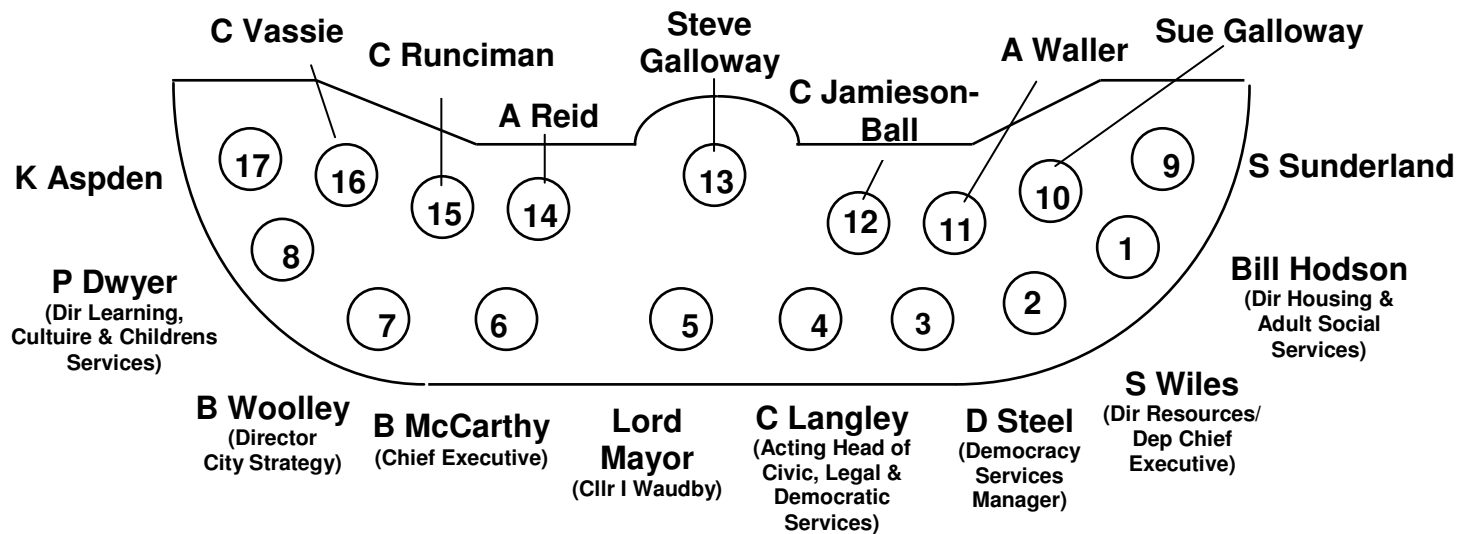
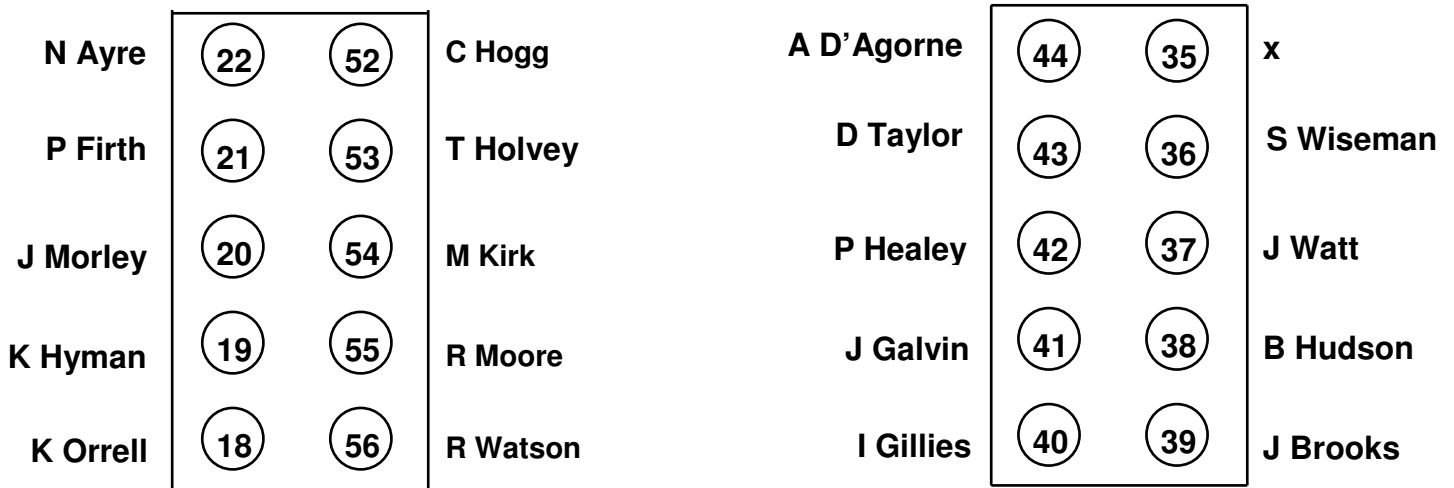
