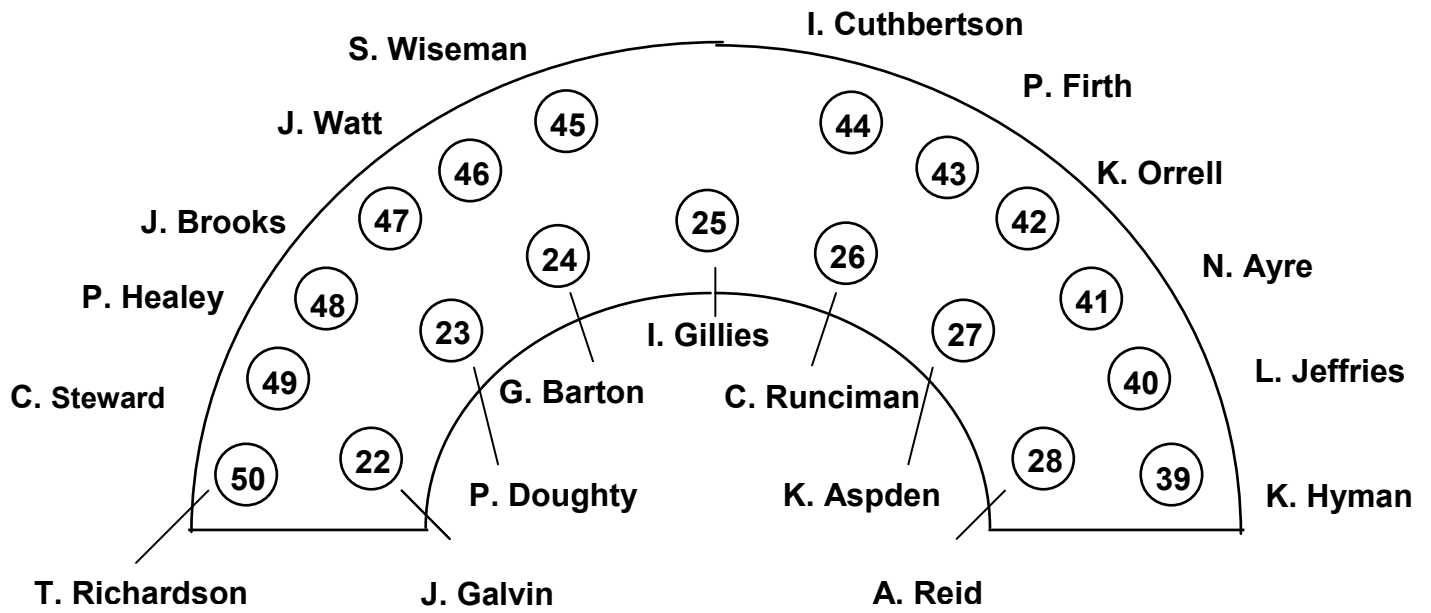


**CITY OF YORK COUNCIL
SUMMONS**

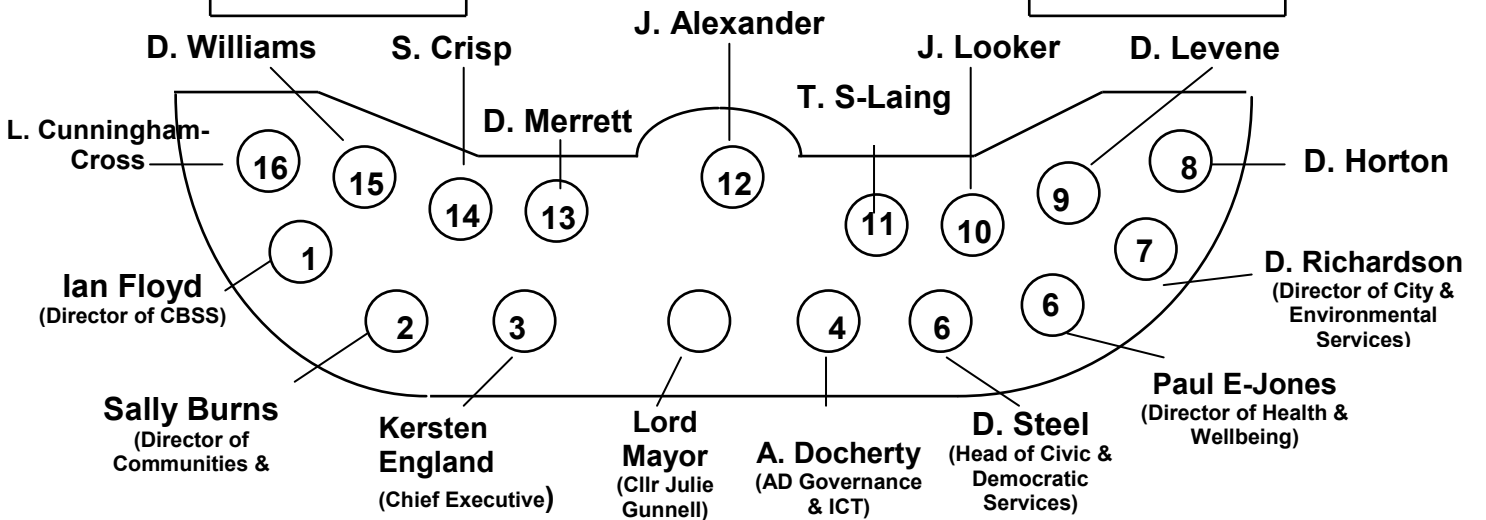
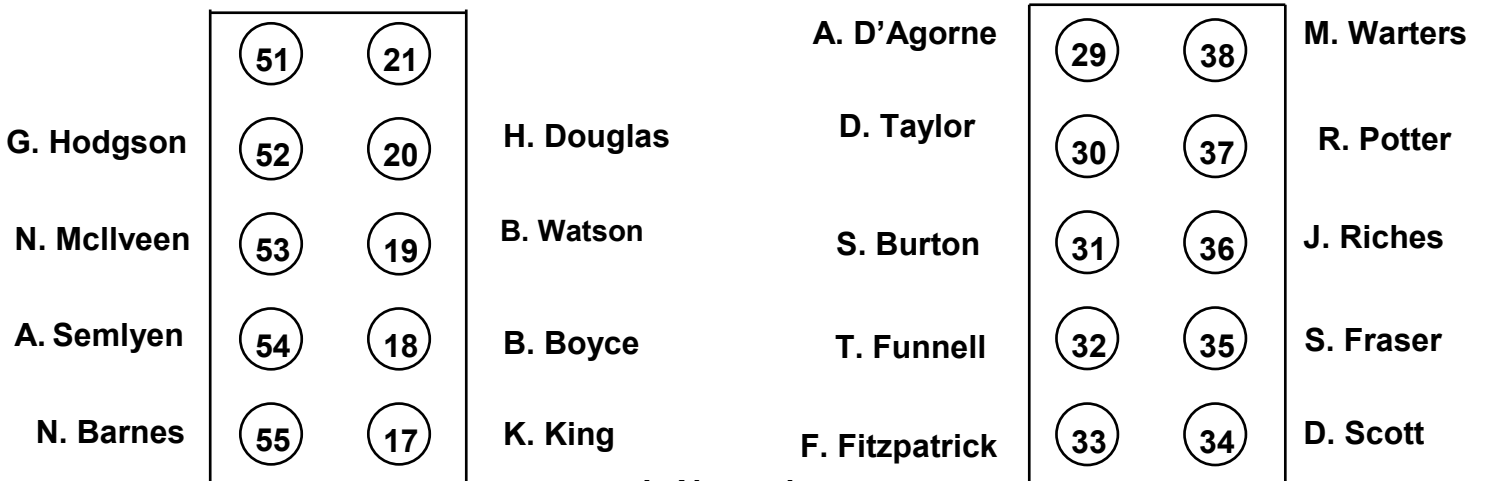
All Councillors, relevant Council Officers and other interested parties and residents are formally invited to attend a meeting of the **City of York Council** at the **The Guildhall, York**, to consider the business contained in this agenda on the following date and time

Thursday, 12 December 2013 at 6.30 pm

COUNCIL CHAMBER



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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. Minutes (Pages 1 - 62)

To approve and sign the minutes of the last Council meeting held on 10 October 2013.

