

CITY OF YORK COUNCIL

Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Wednesday, 22nd July, 2009, starting at 4.30 pm

Present: The Lord Mayor (Cllr John Galvin) in the Chair, and the following Councillors:

ACOMB WARD

Horton
Simpson-Laing

BISHOPTHORPE WARD

Galvin

CLIFTON WARD

Douglas
King
Scott

DERWENT WARD

Brooks

DRINGHOUSES & WOODTHORPE WARD

Holvey
Reid
Sunderland

FISHERGATE WARD

Taylor

FULFORD WARD

Aspden

GUILDHALL WARD

Looker
B Watson

HAXBY & WIGGINTON WARD

Firth
R Watson

HESLINGTON WARD

HEWORTH WARD

Funnell
Potter

HEWORTH WITHOUT WARD

Ayre

HOLGATE WARD

Bowgett

HULL ROAD WARD

Pierce

HUNTINGTON & NEW EARSWICK
WARD

Hyman
Runciman

MICKLEGATE WARD

Fraser
Gunnell
Merrett

OSBALDWICK WARD

Morley

RURAL WEST YORK WARD

Gillies
Healey

SKELTON, RAWCLIFFE & CLIFTON
WITHOUT WARD

Moore
Watt

STRENSALL WARD

Wiseman

WESTFIELD WARD

Steve Galloway
Sue Galloway
Waller

WHELDRAKE WARD

Apologies for absence were received from Councillors Alexander, Cregan, Crisp, D'Agorne, Hogg, Hudson, Jamieson-Ball, Kirk, Orrell, Vassie and Waudby

DECLARATIONS OF INTEREST

28. Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. The following interests were declared:

Cllr Fraser – a personal interest in agenda item 6 (Equal Pay Update – Executive Recommendation), as a member of the retired section of Unison and the retired section of the Acts section of the TGWU section of Unite.

Cllr Gunnell – a personal interest in agenda item 6, as the sister of a member of Unison.

Cllr King – a personal interest in agenda item 6, as the father of an employee of the authority.

Cllr Pierce - a personal interest in agenda item 6, as a member of the retired section of Unison.

Cllr Scott – a personal interest in agenda item 6, as an employment solicitor.

Cllr Simpson-Laing – a personal interest in agenda item 6, as a member of Unison.

EXCLUSION OF PRESS AND PUBLIC

29. **RESOLVED:** That the press and public be excluded from the meeting during consideration of the report and exempt minute at agenda item 6 (Equal Pay Update – Executive Recommendation), on the grounds that they contain information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. Such information is classed as exempt under paragraph 5 of Schedule 12A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

PUBLIC PARTICIPATION

30. It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

RATIFICATION OF APPOINTMENT OF CHIEF EXECUTIVE

31. Cllr Waller moved, and Cllr Scott seconded, the recommendation contained in a report of the Head of Human Resources and Organisational Development at pages 1-3 of the late Council papers circulated on 17 July 2009, concerning the appointment of a new Chief Executive.

On being put to the vote, the motion was declared CARRIED and it was

RESOLVED: That the recommendation be approved and that the offer of the post of Chief Executive to Kersten England, on the terms set out in Annex 1 to the report, be ratified.

REASON: To enable the Council to operate effectively and to avoid any further delay.

CHIEF EXECUTIVE - INTERIM ARRANGEMENTS

32. Cllr Waller moved, and Cllr Gillies seconded, the recommendations contained in paragraph 9 of a report of the Head of Human Resources and Organisational Development, at pages 1-3 of the Council papers, concerning interim arrangements pending the arrival of the new Chief Executive:

On being put to the vote, the motion was declared CARRIED and it was

RESOLVED: That the recommendations be approved and that:

- (i) The Director of City Strategy be appointed as Acting Chief Executive and Head of Paid Service from 17 August 2009 until such time as a permanent postholder takes up post.
- (ii) The Acting Chief Executive and Head of Paid Service be so appointed on a salary of £130,000 per year.
- (iii) The Acting Chief Executive be appointed as Electoral Registration Officer and Returning Officer for the City of York.
- (iv) The Director of City Strategy, in consultation with the Executive Member for City Strategy, be authorised to put in place any necessary back-filling arrangements within the Directorate, subject to HR policy, appropriate Member

approval and the management of any costs within existing budgets.

REASON: To enable the duties of the Chief Executive to be performed pending the arrival of the new post-holder and to provide continuity of leadership during that interim period.

EQUAL PAY UPDATE - EXECUTIVE RECOMMENDATION

33. The press and public were excluded from the meeting at this point, in accordance with the resolution recorded under Minute 29 above.

The Executive Leader, Cllr Waller, then moved, and Cllr Runciman seconded, the following recommendation contained in Minute 56 of the Executive meeting held on 21 July 2009, concerning the reference back of a previous Executive recommendation in respect of the Equal Pay Update:

“That Council consider and approve the recommendation made by the Executive at their meeting on 23 June 2009, in the light of the further information received.”

Cllr Scott then moved, and Cllr Potter seconded, an amendment to the above motion, as follows:

“Delete all after ‘23 June 2009’ and insert:
‘subject to that recommendation being amended to read as follows:
That Council receive funds from general reserves of up to £150k...” *

On being put to the vote, the amendment was declared CARRIED.

The motion, as amended, was then put to the vote and declared CARRIED and it was

RESOLVED: That the motion, as amended, be approved and that funds of up to £150k be released from general reserves to cover the costs of the action agreed in respect of the Equal Pay Update.

**Note: the full text of the amendment is contained in the exempt minute of this item.*

Cllr John Galvin
LORD MAYOR OF YORK
[The meeting started at 4.30 pm and concluded at 5.10 pm]