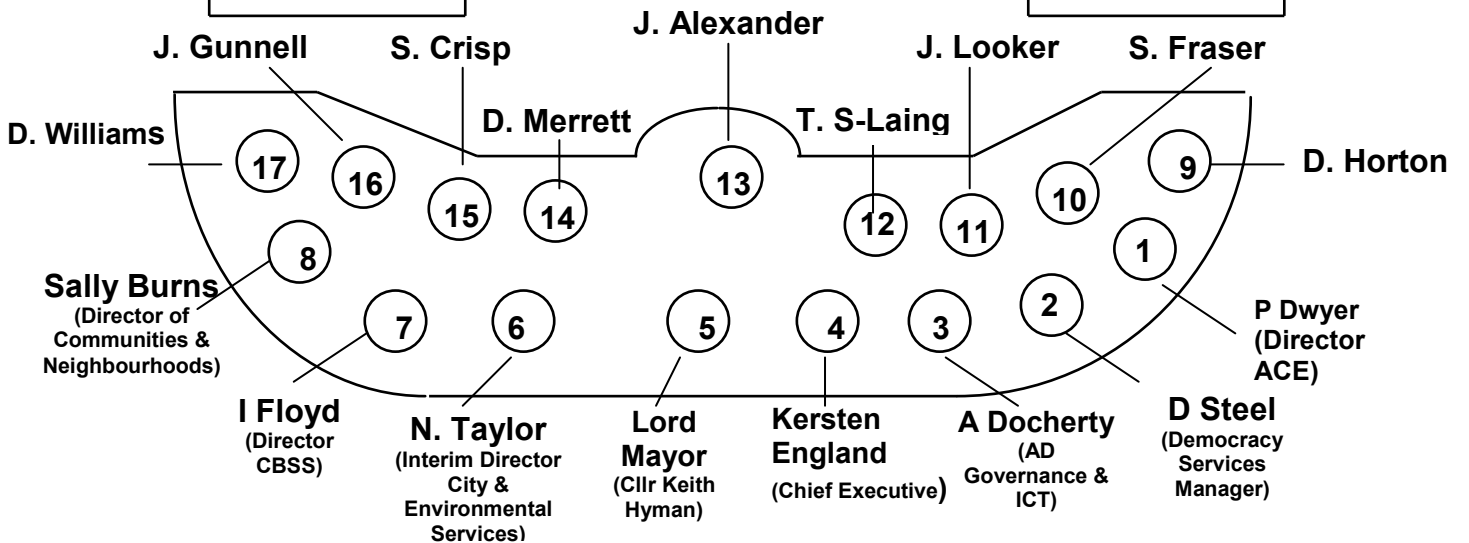
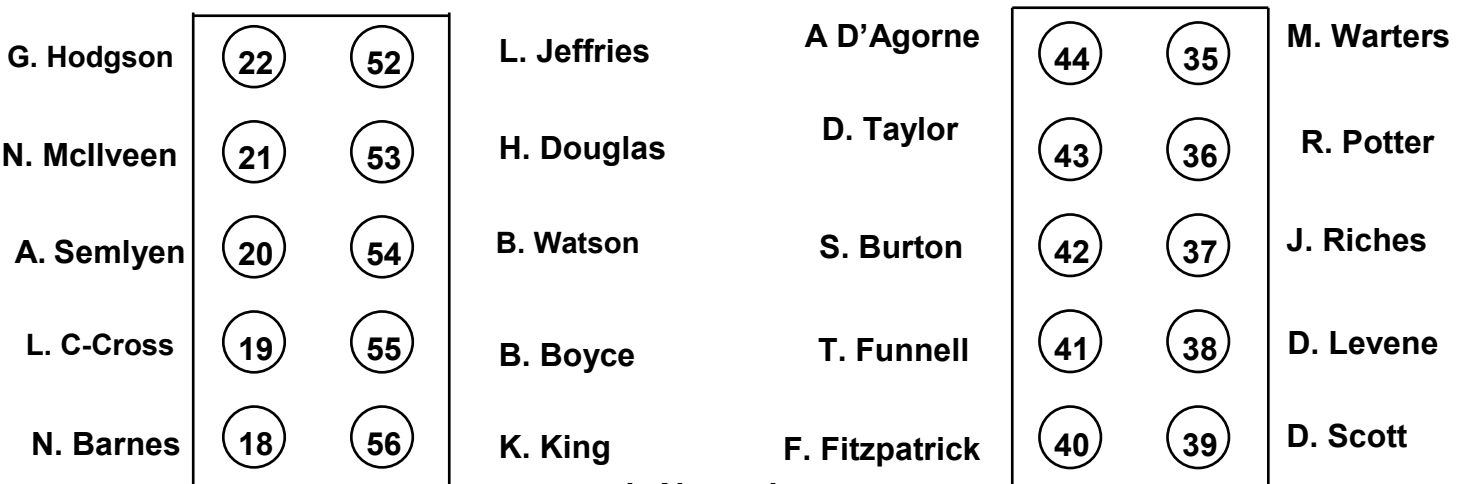