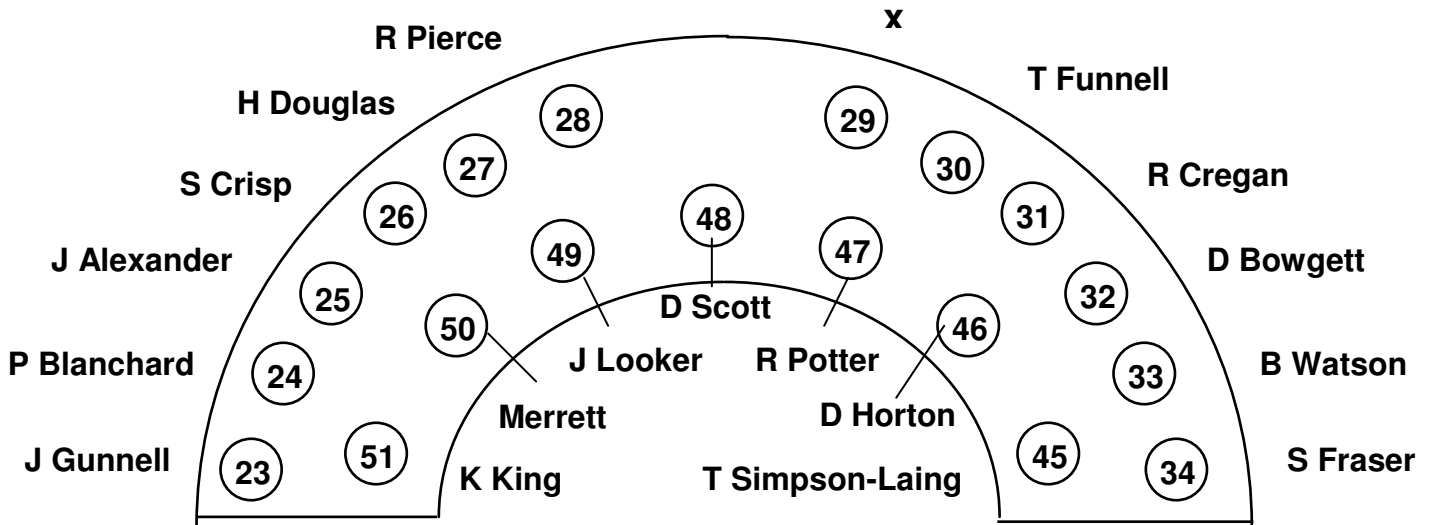


