase in:

- a) Mileage
- b) Journey time
- c) Cost

for private car drivers who otherwise would have used the bridge?”

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

“How much funding does the Cabinet member intend to devote to reducing the number of accidents on roads in west York where there are no plans to introduce a 20mph limit, what schemes will this funding be used for, and what reduction in the annual toll of casualties can we expect to see as a result of this investment?”

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

“In congratulating the Minster authorities on the success of their ‘York Minster Revealed’ project, does the Cabinet Member share my concern about the conflict between some fast moving cyclists and pedestrians in the new “Minster Piazza” on Deangate and would he agree to sign the area as a pedestrian priority zone?”

(xxix) To the Cabinet Member for Transport, Planning & Sustainability from Cllr Aspden:

“Last July, I asked the Cabinet Member what the Council is doing to fulfil the requirement of the Localism Act to maintain a list of “assets of community value”. Could he update Council on this work?”

(xxx) To the Cabinet Member for Transport, Planning & Sustainability from Cllr Aspden:

“Following the unsuccessful bid to secure government funding for the A19 update in Fulford, could the Cabinet Member confirm

that the Council will work with and consult local residents on any future bids or schemes?”

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

“In regards to the Local Plan consultation, can the Cabinet Member state how many deliveries by Local Link have had significant failures, how much the contract is and whether any money has been recouped?”

(xxxii)To the Cabinet Member for Finance, Performance & Customer Services from Cllr Cuthbertson:

“How much were the Council’s fitting out and removal expenses connected with its move to West Offices and how does this compare to the allocated budget and Could the Cabinet Member also outline what steps he – and his predecessor – took to ensure that the move was completed within budget?”

(xxxiii)To the Cabinet Member for Finance, Performance & Customer Services from Cllr Ayre:

“How many temporary or interim staff who are on FTE salaries of £40k or more are working for City of York Council through ‘Work with York’ or other temporary/interim staffing agencies and which departments are they in?”

(xxxiv)To the Cabinet Member for Finance, Performance & Customer Services from Cllr Cuthbertson:

“Can the Cabinet Member state how many Freedom of Information requests have not been answered within the required 20 day timeframe for each month from May 2011 to June 2013?”

(xxxv)To the Cabinet Member for Finance, Performance & Customer Services from Cllr Ayre:

“This year citizens were allowed to pay their council tax in 12 parts, instead of 10. Could the Cabinet Member outline what the Council did to inform home owners/renters, social tenants and those in receipt of benefits of these rights, what promotion of the

new arrangements took place, and how many home owners/renters, benefit recipients, social tenants elected to pay in 12 monthly instalments (overall and as a proportion by group)?”

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

“The yearly rubbish and recycling calendars came to an end on 31st March 2013 with the interim April-June calendars running out at the end of last month. Could the Cabinet Member outline when people will be given information on the new collection rounds and could he explain why there has been a delay in getting this information to residents?”

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

“Could the Cabinet Member outline what progress has been made in introducing charges for second green bins and for replacement black rubbish wheeled bins and for recycling boxes?”

19. 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

Contact details are set out above.