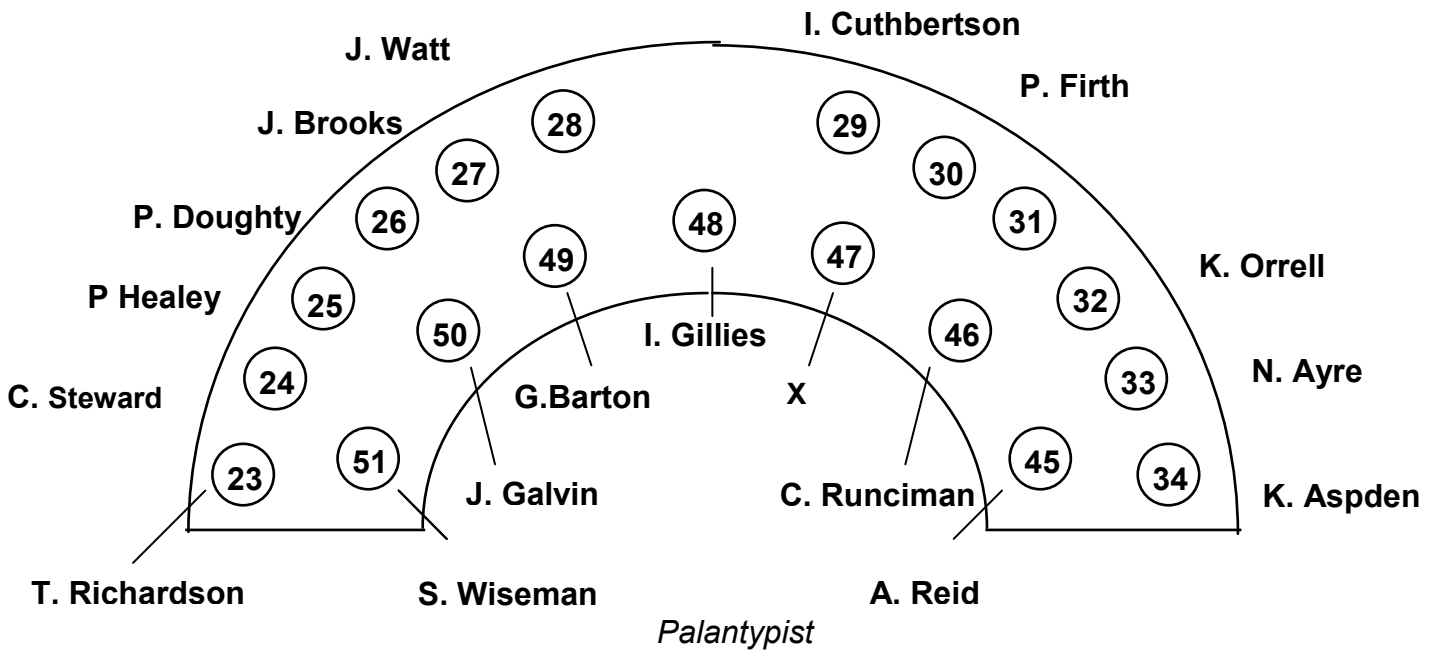