CITY OF YORK COUNCIL SUMMONS

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, 29 November 2007 at 6.35 pm, or immediately following the Special Meeting of Council scheduled to begin at 6:00 pm.

COUNCIL CHAMBER PLAN



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 - 22)

To approve and sign the minutes of the Council meeting held on 4 October 2007.

3. Civic Announcements

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

4. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the remit of Council may do so. Anyone who wishes to register, or requires further information, is requested to contact the Democracy Officer for this meeting. Contact details are listed at the foot of this agenda. The deadline for registering is **5:00pm on Wednesday, 28 November**.

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) Councillor R Watson, regarding speeding traffic on Towthorpe Road;
- (ii) Councillor Alexander, on behalf of residents of Leeman Road requesting removal of Back Park from the leisure land for possible sale list;
- (iii) Councillor D'Agorne, on behalf of the Open Planning Forum, regarding the Local List for York;
- (iv) Councillor Gunnell, calling for more recycling for residents of terraced areas of the City.

6. Notices of Motion

To consider the following Notices of Motion under Standing Order 11:

(i) From Councillor Kirk:

“This Council regrets the Government’s planned closure of 2,500 post offices across the UK. Council notes with concern the threat to post offices in York and surrounding areas. Council further notes that any closures in York will be announced by Post Office Counters Limited in November 2007.

This Council believes that post offices; fulfil both a social and economic role, offer a lifeline to many vulnerable and elderly customers, and contribute to viable, sustainable communities, especially in rural and suburban areas.

This Council believes that the closure programme is unnecessary and calls on the Government to:

- a) end the branch closure programme and open new branches where needed;
- b) remove the Royal Mail restrictions on the Post Office to open up further business opportunities for the network;
- c) stop removing government business from post offices;
- d) carry out a review of which additional government functions could be carried out through the post offices;
- e) invest in the Post Office Network.

This Council calls upon the Chief Executive and Leader of City of York Council to write to the Secretary of State for Business, Enterprise and Regulatory Reform to oppose the proposed branch closures in the City of York Council area.”

[Note:

In accordance with the Council’s Constitution, and subject to the consent of Council, notice has been received that Cllr Kirk will seek to amend the above motion to read as follows:

“This Council regrets the Government’s planned closure of 2,500 post offices across the UK. Council notes with concern the threat to post offices in York and surrounding areas. Council further notes that any closures in York will be announced by Post Office

Counters Limited in November 2007.

This Council believes that post offices; fulfil both a social and economic role, offer a lifeline to many vulnerable and elderly customers, and contribute to viable, sustainable communities, especially in rural and suburban areas.

This Council believes that the closure programme is unnecessary and calls on the Government to:

- a) end the branch closure programme and open new branches where needed;*
- b) remove the Royal Mail restrictions on the Post Office to open up further business opportunities for the network;*
- c) stop removing government business from post offices;*
- d) carry out a review of which additional government functions could be carried out through the post offices;*
- e) invest in the Post Office Network.*

This Council requests that;

(1) the Chief Executive and Leader of City of York Council write to the Secretary of State for Business, Enterprise and Regulatory Reform to oppose the proposed branch closures in the City of York Council area.

(2) Officers prepare a report, to be received by members within three months of this motion being carried, on negotiations with the Post Office, and the financial implications to the council, and residents, of expanding use of 'over the counter' transactions at sub-post offices for council services, bills and charges ”]

(ii) From Councillor Horton:

“Council notes:

- a) The shortage of good affordable housing in York to rent or buy;
- b) That York has two thriving Universities with increasing number of students living in the community, some in poor quality rented properties;
- c) That first-time buyers face increasing difficulties in gaining their first foot on the property ladder in the city. This has been exacerbated by the increase in the buy-to-let market and the building of a large number of high price flats in the City in recent years, at the expense of family housing;
- d) That owners of buy to let properties enjoy "tax breaks" which are not available to first-time buyers.

Council calls for the following action to be taken:

- a) That Council use its statutory powers to regulate the difficulties being experienced in areas of the City with large student populations and poor quality maintenance by landlords;
- b) That the Government be called upon to investigate and put in place legislation to enable first time buyers to mitigate the unfair tax advantage that is enjoyed by those buying solely to let and to strengthen Council's planning powers in terms of maintaining sensible housing mix.
- c) That Council establish a task force of representatives from the universities, students' unions, landlords and ward members to consider the effectiveness of voluntary, market and regulatory strategies to improve living conditions for long-term residents and students;
- d) That the task force make recommendations for practicable solutions within six months of this meeting;
- e) That Council also join other university cities in their lobby, via the Local Government Association to central government, for specific powers to enable local authorities to address the impact of the proportion of students residing in specific geographical areas."

