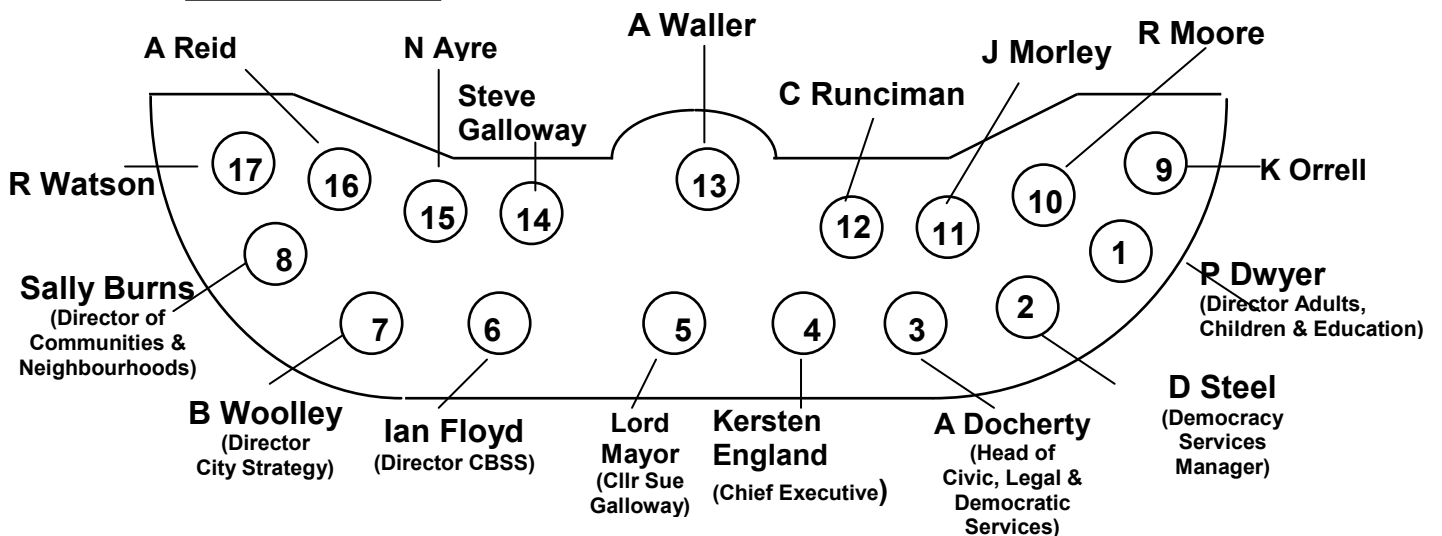
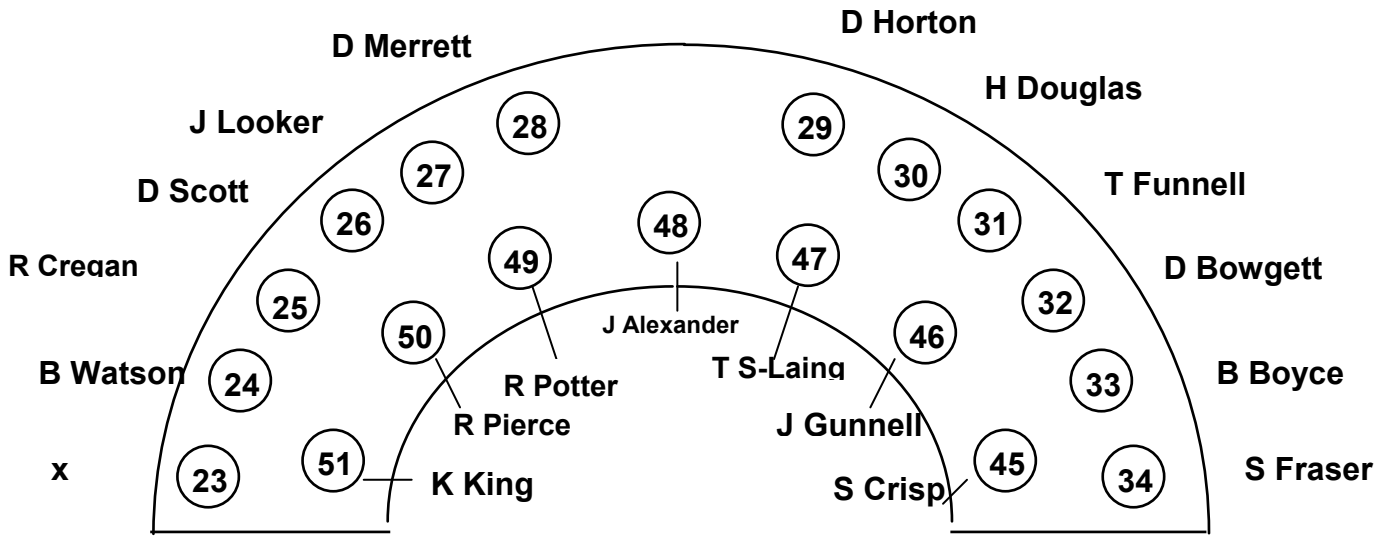


CITY OF YORK COUNCIL SUMMONS

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, 9 December 2010 at 6.40 pm (*or on the rising of the Special Council meeting to be held at 6:35pm*)

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 - 28)

To approve and sign the minutes of the Council meeting held on 7 October 2010.