3. Civic Announcements and Lord Mayor Elect

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

- (a) Invite Council's nomination for the Lord Mayor Elect 2013/14 in line with the Council's Protocol for Nomination of Lord Mayors; and
- (b) Invite Lord Mayor Elect 2013/14 to announce the nominee for Sherriff for 2013/14.

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 December 2013.**

To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the internet - at the start of the meeting the Lord Mayor will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Public seating areas will not be filmed by the Council and public participants, who have registered to speak at the meeting, will not be filmed unless their consent has been obtained.

Link to Protocol for Webcasting, Filming and Recording of Council Meetings:

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=437&Mid=8065&Ver=4>

5. Petitions (Pages 63 - 76)

i) To debate the following petitions, signed by over 1,000 people, in accordance with the Council's petitions scheme:

a) Bedroom Tax – signed by 1060 people

The signatories *“petition the Council to:*

- i) Make a commitment not to evict any tenant who falls into arrears as a direct result of the bedroom tax or reduction in council tax discount.*
- ii) Look at reclassifying council owned properties as smaller homes, to ensure rooms not used as bedrooms are not classified as such, and to encourage housing associations in the York area to do the same. For example, an extra room used to store equipment related to a disability should not be classed as a bedroom, or a bedroom that is smaller than the government's minimum space standards.”*

[A background report is attached to the agenda at Annex A]

b) Kings Square – signed by 2130 people

The signatories *“asked the Council for the cobbles and*

cart tracks (including post 1950 reconstruction of history) in York to be kept as a beautiful historic inspiration and an experience of times gone by. Destroy the litigation culture, not our heritage!"

[A background report is attached to the agenda at Annex B]

- ii) To consider any petitions received from Members in accordance with Standing Order No.7. To date, notice has been received of two petitions to be presented by:
- Cllr Barton on behalf of Wheldrake residents asking the Council to stop any further plans to build housing in Zone H28 in Wheldrake as referred to in the York Local Plan.
 - Cllr Taylor on behalf of residents requesting the removal of bollards located at the Campus end of Old Heslington Road.

6. Report of Cabinet Leader and Cabinet Recommendations
(Pages 77 - 94)

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	5 November 2013	Minute 68: Capital Programme – Monitor Two 2013/14 Minute 69: Travellers Site Provision – Extension of Osbaldwick Site http://democracy.york.gov.uk/ieListDocuments.aspx?Clc=733&MId=7642&Ver=4
Cabinet	3 December 2013	Minute 81: Consultation Response regarding

Combined Authority

Minute 82: Improving Public
Convenience Facilities
across the City

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=7643&Ver=4>

7. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Committee (Pages 95 - 98)

To receive a report from Councillor Galvin, the Chair of the Corporate and Scrutiny Management Committee (CSMC) on the work of scrutiny since the last update to Council.

8. Report of Cabinet Member (Pages 99 - 108)

To receive a written report from the Cabinet Member for Leisure, Culture and Tourism, 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.

9. Recommendations of the Audit and Governance Committee (Pages 109 - 120)

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

Meeting	Date	Recommendations
Audit and Governance Committee	6 November 2013	Minute 42: Review of the Petitions Scheme <i>(copy of report attached)</i>
Audit and Governance Committee	11 December 2013	Minute: Public Participation Scheme <i>(Recommendations of A&G to follow. Copy report attached for information)</i>

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://democracy.york.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12959&path=0>

Copies may also be obtained by contacting Democracy Support Group at West Offices, Station Rise, York (tel. 01904 551088)

- Quality Bus Partnership – 11 September 2013
- Fire Authority – 25 September 2013
- Safer York Partnerships – 7 October 2013
- Without Walls – 25 September 2013
- Local Government North Yorkshire & York – 12 July 2013 & 4 October 2013

Members are invited to put any questions to the Council's representatives on the above bodies, in accordance with Standing Order 11.2.

11. Appointments and Changes to Membership (Pages 121 - 122)

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 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 Burton

“Council notes the reduction in rights at work under the Conservative Liberal Democrat Government and the subsequent rise in the use of 'zero hour contracts'.

Council believes rights of people at work are extremely important and that zero hour contracts undermine these rights.