**CITY OF YORK COUNCIL
SUMMONS**

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, 12 July 2012 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 - 70)

To approve and sign minutes of the Ordinary meeting of the Council on 29 March 2012, the Extraordinary meeting held on 24 April 2012 and the Annual Council meeting held on 24 May 2012.

3. Civic Announcements

To consider any announcements made by the Lord Mayor in respect of Civic business.

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 11 July 2012.**

5. Petitions

- (i) To debate a petition signed by 1,996 people organised by the Burnholme Parents Action Group against the proposed closure of the Burnholme Community College.
- (ii) To consider any petitions received from Members in accordance with Standing Order No.7. To date, notice has been received of one such petition as follows:
 - A petition to be presented by Cllr Looker on behalf of the Youth Council requesting cheaper bus fares during school holidays.

6. Urgent Notice of Motion

To consider the following urgent Notice of Motion under Standing Order 12.4:

(i) From Cllr Alexander

“The Review of Children’s Congenital Cardiac Services in England undertaken by the NHS Specialised Services Safe and Sustainable Programme continues to be fully supported by the Council as a member of the Joint Health Overview and Scrutiny Committee, Yorkshire and the Humber. We recognise that specialists centres providing 24/7 care are essential to ensure safe, high quality care in a highly specialised clinical area.

However, we are concerned at the way the Meetings held by the JCPCT have been conducted. They have not shared information, no papers were available at the final Meeting of the JCPCT held in London on Wednesday 4th July, this meeting while, held in public, did not make available any of the documentation being considered by them, and the agenda was only published on Friday 29th June at 17.40 hours.

CYC therefore request a Meeting with the Secretary of State for Health, Mr Andrew Lansley to share these concerns which do not comply with Department of Health Guidance on openness in the NHS, and for Mr Lansley to give answers to the many unanswered questions put to the JCPCT by the Yorkshire and Humber Overview and Scrutiny Committee.”

7. City of York Local Development Framework (Pages 71 - 78)

To consider a report and motion from the Cabinet Member for Planning, Transport and Sustainability asking Council to instruct officers to undertake the necessary formal steps to withdraw the LDF Core Strategy from the Examination process.

8. Report of Cabinet Leader (Pages 79 - 84)

To receive and consider a written report from the Leader on the work of the Cabinet.

9. Recommendations of the Member Development Steering Group (Pages 85 - 86)

To consider the following recommendations for approval from the Member Development Steering Group:

| Meeting | Date | Recommendations |
|-----------------------------------|--------------|--|
| Member Development Steering Group | 8 March 2012 | Minute 38 : Remit of the Member Development Steering Group |

10. Recommendations of the Standards Committee (Pages 87 - 100)

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

| Meeting | Date | Recommendations |
|---------------------|--------------|---|
| Standards Committee | 26 June 2012 | Minute 8 : Code of Conduct Minute 9 : Joint Committee Minute 10 : Transitional Provisions and Implementation Arrangements |

11. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee (Pages 101 - 108)

To receive the Annual Scrutiny Report from Councillor Wiseman, the Chair of the Corporate and Scrutiny Management Committee (CSMC) on the work of the Committee during the 2011 -12 municipal year.

12. Report of Cabinet Member (Pages 109 - 114)

To receive a written report from the Cabinet Member for Environmental 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.

13. 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)

- York NHS Trust – 20/02/12
- Safer York Partnership – 02/04/12
- Police Authority – 12/12/11
- Quality Bus Partnerships – 18/06/12
- Yorkshire Purchasing Organisation – 23/03/12
- Local Government North Yorkshire & York – 20/01/12
- Local Government Yorkshire & Humber – Minutes from Various Meetings from October 2011 to 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).

14. Appointments and Changes to Membership (Pages 115 - 116)

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

15. 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 Barnes

“Council recognises that all York residents should be treated equally and should not be barred from any aspect of civil society either because of their beliefs, race, disability or sexual orientation. Council notes the recent Government consultation on extending the legal form of marriage to same-sex couples, and the commitment of City of York Council to equal rights for lesbian, gay, bisexual and transgendered persons.

Council acknowledges and welcomes the positive efforts of the last Government to support lesbian, gay, bisexual and transgender rights, including:

- Equal legal age of consent;
- Adoption rights for same-sex couples;
- Fertility treatment rights;
- Introduction of civil partnerships for same-sex couples

Council supports the current Prime Minister’s efforts to build on this progress, and legislate for equal Civil Marriage and also calls for equal Civil Partnerships

Council requests:

- that the Chief Executive write to Hugh Bayley MP and Julian Sturdy MP requesting they vote in favour of any Parliamentary vote supporting the equal marriage rights of lesbian, gay, bisexual and transgendered couples to bring any proposed legislation to a reality and that they lobby for equal Civil Partnerships
- ensures York Pride 2012 and Parade for Equal Marriage on Saturday 21st July is publicised via all CYC communications and that the ‘rainbow’ flag be displayed at the top of the Mansion House on the day.”