3. Civic Announcements and Lord Mayor Elect

To consider any announcements made by the Lord Mayor in respect of Civic business, and in particular the nomination of the Lord Mayor Elect and the Sheriff of York for the Municipal Year 2011/12.

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, 8 December 2010.**

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) Cllr Alexander, on behalf of local residents, regarding Council action required on parking along University Road.
- (ii) Cllr Jamieson-Ball, on behalf of residents of Heslington Village, regarding parking on University Road.
- (iii) Cllr Simpson-Laing, on behalf of residents seeking a 20 mph speed limit on Grayshon Drive.

- (iv) Cllr Horton, on behalf of residents seeking a 20 mph speed limit on Melwood Grove.
- (v) Cllr Horton, on behalf of residents seeking a 20 mph speed limit on Sherwood Grove.
- (vi) Cllr Simpson-Laing, on behalf of residents requesting the re-installation of static bollards on Low Poppleton Lane.

6. Report of Executive Leader and Executive Recommendations (Pages 29 - 50)

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.

The reports on which these recommendations were based can be viewed on the Council's website as part of the published agendas for the relevant meetings. Links are provided under the meeting dates set out below:

Meeting	Date	Recommendations
Executive	5 October 2010 http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&MId=5496&Ver=4	Minute 86: <i>Reference Report – National Service Planning Requirements for Environmental Health and Trading Standards</i> (to approve food law enforcement plan)
Executive	2 November 2010 http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&MId=5498&Ver=4	Minute 103 : <i>Sustaining the More for York Programme and Creating the Office of the Chief Executive</i> (to approve funding arrangements).

Executive	16 November 2010 http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&MId=5499&Ver=4	Minute 114: <i>Capital Programme – Monitor 2</i> (to approve amendments to the programme) Minute 115: <i>2011-12 Budget Update 1 – Spending Review Implications</i> (to approve additional investment costs for trade union facility time)
Executive	30 November 2010 http://democracy.york.gov.uk/ieListDocuments.aspx?CId=102&MId=5500&Ver=4	Minute 128: <i>Award of Long Term Waste Management Contract</i> (to approve award of contract and budgetary provision) <i>Note: printed copies of the report to Executive on the above item were circulated to all Council Members prior to the Executive meeting.</i>

7. Recommendations of the Audit & Governance Committee - Annual Report (Pages 51 - 62)

To consider the following recommendation for approval from the Audit & Governance Committee:

Date of Meeting	Recommendations
29 September 2010	Minute 38: <i>Annual Report of the Audit & Governance Committee</i> (to receive the Annual Report) <i>Note: a copy of the Annual Report is attached.</i>

8. Recommendations of the Gambling & Licensing Acts Committee (Pages 63 - 64)

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

Date of Meeting	Recommendations
19 November 2010	Minute 14: <i>Review of Statement of Licensing Policy (Licensing Act 2003)</i> (to adopt the draft statement of licensing policy) <u>Note:</u> the draft statement of policy can be viewed on the link below: http://democracy.york.gov.uk/ieListDocuments.aspx?CId=606&MId=5440&Ver=4

9. Scrutiny - Report of the Chair of the Scrutiny Management Committee (Pages 65 - 68)

To receive a report from Councillor Galvin, the Chair of the Scrutiny Management Committee (SMC) on the work of the SMC, which includes a recommendation for the appointment of a Statutory Scrutiny Officer.

10. Report of Executive Member (Pages 69 - 76)

To receive a written report from the Executive Member for Neighbourhood 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 8.2.1.

11. 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/mgListOutsideBodies.asp?bcr=1>

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

- NHS Foundation Trust – minutes of meeting on 21 April 2010
- Without Walls Partnership – minutes of meeting on 17 September 2010

Members are invited to put any questions to the Council's

representatives on the above bodies, in accordance with Standing Order 10(b).

12. Appointments and Changes to Membership (Pages 77 - 80)

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

13. Notices of Motion

To consider the following Notices of Motion under Standing Order 12:

A – Motions referred from the Executive 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 Aspden

“Council notes that our universities must be fully funded if they are to continue to provide high quality education to students.