(iii) From Councillor Brooks:

"This Council instructs the appropriate officer or officers to negotiate with the Post Office a scheme for payment of all Council service charges and fees at local Post Offices and that a report be brought back to the Council on the outcome of such negotiations within three months".

[Note: On 23 November, 2007, the above Notice of Motion was withdrawn and replaced by the following:

(iii) From Councillor D'Agorne:

"This Council notes:

- a) *The adoption at the Nov 22nd Planning Committee of an Interim Planning Statement for York for Sustainable Design and Construction with references to a minimum 10% on site generation of renewable energy for new developments, in line with policy adopted by Merton and other local authorities.*
- b) *The proposed removal of the specific on site target for renewable energy in the Secretary of State's recommended*

changes to the draft Yorkshire and Humber Regional Spatial Strategy.

c) That the target was established in consultation with all key regional agencies and local authorities. It had successfully passed through the Examination in Public stage and was endorsed in the recommendations put forward by the Independent Panel.

d) That only 5 months earlier a similar policy in the North East Regional Spatial Strategy passed through virtually unchanged in the Secretary of State's list of proposed changes to that document.

e) That once the Planning Policy Statement on Climate Change is published (in its current proposed form) it may become more difficult for Councils to implement as policy the modest 10% minimum on site renewable energy targets for new developments.

f) That as a percentage renewable energy target, the policy encourages greater energy efficiency in new developments and is a driver to reduce carbon emissions.

g) That the policy has been proven to be effective by those councils already implementing this policy such as the London Borough of Croydon, which has now applied it to over 130 planning applications.

This Council calls on the Chief Executive to write to the Minister for Housing and Planning, (with copy to Chair of Yorkshire and Humber Assembly) calling on the Minister to:

a) Give an unequivocal statement that the forthcoming Planning Policy Statement on Climate Change will allow Councils to set at least a minimum 10% on site renewable energy targets in new developments;

b) Reconsider her recommendation to delete the specific on site renewable energy target in new development from the Yorkshire and Humber RSS.”]

(iv) From Councillor Simpson-Laing:

“Council agrees that Bus Cross Ticketing, within the City of York Council boundary, is adopted as a primary objective of Council's desire to further develop public transport usage in the City. Council calls for Council Officers to negotiate with local bus operators to achieve this, with a target implementation date being set as being no later than January 2009.”

(v) From Councillor Aspden:

“City of York Council notes;

- The huge amount of voluntary work that is done in the City.
- The success of the York Press organised *Community Pride Awards* in giving public recognition to many of the City’s unsung heroes.
- The positive role model for children and young people that volunteering provides and assists with the development of active citizenship.
- That the devolution of budgets and decision making to the neighbourhood level assists with voluntary work in the City.

City of York Council welcomes;

- The ongoing work of the Council for Voluntary Services, health and environmental voluntary groups, Youth Clubs and sports club, Neighbourhood Watch, school governors, and other volunteering groups around the City.
- York Cares, which is actively supported by; Benenden Healthcare Society, City of York Council, Corus, CPP, Garbutt & Elliott, HSBC, Langleys, Mott MacDonald, Norwich Union, Shepherd Building Group, The Partners Group, The University of York, York and County Press and others.

City of York Council calls upon;

- The City, residents and employers to celebrate International Volunteer Day on 5th December as part of a continuing process to improve the opportunities for volunteering in York.
- Employers in the City to recognise the value in volunteering.
- The media to encourage participation with links like the BBC Action Network.”

7. Report of Executive Leader and Executive Recommendations (Pages 23 - 34)

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	6 November 2007	Minute 98 – City of York Local Development Framework - Adoption of the Statement of Community Involvement. <i>[Note: the draft Statement of Community Involvement can be viewed on the Council's website by clicking on this link http://democracy.york.gov.uk/ieListDocuments.asp?CId=102&MId=2600&Ver=4 Copies may also be obtained on request from Democratic Services.]</i>

8. Report of Executive Member (Pages 35 - 38)

To receive a written report from the Executive Member for Children's 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)(a).