(ii) From Cllr Doughty

“Council recognises that urgent action is needed to address the desperate shortage of house building in the city.

Council notes that this stagnation is having a particularly detrimental effect on first time buyers and those seeking genuinely affordable accommodation whether that be rental, shared ownership or otherwise. Developers have long claimed that the targets for the number of affordable homes required in larger developments make such schemes unviable and statistics back this claim.

Council therefore seeks to stimulate local growth and employment in York. It agrees to implement the following policy with immediate effect:-

A reduction to 10% of the affordable housing component on all brownfield site planning applications for developments of ten or more properties throughout the city. This policy shall be reviewed 24 months from inception.”

(iii) From Cllr Reid

“Council notes that over recent weeks 349 litter and dog bins have been removed from the city’s streets without any prior consultation with ward councillors, local residents or Parish Councils. This move has sparked widespread anger and all opposition groups have expressed concern over the cuts.

Council believes these are unnecessary cuts to frontline services that will increase litter and fly-tipping, lead to a general deterioration in the look and feel of our streets, and fatally undermine the legacy of York Pride.

Council resolves to instruct officers to work in collaboration with ward councillors, residents and where applicable Parish Councils to reverse these cuts and restore the lost bins in all areas where there is demand to do so. The £40,000 cost would be funded by reducing the budget for Cabinet Members from £128,625 to £88,625.”

(iv) From Cllr Williams

“This Council calls upon the Chief Executive to facilitate the inclusion in Your Voice an article which includes the names, addresses and websites for each candidate for the position of

York and North Yorkshire Police and Crime Commissioner. It further calls upon her to ensure that the relevant issue of Your Voice is distributed to all households in the City of York Council area in good time before the 15th November election for the PCC post along with supporting information to explain the role of the Police and Crime Commissioner.”

16. Questions to the Cabinet Leader and Cabinet Members received under Standing Order 10(c)

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 Steward:

“What evidence has he that people want to see greater regional powers devolved to Yorkshire and the Humber and what specific powers he would like to see?”

(ii) To the Cabinet Leader from Cllr Steward:

“Can you dismiss rumours that you only ever want to be associated with good news by detailing which York City matches you attended prior to their recent two trips to Wembley?”

(iii) To the Cabinet Leader from Cllr Barton:

“Can the Leader tell Council how much of the Delivery and Innovation fund has been allocated since its inception and to whom?”

(iv) To the Cabinet Leader from Cllr Taylor:

“What does the Leader plan to do to try to compensate for the £50M* annual loss of trade to the city centre that will be caused by the new Monk's Cross retail development?”

* figure indicated in Drivers Jonas report to Planning Committee.

(v) To the Cabinet Leader from Cllr Taylor:

“ What are the monthly figures for the last 12 months for the

number of empty shops in York city centre?”

(vi) To the Cabinet Leader from Cllr Taylor:

“What plans does the Leader have to extend the membership of the new ‘City Team’ which replaces the Retail Strategy Group to include a broader cross-section of York residents and city centre stakeholders, such as representatives of the heritage, tourism, education and cultural sectors as well as the voluntary sector, transport groups, disability groups and city centre residents?”

(vii) To the Cabinet Leader from Cllr Taylor:

“What is the outcome so far of the negotiations that the Council has been conducting with Centros/La Salle about the Castle/Piccadilly development following the Monk's Cross decision?”

(viii) To the Cabinet Leader from Cllr Taylor:

“Can the Leader guarantee that whatever is negotiated regarding Castle/Piccadilly, that the Council will deliver a public park on the site of the Castle Car Park in keeping with the wishes of the majority of citizens of York?”

(ix) To the Cabinet Leader from Cllr Runciman:

“Will the Council Leader ensure he abides by motions passed by this Council and provides an update at every Council meeting on the Sports Village Pool and the new Council HQ?”