Council believes it was a mistake for the Labour government to introduce tuition fees in 1998, despite a manifesto commitment not to, and furthermore believes it was a mistake for the Labour government to introduce £3,000 per year top up fees in 2004.

Council believes that the government’s proposals improve on the system introduced by the Labour government in a number of ways, including:

- Increasing the repayment threshold from £15,000 to £21,000
- Ending up-front fees for part-time students
- More generous grants for lowest income students
- Ensuring all students will repay less per month than they currently pay

However, Council believes that instead of increasing top-up fees, all tuition fees should be phased out, so that students are not penalised with thousands of pounds worth of debt for entering into higher education.

Council directs that a copy of this motion is sent to both local MPs, asking them to vote against the coming increases, with a copy to both the University of York and York St John University management boards and the Student Union presidents.”

(ii) From Cllr Alexander

“Despite their respective manifesto pledges to scrap university tuition fees and increase university places, the Liberal Democrat / Tory coalition government has increased fees to up to £9k per annum and cut university places.

Despite Michael Gove’s commitment to keep the Education Maintenance Allowance, the government has announced that it is to be abolished.

Council believes that:

- Education is the main vehicle for social mobility and that talented and hardworking people should have the right to go into further and higher education based on ability and not on their financial position;
- Scrapping the EMA will not help maintain the existing level, or increase the numbers, of young people going into further education;
- Increasing tuition fees will not help maintain the existing level, or increase the numbers, of young people going into further education;
- Students contribute large amounts to York through spending in the local economy, working in often low-paid jobs and carrying out voluntary work;
- The Conservatives have betrayed voters in further education by promising to scrap tuition fees in opposition and increasing them in office.

Council resolves:

- That the Chief Executive be requested to invite staff and student representatives of York College, Askham Bryan, York St John University and the University of York to an open meeting with Group Leaders to discuss future access to post-16 education; and
- That the Chief Executive be requested to write to Hugh Bayley MP and Julian Sturdy MP requesting that they vote against any lifting of the tuition fees cap at this difficult financial time.”

(iii) From Cllr Gillies

“Council notes that the Executive is due to consider a report on affordable housing at its meeting scheduled for the 14th December. Council urges the Executive to take action to address the very low number of new building starts on homes in the City over the last 18 months.

In particular, the Council would wish the Executive to consider to what extent the present policy relating to Affordable Housing has failed to produce a solution to York’s need for Social, Starter and Family housing, as Council believes that existing policies may be too restrictive and unworkable in the present financial climate.

Acknowledging that work is taking place to address the situation through the Local Development Framework Document, Council believes that we must be proactive in order to stimulate house building of any kind, regardless of ideology, and therefore the City should work with developers and others to ease this logjam whilst demand for affordable properties continues to rise.

Therefore the Council calls on the Executive to consider:

1. A temporary two-year substantial reduction in the percentage affordable homes requirement to stimulate the “Affordable” element of the house building market.
2. An end to ‘Pepper-potting’.

Council recognises that any new policy would allow developers to seek variations to existing permissions. Council believes that a temporary change to planning

policies will provide a platform which will challenge developers, and others, to provide the homes that are needed in the City, while providing additional employment in the building industry.”

(iv) From Cllr Simpson-Laing

“Council notes:

- That since last year both the Prime Minister and the Executive Leader have sought to convince the public that cuts are deliverable without compulsory redundancies;
- Council finance officers’ recent confirmation that compulsory redundancies in the Council are unavoidable;
- The Liberal Democrats’ u-turn on the economic impact of wholesale public spending cuts, from before May to after the General Election;
- The Conservative / Liberal Democrat Government’s Emergency Budget and Comprehensive Spending Review;
- The projected loss of 200 posts before the CSR and, following the announcement of a 28% cut in the Council’s funding until 2014/15, a further 400+ projected after the CSR;
- The Conservative / Liberal Democrat Government reversing the duty to consider the socio-economic impact of cuts under the Equality Act 2010;
- That bankers created the global economic crisis, not council staff or ordinary working people.

Council believes:

- That both the Conservatives’ and the Liberal Democrats’ national party leaders have betrayed voters by making wildly inaccurate predictions about job losses and by changing economic policy in order to take the reigns of power respectively;
- That swingeing cuts to public services are being made for ideological reasons and threaten Britain’s fragile economic recovery; and
- That the Liberal Democrats’ wasteful spending with

resident's money locally has resulted in the need for more job cuts than would otherwise have been necessary.

Council resolves:

- That the Council Leader be called on to publicly apologise to staff for his inaccurate comments and for his party's role both nationally and locally in the need to cut 600+ posts in the Council;
- That the Chief Executive write to the Prime Minister expressing Council's disappointment at his misleading the public on the issue of compulsory redundancies, both front-line and elsewhere; and
- That all budget reports placed before Members should as soon as reasonably practicable include an assessment of the socio-economic impact of the various options within the report."