Council calls upon Cabinet to ensure that, so far as is consistent with the law, the Council’s procurement activity promotes good employment practice and does not permit the exploitative use of zero hours contracts.”

(ii) From Cllr Watt

“This Council has no confidence in the Cabinet Member for Health, Housing and Adult Social Services and calls upon her to resign. The Cabinet member is called upon to resign because of her failure to deliver the ‘Affordable Housing’ that York needs and her consistent action over many years to support and implement housing policies that could only curtail or prevent the construction of new Affordable Homes.”

(iii) From Cllr Aspden

“Save our Pubs

Council Notes:

Well-run pubs play an invaluable role at the heart of our local communities, providing safe, regulated and sociable environments in which people can interact whilst enjoying a drink responsibly.

The New Economics Foundation estimates that 10.2% of money spent in supermarkets is retained locally compared to 20.6% of money spent in pubs.

The decline of community pubs in recent years means 26 pubs

are closing every week across the UK (CAMRA, 2013), as the use of pub properties for other means has become increasingly financially lucrative.

York currently has a successful pub and beer scene, as highlighted by CAMRA'S 2014 Good Beer Guide, but it is not immune from economic and legislative pressures.

The new National Planning Policy Framework and the Localism Act 2011 establish new responsibilities and tools for local councils to promote and protect local pubs. However, the flexibility for a pub to be converted into a wide range of uses without planning permission still means local communities are often denied a say in what's happening in their neighbourhoods and are unable to protect valued local pubs.

Council Supports:

Efforts by CAMRA and Liberal Democrat MP Greg Mulholland to lobby government and campaign to put local pubs back at the heart of our communities.

The decision by the Coalition Government in March to axe the beer duty escalator and introduce a 1p cut in beer duty - the first time beer duty has been cut since 1959.

Council Resolves to:

Support community groups who wish to register their local pubs as Assets of Community Value;

Submit a proposal under the Sustainable Communities Act calling on the Government to help protect community pubs in England by ensuring that planning permission and community consultation are required before pubs are allowed to be converted to betting shops, supermarkets and pay-day loan stores or other uses, or are allowed to be demolished;

Investigate the use of CAMRA'S Public House Viability Test as a tool when considering planning applications involving pubs;

Write to the Chancellor of the Exchequer, the Rt Hon George Osborne MP, urging him to freeze beer duty in next year's Budget."

(iv) From Cllr Barnes

“Council notes the considerable social and economic contribution students give to York.

Council notes the Liberal Democrats reneging on their 'no tuition fees' manifesto pledge to agree with Conservatives to triple tuition fees to £9,000 a year.

Council believes the Conservative Liberal Democrat Government privatising £890m of student debt (1990 and 1998) through selling to private companies for under one-fifth of its value, as well as considering cutting £350m (around a quarter) from Student Grants affecting 500,000 students, is economically illiterate and immoral.

Council resolves to ask the Chief Executive to write on behalf of the council to both the Minister of State for Universities and Science, David Willetts, and the Secretary of State for Business, Innovation and Skills, Vince Cable expressing concern at the future sales of student debt and seeking a guarantee this Conservative Liberal Democrat policy will not lead to an increase in the interest rate graduates are currently paying. Furthermore Council seeks written assurances Students Grants will not be cut.”

13. 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 Barton:

“Can the Leader inform Council how much of the Governments £3.3 billion funding to mitigate the impact of localised tax support scheme in 2014/15 will be allocated to CYC and at what point will Parish Councils be informed how much of it will be passed on to them?”

(ii) To the Cabinet Leader from Cllr Runciman:

“Is the Cabinet Leader still intending to hold a public meeting in

each ward as part of his “community conversations” initiative and if so could he provide a timetable?”

(iii) To the Cabinet Leader from Cllr Aspden:

“Will the Cabinet Leader provide the footfall numbers recorded each day in the city-centre since his last report to Council?”

(iv) To the Cabinet Leader from Cllr Reid:

“On 10th November the Council Leader was quoted in *The Press* saying that the British Sugar development would “feature a large supermarket, bringing more jobs”. How big will this supermarket be and why did it not feature in the consultation exhibitions and online surveys undertaken with affected residents at the end of November?”