(x) To the Cabinet Leader from Cllr Runciman:

“Would the Council Leader please indicate how – and by whom - the specification for the fittings, fixtures and furnishings required at the new Council HQ is being drawn up, what the agreed budget is for each service/activity area. Would he explain how he intends to monitor the prudent use of the budgets that have been provided for this part of the HQ project and how he intends to update Council members and residents on the progress being made?”

(xi) To the Cabinet Leader from Cllr Reid:

“Does the Council Leader agree with decision to employ the Interim Director of City and Environmental Services on £3,000 a week?”

(xii) To the Cabinet Leader from Cllr Reid:

“Could the Council Leader provide a full breakdown of the recruitment process for the new Director of City and Environmental Services and indicate what succession planning took place when the outgoing Director announced he was leaving the position at the beginning of March?”

(xiii) To the Cabinet Leader from Cllr Ayre:

“Would the Leader confirm how many reports have been received since its launch via the Smarter York mobile phone application and how this compares to the number of reports made during the same period via other channels?”

(xiv) To the Cabinet Leader from Cllr Ayre:

“Is the Leader aware that the names of residents reporting issues via the Smarter York system is accessible for anyone to view via the public web site. As many of the reports concern illegal activities such as incidents of graffiti, would the Leader agree that residents registering to use the system should in the future have the option of keeping their personal details confidential?”

(xv) To the Cabinet Leader from Cllr Reid:

“Now that the Cabinet Member Decision sessions have been abandoned when will members be informed of:

- the process by which Cabinet members will make decisions
- how members of Council and members of the public will know when and where those decisions will be made
- how representations can be made and
- how the calling in process will operate?”

(xvi) To the Cabinet Leader from Cllr Ayre:

“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 Council Leader indicate whether this was achieved and if not what money is still owed to the Council?”

(xvii) To the Cabinet Member for Corporate Services from Cllr Steward:

“Is the cabinet’s ongoing policy of financially discriminating against villages for services like youth provision deliberate or due to incompetence?”

(xviii) To the Cabinet Member for Corporate Services from Cllr Steward:

“Why has the lack of planning for Bill Woolley’s departure left taxpayers paying £3,000 per (four day) week for an interim replacement?”

(xix) To the Cabinet Member for Corporate Services from Cllr Steward:

“How much has ‘free’ Wi-fi now cost the council and how much additional revenue is it believed to have brought to the city?”

(xx) To the Cabinet Member for Corporate Services from Cllr Steward:

“In the wake of the adverse financial changes she continues to make for Parish Councils and her condemnation of many in The Press, can the cabinet member detail what engagement she has had with parish councils and specifically how many Parish Council Meetings she has attended in the last year?”

(xxi) To the Cabinet Member for Corporate Services from Cllr Steward:

“In the wake of cuts to elderly care, youth provision and rubbish

collection are there any cuts the Cabinet will not consider before looking at cutting funding paid for Trade Union representation time?”

(xxii) To the Cabinet Member for Corporate Services from Cllr Barton:

“Whilst congratulating Ian Floyd and his team on the excellent results they have achieved in attaining an overall council tax recovery rate of 98%, how much of the £3.5 million worth of unpaid council tax 2010/11/12 has been budgeted to be written off, and over what period?”

(xxiii) To the Cabinet Member for Planning and Sustainability from Cllr Steward:

“What is the estimated cost in this council term for ‘consulting on’, announcing and implementing more 20mph zones?”

(xxiv) To the Cabinet Member for Planning and Sustainability from Cllr Steward:

“Are there any plans to look at trial closures of Ouse and or Lendal Bridges and if so under what time scales?”

(xxv) To the Cabinet Member for Planning and Sustainability from Cllr D’Agorne:

“When is CYC likely to follow the example of the West Yorkshire Integrated Transport Authority in formally moving forward on adopting a Quality Bus Contract for the city to address high fares, inadequate evening and weekend services and declining non park and ride bus usage?”

Could you explain why the most recent publicly available minutes of the York Quality Bus Partnership are from Sept 2011 and the council website indicates that this body was 'decommissioned' as a body in May 2012?

What progress has been made in discussions with North Yorkshire Police in securing a partnership approach to achieving effective compliance with 20mph and 30mph speed limits within

the city?

What studies have been undertaken in York or elsewhere to identify any link between the introduction of lower speed limits and air quality, notably the prevailing NO₂ /PM₁₀ and CO levels?"