(v) From Cllr Steve Galloway

"Council notes the decision by the Government to place the Access York (Phase 1) scheme on the list of 'development' schemes to bid for a share of £600m of funding to be allocated by the end of 2011.

Council believes the Access York scheme is vital for reducing congestion in the City.

Council believes it is important to show public support for the scheme in order to secure a positive decision from the Government and therefore welcomes the 'Get York Moving' campaign by the Press.

Council encourages residents and businesses to support the 'Get York Moving' campaign to send a clear message of support to the Government for the Access York scheme and asks the Chief Executive to write to the Transport Secretary to invite him to York to see the benefits that the scheme could provide for the City."

14. 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 11.3(a):

- (i) To the Executive Leader, from Cllr Alexander:
“The new Council HQ was originally predicted to save £29m. The current estimate is £17m - please could the Executive Leader explain the drop?”
- (ii) To the Executive Leader, from Cllr Firth:
“Can the Executive Leader explain what work is being done to ensure that the construction of the new Council HQ utilises local labour as much as possible?”
- (iii) To the Executive Leader, from Cllr Orrell:
“Will the Executive Leader agree to provide more Council owned space for Edible York to use?”
- (iv) To the Executive Leader, from Cllr R Watson:
“Would the Leader of the Council indicate the total number of crimes committee in the City in each year since 2003?”
- (v) To the Executive Leader, from Cllr Jamieson-Ball:
“Would the Leader of the Council indicate how York unemployment levels have compared with the regional and national average at the end of each of the last 8 years?”
- (vi) To the Executive Member for City Strategy, from Cllr Simpson-Laing:
“Will the Executive Member for City Strategy please inform Council of the total number of staff hours that have been spent on the “rising bollard” on Low Poppleton Lane since its installation and the resulting financial cost?”
- (vii) To the Executive Member for City Strategy, from Cllr D’Agorne:
“Would the Executive Member please state what salt stocks are left for the rest of winter and what action is being taken to address public concern about clearance of snow and ice from footpaths and cycle lanes / tracks?”

- (viii) To the Executive Member for City Strategy, from Cllr Hogg:
“Would the Executive Member for City Strategy indicate how many KSI traffic accidents have been recorded in each of the last 8 years in the City?”
- (ix) To the Executive Member for City Strategy, from Cllr Sunderland:
“Would the Executive Member for City Strategy indicate:
a) how many bus passenger journeys and
b) how many park and ride journeys
were made in each of the last 8 years?”
- (x) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Merrett:
“Would the Executive Member for Leisure, Culture and Social Inclusion please indicate how much of last year’s Ward Committee carry forwards, itemised by Ward, have now been delivered? Where they have failed to be delivered please could an explanation be given?”
- (xi) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr B Watson:
“Will the Executive Member for Leisure, Culture and Social Inclusion please inform Council what is proposed to happen to the former Manor School when Global's lease runs out in 2011?”
- (xii) To the Executive Member for Leisure, Culture & Social Inclusion, from Cllr Hogg:
“Would the Executive Member for Leisure, Culture & Social Inclusion indicate how many visits were made to each of our libraries each year since 2003?”
- (xiii) To the Executive Member for Neighbourhood Services, from Cllr D’Agorne:
“What provision is being made for residents in flats and terraced houses to have smaller recycling boxes or communal facilities for recycling?”

- (xiv) To the Executive Member for Health & Adult Social Services, from Cllr Hyman:
“Is the Executive Member for Health & Adult Social Services able to give details of the CQC Assessment of Performance in Adult Social Care for 2009/10?”
- (xv) To the Executive Member for Children & Young People’s Services, from Cllr Kirk:
“Can the Executive Member tell Council about the outcome of the recent inspection of the Youth Offending Team?”
- (xvi) To the Executive Member for Children & Young People’s Services, from Cllr Waudby:
“Can the Executive Member explain the discrepancy between the figure for A-Level results calculated locally and the figure released by the Department for Education in October, which was reported in the local media?”
- (xvii) To the Executive Member for Children & Young People’s Services, from Cllr Aspden:
“Would the Executive Member for Children’s Services tell us how many children have received 5 A-C exam grades in each year since 2003?”
- (xviii) To the Executive Member for Corporate Services, from Cllr Firth:
“Can the Executive Member give the Council details of the contents of this year’s annual audit letter?”
- (xix) To the Executive Member for Corporate Services, from Cllr Kirk:
“Could the Executive Member for Corporate Services advise on the success or otherwise of the 24-hour benefit processing pledge?”

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 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.