(v) To the Cabinet Leader from Cllr Reid:

“How much taxpayers’ money has been spent on supporting the local TV License application by “The York Channel” and what financial and other Council resources do you expect to be used to help in the development of this station?”

(vi) To the Cabinet Leader from Cllr Reid:

“What consultation has there been with residents living in the Wilton Rise and Cleveland Street areas on the proposal to build a bridge into the York Central development site?”

(vii) To the Cabinet Leader from Cllr Reid:

“The Council Leader has announced that a bridge into the York Central development site in the Chancery Rise area will receive £10 million of Council funding. Will the Leader confirm that the Council will have a stake in any development company which takes the York Central development forward and that York taxpayers will benefit directly from any increase in the value of the newly serviced site?”

(viii) To the Cabinet Member for Finance, Performance and Customer Service from Cllr Barton:

“Can the Cabinet Member assure Council that he takes seriously his role as the only voting member of our two man delegation to the Yorkshire Purchasing Organisation Management Committee bearing in mind he has yet to attend any meetings or even send his apologies?”

(ix) To the Cabinet Member for Finance, Performance and Customer Service from Cllr Ayre:

“What costs have the Council incurred through its membership of the Local Government Association and how much of this is due to councillor expenses?”

(x) To the Cabinet Member for Finance, Performance and Customer Service from Cllr Ayre:

“What is the cost of sending members to meetings being held outside the UK including those connected with the Council of Europe and how much is City of York Council contributing towards this sum?”

(xi) To the Cabinet Member for Finance, Performance and Customer Service from Cllr Cuthbertson:

“How many complaints, forwarded to the York Council Contact centre over the last 6 months via web based reporting tools (such as “My Council”, “report that hole”, “report that pothole” etc), have been successfully recorded and actioned and how many reports have been discarded because of data translation problems?”

(xii) To the Cabinet Member for Finance, Performance and Customer Service from Cllr Ayre:

“Following complaints and comments from the Information Commissioner a new FOI system has been put in place. Can the Cabinet Member outline what the new system is and whether this has led to any improvement?”

(xiii) To the Cabinet Member for Finance, Performance and Customer Service from Cllr Runciman:

“What are the total costs expected to be for holding the Budget consultation meetings which started on November 13th?”

(xiv) To the Cabinet Member for Finance, Performance and Customer Service from Cllr Runciman:

“How many officer hours have been spent in total at the Budget consultation venues?”

(xv) To the Cabinet Member for Finance, Performance and Customer Service from Cllr Runciman:

“How many members of the public have attended each Budget consultation meeting so far?”

(xvi) To the Cabinet Member for Finance, Performance and Customer Service from Cllr Hyman:

“Could the Cabinet Member provide a list of all grants given to organisations and voluntary groups in 2012/13?”

(xvii) To the Cabinet Member for Finance, Performance and Customer Service from Cllr Reid:

“After the Cabinet’s decision to reject the Government’s transitional grant and cut council tax support to residents by 30% from this April, could the Cabinet Member confirm how many residents have been affected and if any liability orders have been issued?”

(xviii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“On the Lendal Bridge/Coppergate restrictions could the Cabinet

Member confirm the following figures:

- a) The number of appeals lodged each week since the beginning of August against PCNs issued for contraventions of traffic restrictions on Coppergate and Lendal Bridge
- b) The number of appeals which have been successful each week
- c) The total revenue that the Council has received so far from PCNs following the introduction of the new restrictions on Coppergate and Lendal Bridge
- d) The weekly changes to journey times (all modes of transport) on each arterial road and on each section of the inner ring road since the introduction of the new traffic restrictions
- e) The numbers of accidents reported on roads in the City centre comparing the last 3 months with the equivalent period in 2012
- f) The latest air quality monitoring reports for key sites in and close to the City centre, including the Leeman Road area, and comparing these with last year?"

(xix) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

"In the first three months of the closure period on Lendal Bridge, what have been the average increases in:

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

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

(xx) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Orrell:

"What is the proposed timetable for the consideration of residents' responses to the consultation on the Draft Local Plan

and how will the large number of residents, who have made written responses, have the opportunity to address the LDF Working Group if they wish to do so?”