(xxvi) To the Cabinet Member for Planning and Sustainability from Cllr Taylor:

"How does the Cabinet Member for City Strategy plan to try to compensate for the impact of the approved Monk's Cross development on the city's transport networks and air quality?"

(xxvii) To the Cabinet Member for Planning and Sustainability from Cllr Taylor:

"How does the Cabinet Member for City Strategy justify retaining the Government funding for the Local Sustainable Transport Fund work which now merely compensates for the damage that will be caused in terms of air quality and traffic congestion by the Monk's Cross development, when that money was awarded to the city to tackle already existing high traffic levels, congestion and air pollution in the north-east quadrant around Monk's Cross?"

(xxviii) To the Cabinet Member for Planning and Sustainability from Cllr Firth:

"The introduction of a £5 a day "All York" bus ticket on the 1st July was announced a few weeks ago. How much is this initiative costing and how are these costs being apportioned?"

(xxix) To the Cabinet Member for Planning and Sustainability from Cllr Aspden:

"What is the Council doing to fulfil the requirement of the Localism Act to maintain a list of "assets of community value?"

(xxx) To the Cabinet Member for Planning and Sustainability from Cllr Reid:

“Could the Cabinet Member and Flood Defence Representative update Council on the Leeman Road Flood Defences Project?”

(xxxi) To the Cabinet Member for Crime and Stronger Communities from Cllr Steward:

“What tangible achievements against decreasing crime does the member believe were only made possible by the actions of his predecessor Councillor Fraser in what many of my constituents have told me was an expensive but fruitless year in the job?”

(xxxii) To the Cabinet Member for Crime and Stronger Communities from Cllr Steward:

“How many Neighbourhood Watch meetings does he hope to achieve and in what new ways does he intend to work with the organisation?”

(xxxiii) To the Cabinet Member for Crime and Stronger Communities from Cllr Steward:

“What enforcement has there been of 20mph zones to date and how this will change when more of the city has this speed limit?”

(xxxiv) To the Cabinet Member for Crime and Stronger Communities from Cllr Steward:

“Why there was so little information to Parish Councils about the recent removal of bins?”

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

“Would the Cabinet Member for Crime and Stronger Communities please confirm – detailing each ward separately - the number of residents who recorded votes in the Ward Committee budget ballot, undertaken in the Autumn of 2011, together with the comparable turnout figures for 2010 and 2009.

Would he confirm what he intends to do to increase the numbers participating in consultation exercises like these and would he agree with me that, in wards like Holgate and Westfield, where local Councillors largely ignored the results of the ballot, this is likely to increase the cynicism felt about the present Council Leadership by many local residents?"

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

"How will the dates and details of 'informal' ward committee meetings be communicated to residents?"

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

"Why are Parish Councils not allowed to apply for funding from the ward committee budgets?"

(xxxviii) To the Cabinet Member for Crime and Stronger Communities from Cllr Runciman:

"How does the cancellation of meetings, the increasing tendency to take decisions behind closed doors, and the undermining of the award winning ward public participation scheme, fit with Labour's manifesto promise to listen to residents and make consultation with communities genuine?"

(xxxix) To the Cabinet Member for Crime and Stronger Communities from Cllr Reid:

"Instead of rolling out the programme to all wards, the Cabinet has taken the decision to cut the Capable Guardian neighbourhood policing project. Could the Cabinet Member indicate why this decision was taken, what consultation was undertaken, and how effective coordination between the Council, Police, Schools and other partners will now be achieved?"

(xl) To the Cabinet Member for Environmental Services from Cllr Barton:

"Would the Cabinet Member agree that the recent recovery of

many of the city's litter bins was a tactical disaster leading to a monumental number of calls of complaint to the CYC Contact Centre and that the reputation of the City of York has been left damaged as a result?"

(xli) To the Cabinet Member for Environmental Services from Cllr Barton:

"Will the many litter bins owned by parish councils and recently "recovered" without notice by CYC staff be reinstated without delay should the parish councils lay claim to them?"

(xlii) To the Cabinet Member for Environmental Services from Cllr Wiseman:

"Can you confirm that there are no plans for the closure of the Towthorpe tip [or refuse centre or whatever its official name is]?"