9. Questions to the Executive Leader and Executive Members received under Standing Order 10(c)

To deal with the following questions to the Executive Leader and / or other Executive Members, in accordance with Standing Order 10(a):

- (i) To the Executive Leader, from Cllr B Watson:
"Could the Leader of the Council explain his definition of 'mischievous'?"
- (ii) To the Executive Member for Neighbourhood Services, from Cllr Potter:
"Would the Executive Member now reconsider his objections to lobbying the Government to ban or tax the use of plastic bags in the UK and sign our petition which we will be sending to the Secretary of State for Environment, Food and Rural Affairs, requesting that the Government bans or taxes plastic bags, and is he aware that Brighton

and Hove City Council and Norwich Council have recently voted to ask the Government to ban plastic bags?”

(iii) To the Executive Member for Youth and Social Inclusion, from Cllr Fraser:

“Would the Executive Member for Youth and Social Inclusion outline one ambition for his coming year in office?”

(iv) To the Executive Member for Youth and Social Inclusion, from Cllr Ayre:

“Could the Executive Member report on any success that the Council and young people had in taking part in the national Take Over day on 23 November 2007?”

(v) To the Executive Member for Housing Services, from Cllr Merrett:

“Could the Executive Member for Housing Services explain the reasons for the large number of boiler replacements (indicated in the Press article on Friday 10/11/07) and how much this has cost?”

(vi) To the Executive Member for Children’s Services, from Cllr Healey:

“Will the current review under way for Home to School Transport include those children who attend school out of their catchment area, so that free transport for children who do not have a ‘safe route’ to school is not restricted to their catchment area school but any that has an existing bus service? This will bring the policy in line with recent appeal decisions and avoid the time and cost for both parties in future.”

(vii) To the Executive Member for Adult Social Services, from Cllr Hogg:

“Would the Executive Member please update Council on the current situation regarding joint working arrangements with the PCT?”

10. Recommendations from the Gambling & Licensing Acts Committee (Pages 39 - 40)

To consider the following recommendations for approval from the Gambling & Licensing Acts Committee:

Meeting	Date	Recommendations
Gambling & Licensing Acts Committee	5 October 2007	Minute 12 – Review of Licensing Policy (Licensing Act 2003) <i>[Note: The report to the Committee, with the amended draft Policy attached, can be viewed on the Council's website by clicking on this link: http://sql003.york.gov.uk/ieListDocuments.asp?CId=606&MId=3081&Ver=4&J=3 Hard copies can be obtained from Democratic Services on request.]</i>

11. Amendment to Delegation Scheme - Restoration of Common Land and Village Greens (Pages 41 - 44)

To consider a report by the Interim Head of Civic, Legal and Democratic Services seeking to amend the delegation scheme within the Constitution to make provision for the carrying out of functions in relation to the registration of common land and village greens by the Licensing and Regulatory Committee and the Director of City Strategy.

12. Scrutiny - Report of the Chair of the Scrutiny Management Committee (Pages 45 - 46)

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

[Report attached to re-published agenda 23/11/07]

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://sql003.york.gov.uk/mqListOutsideBodies.asp?bcr=1>

Copies may also be obtained by contacting Democracy Support Group at the Guildhall, York (tel. 01904 551088).

- Association of North Yorkshire Councils - 12/9/07
- York & North Yorkshire Waste Management Partnership - 11/7/07
- Yorkshire & Humber Assembly - 12/7/07 and 4/10/07
- Regional Transport Forum - 6/9/07
- Safer York Partnership - 10/10/07
- Pension Fund Sub-Committee - 27/9/07
- Police Authority - 24/9/07

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

14. Appointments and Changes to Membership (Pages 47 - 48)

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

15. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer for this meeting:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – fiona.young@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.