(xxi) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“In July the Cabinet Member said in relation to traffic cameras *“Staff are now in the final stages of commissioning this new system and are finalising the list of which cameras will be presented on the website. This process should be completed within the next week and then live images will once again be available via YorkLIVE and i-travel”*. At the last meeting he confirmed that the work was still ongoing. Could he confirm that the technical difficulties have now been overcome and that residents can now view the images on line?”

(xxii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Reid:

“Could the Cabinet Member confirm how long the i-Travel map function was unavailable for and if residents are able to use it again?”

(xxiii) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Firth:

“What progress has the Cabinet Member made in furtherance of his assurances, given at previous Council meetings, that bus reliability monitoring information will be made available for York residents?”

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

“Can the cabinet member demonstrate he understands the difference between success criteria and merely stating what data will be collected?”

(xxv) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Steward:

“By what will the cabinet member deem the trial closure of Lendal Bridge a failure?”

(xxvi) To the Cabinet Member for Transport, Planning and Sustainability from Cllr Steward:

“Can the cabinet member detail any tangible progress made in dualling York’s Northern Ring Road since cabinet announced their support for Julian Sturdy and York Conservative Group’s campaign?”

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

“Given the need to radically improve recycling rates could the Cabinet Member please list the programme and projects currently in place to improve recycling including costs and expected benefits?”

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

“How many of the salt bins, originally proposed by the present administration to be removed, have been saved and taken over by:

- a) Parish Councils
- b) Residents Associations
- c) Individual residents

and how many of the salt bins on the streets last winter have not been ‘adopted’?”

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

“Has the Cabinet Member signed-up to be a snow warden

scheme and could he confirm how many York residents have also become snow wardens and how does this figure compare with the same time last year?”

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

“Can the Cabinet Member confirm what the council’s policy is regarding requiring supermarkets and takeaways to provide bins and clear detritus from their shop fronts and which establishments the policy applies to?”

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

“A Freedom of Information request has revealed that, at present, the only income that the Council has identified from the Tour de France is an assumed £291,000 government grant to offset the expected £2.7 million costs. When does the Cabinet member expect to announce the amount of other local revenue that will be generated for the authority and how much does she anticipate will be available to discharge the motion, successfully proposed by Cllr Burton at the last Council meeting, which promised “*that all income generated for City of York Council from the Tour de France Grand Départ is spent on frontline services for residents*”?”

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

“For this financial year and last can the Cabinet Member supply for Parliament Street and St Sampson’s Square: a) dates on which events occurred, name of event, and income to the council b) the cost to the council for these events c) the proposed timetable for the next 12 months?”

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

“What proportion of the 22,000 additional homes that the Cabinet Member feels should be built during the next 15 years under Labour’s Local Plan proposals, does she believe will be occupied by York residents and their families and how many by inward migration?”

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

“Who took the decision, and when, to remove 2400 applicants from the Housing Waiting list (Home Choice) with effect from the beginning of October?”

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

“Does the decision to remove 2400 applicants from the Housing Waiting list, which means there are now officially fewer residents in housing need, mean there will be lower affordable house building targets?”

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

“Could the Cabinet Member provide an update on the 184 residents with ‘moderate’ care needs who lost their eligibility for support from the council’s community care service last year – particularly in regards to how many are now in the "substantial" or "critical" care categories?”

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

“Will the Cabinet Member take on board the concerns raised by the chairs of both Foxwood and Chapelfields Community Centres

and reconsider planned funding cuts?”

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

“Can the Cabinet Member confirm that when the Community Library Trust is formed, the positions of Chief Executive, Executive Directors and Senior Officers will be filled as a result of a trawl to be made available to possible applicants from outside of the Council’s employ?”

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

“Can the Cabinet Member assure Council that no further members of the existing Library staff will be made redundant in anticipation of the formation of the Community Library Trust?”

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

Can the Cabinet Member outline what, in this continuing time of austerity, other vanity projects such as the Arts Barge are under consideration?”

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

“Can the Cabinet Member inform Council of the projected date of the grand opening of the Community Stadium and the proposals for the occasion”

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

“Does the Cabinet Member stand by her statement that York City Knights will not be financially worse off by moving to the new Community Stadium?”

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

“What is the Cabinet Members reaction to the news that the Athletics Club will not be sharing the facilities of the Sports Village?”

14. 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.