(xliii) To the Cabinet Member for Environmental Services from Cllr D'Agorne:

"Can the Cabinet Member please explain why there was no consultation with or information provided to ward councillors prior to the removal of about a third of the city's litter bins, and is he now belatedly prepared to allow ward councillors a say in prioritising appropriate locations in which to retain the remaining bins?"

(xliv) To the Cabinet Member for Environmental Services from Cllr D'Agorne:

"In the light of recent unprecedented flash flooding events in Newcastle and West Yorkshire (and on a smaller scale in the Badger Hill area of York) will he reconsider the budget decision to abandon annual planned gully clearing operations in York?"

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

"In the light of the decisions made at Budget Council to reduce the funding for green waste collection by £50k in 2012/13 and a further £200K in 2013/14 (Ref CANs 103), would the Cabinet

member for Environmental Services please explain:

- a) What progress he has made in achieving the savings agreed for the current financial year and give details of how the saving is being/will be achieved?
- b) How he intends to achieve the proposed saving in 2013/14 together with an indication of when residents can expect to be consulted on his proposals?"

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

“Does the Cabinet member intend to implement the proposed £300,000 budget saving (£150k per year) identified as “rationalising refuse collection rounds” (ref. CANS31) and if so when will he do so and with what implications for residents. And how will these implications be communicated to residents?”

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

“In light of the decision to ask Parish Councils to take on the funding of salt bins previously funded by the Ward Committees. Would the Cabinet Member please explain:

- a) Does Cllr Sonja Crisp’s commitment that City of York Council will fund all salt bins required still stand?
- b) What feedback has been received from Parish Councils?
- c) What will happen to the salt bins previously funded by the Ward Committees in non-Parished areas?
- d) Is there a threat of double taxation as residents will be paying two authorities for the service?
- e) What are the legal implications for City of York Council in terms of not refilling salt bins?
- f) Was it sensible to train ‘Salt Wardens’ last year and then this year not give them the tools to do their job?”

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

“With reference to the Labour Cabinet's proposed changes to Social Care support in the City, the Cabinet Member for Health, Housing and Adult Social Services was reported to have said that

it has been "calculated that to continue to provide services to people in the moderate, substantial and critical bands, it would cost us an additional £3.7M next year".

1. How much is expected to be saved from this £3.7M by the proposed removal of those with needs assessed as 'moderate'?
2. How many people will be affected and is there a group that are likely to be particularly affected, eg. The elderly, those with learning difficulties, physical disabilities, mental health issues?
3. Does the Cabinet Member not believe this will put extra pressure on family members who will have to pick up the extra responsibility in the Carers role should Statutory assistance be withdrawn?"

(xlix) To the Cabinet Member for Health, Housing and Adult Social Services from Cllr D'Agorne:

"In the light of increasing energy prices and our CO2 reduction targets, what plans does the Council have for ensuring that energy efficiency and renewables continue to be installed in significant numbers of York's private housing stock after the Government's flawed Green Deal and ECO schemes replaces existing grant schemes this Autumn?"

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

"How much does it cost City of York Council on average to change a light bulb in our residential care homes?"

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

"I recently visited the YorkCraft factory and heard more about the inspiring Workstep Programme, which not only provides a vital social function but also produces first-class results for City of York Council. Could the Cabinet Member investigate whether more could be done to support this project?"

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

“The 2011 Lib Dem budget agreed £700,000 for the investment in insulation and replacement of draughty windows in Council owned properties. Could the Cabinet Member update Council on this work?”

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

“Could the Cabinet Member indicate how many people will be affected by the plan to withdraw financial support from residents with 'moderate' care needs and what will be done to help the older people, people with learning disabilities and disabled people affected by the cut?”

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

“Now that the project team for the Community Stadium has fulfilled its role, when will it be disbanded, bearing in mind the current need for major cost savings?”

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

“Given that the granting of planning permission means movement to more detailed discussion on the make-up of the community facilities at the Community Stadium. When will the next meeting of the Stadium Advisory Group be? And what opportunity will the public have to input?”

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

“Under the terms of reference for the Equality Advisory Group (EAG) there should be 3 business meetings, 2 community engagement event days, 1 CMT meeting and 18 Equality Impact Assessments (EIAs) should have been considered . Can the cabinet member state on which date each of these meetings took place and detail the 18 EIAs that have been considered by the

EAG?”

17. 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.