

## City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in The Citidal, Gillygate, York on Thursday, 19th July, 2018, starting at 6.30 pm

**Present:** The Lord Mayor (Cllr Orrell) in the Chair, and the following Councillors:

Acomb Ward	Bishopthorpe Ward
K Myers S Barnes	Galvin
Clifton Ward	Copmanthorpe Ward
D Myers Wells	Carr
Dringhouses & Woodthorpe Ward	Fishergate Ward
Fenton Mason Reid	D'Agorne D Taylor
Fulford and Heslington Ward	Guildhall Ward
Aspden	Craghill Flinders Looker
Haxby & Wigginton Ward	Heworth Ward
Cuthbertson Gates Richardson	Boyce Funnell Williams
Heworth Without Ward	Holgate Ward
Ayre	Derbyshire K Taylor

Hull Road Ward

N Barnes  
Pavlovic  
Shepherd

Huntington and New Earswick  
Ward

Cullwick  
Orrell  
Runciman

Micklegate Ward

Crawshaw  
Hayes  
Kramm

Osbalwick and Derwent Ward

Brooks  
Warters

Rawcliffe and Clifton Without Ward

Dew  
Lisle  
Rawlings

Rural West York Ward

Steward

Strensall Ward

Doughty  
Douglas

Westfield Ward

Hunter  
Jackson  
Waller

Wheldrake Ward

Apologies for absence were received from Councillors Gillies and Mercer

### 13. Declarations of Interest

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests they might have in the business on the agenda.

The following **prejudicial or disclosable pecuniary** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Hunter	6. Report of Executive Leader and Executive Recommendations and Questions	Housing Delivery – Owned a property adjoining one of the Development Sites
Flinders	6. Report of Executive Leader and Executive Recommendations and Questions	References to York Central – as employee of Network Rail
Ayre	6. Report of Executive Leader and Executive Recommendations and Questions	Burnholme Delivery – As Executive Member for Culture, Leisure & Tourism

### 14. Minutes

Resolved: That the minutes of the last Ordinary Council meeting held on 22 March 2018, the Special Council meeting held on 17 May 2018 and the Annual Council meeting held on 24 May 2018 be approved and then signed by the Chair as correct records.

## **15. Civic Announcements**

The Lord Mayor expressed his sadness over the death of the Lord Lieutenant Mr Barry Dodd and Council observed a minutes silence.

He then drew Members' attention to a book about Munster which had which had been recently received from York's twin City, and was on display that evening. In addition, the Lord Mayor reminded Members, and the public, that on 4 August the Sherriff would be visiting pubs around the City for the traditional 'assize of ale'.

## **16. Public Participation**

It was reported that six members of the public had registered to speak under the Council's public participation scheme.

Peter Richardson, a local resident, spoke in objection to the proposed motion 'Police & Fire Services in York'. He stated he was responding to a York Press article on North Yorkshire Police. He felt the motion should be rejected, and instead passed to the Police & Crime Panel as they had not done the job they were elected to do. He also pointed out that North Yorkshire had the second highest precept in the country. This was despite a reduction in police numbers in the county.

Marc Allington, a local business owner and Secretary of the Micklegate Business Initiative, spoke in favour of the proposed motion 'Micklegate Bar'. He stated that Micklegate traders were overwhelmingly in favour of one way traffic on Micklegate, although they were opposed to a full closure. They felt this would ease congestion, create space for additional parking bays and allow traders to put more seating and plants outside. He stated that a 1 year trial of this scheme would be welcomed.

Mr Laverack, a local resident, spoke on the treatment of members of the public who participate in public meetings. He stated that no paid employee of the Council should be immune from public criticism. He also commented upon the accountability and remuneration of senior management. Finally he highlighted that he had previously raised a complaint, to which he had never received a response.

Dr William Owen, a local resident, spoke on a previous Council motion on Community Wealth Building. He criticised the Council's economic development policy, which he felt gave no importance to social value. He stated that Community Wealth Building was an alternative to this and felt the Council should be an anchor institution in this. Finally he suggested that social value should be taken into account when considering both outsourcing and procurement. He felt this would transform York's economy, as it had in several other cities.

Honorary Alderman Brian Watson spoke on eligibility for civic office. He stated that becoming Lord Mayor was a privilege, but one which not every Councillor could obtain. He felt the current system disadvantaged Independent Members. In his opinion, points accrued by each Independent Member should be amalgamated when appointing a Lord Mayor to provide opportunities for Independent Members to accrue points on the same basis as other 'groups' on the Council.

Gwen Swinburn, a local resident, spoke on the Annual Report of the Audit & Governance Committee. She raised issues with the current rules on public participation, adding that, she felt, citizens were blocked and vilified when pointing out Council failures. She highlighted the new Social Media Policy and process, which she stated had been signed off by the Chief Executive, and she felt was unlawful. Finally she asked for clarity on the status of this Social Media Policy and process and asked members if they had approved it.

## **17. Petitions**

Under Standing Order 15, the following petitions was presented by the following Member for reference to the Customer and Corporate Services Scrutiny Management Committee, in accordance with the Council's petition arrangements:

Councillor Denise Craghill, on behalf of residents of St John Street, calling for a one way traffic system on St John Street and for narrower bollards.

### Action Required

1 Refer to Customer and Corporate Services                      LC  
Scrutiny Management Committee for consideration.

## 18. **Report of Executive Leader and Executive Recommendations and Questions**

### **A. Executive Leader's Report**

A written report was received from the Executive Leader, Councillor Gillies on the work of the Executive.

Members were then invited to question the Deputy Leader, Councillor Waller, in the Leaders absence, on the report and questions were received from the floor from the following Members in relation to the subjects listed:

Councillor S Barnes – Provision of housing through the Housing Revenue Account as opposed to the proposed Development Company

Councillor D Taylor – The relocation of Channel 4 and the Leeds City Region Bid

Councillor Kramm – Consultation on York Central and sustainability of the development. Supplementary from Councillor Craghill regarding traffic flow through the site and pedestrian access via Leeman Road

Councillor Waller responded directly to all the questions put to him, including supplementary questions, but agreed to respond in writing to the question from Councillor D Taylor.

### **B. Executive Recommendations**

#### **Capital Programme Outturn 2017/18 and Revisions to the 2018/19 - 2022/23 Programme**

In the Leader's absence, Cllr Dew moved, and Cllr Aspden seconded, the following recommendation contained in Minute 11 of the Executive meeting held on 21 June 2018:

Recommended: That Council approve the re-stated 2018/19 to 2022/23 capital programme of £302.185m, as summarised in Table 3 at paragraph 77 of the report and detailed in Annex A.

Reason: To enable the effective management and monitoring of the council's capital programme.

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

Resolved: That the above recommendation in respect of the *Capital Programme* be approved.

### **Housing Delivery Programme**

In the Leader's absence, Cllr Dew moved, and Cllr Aspden seconded, the following recommendation contained in Minute 22 of the Executive meeting held on 12 July 2018:

Recommended: That a budget of £22.5m be created for the development of the Lowfield site, funded from HRA resources (£4.5m) and market sales (£18m), as set out in the report, noting that the final funding split may change and will be reported to future Executive meetings, and that HRA reserves will cash flow the development prior to the start of market sales.

Reason: To enable the progression of the building of much needed new homes in York, to increase the number of affordable homes in the city and meet the housing needs of a broader range of York residents

In accordance with Standing Order 34.1, a named vote was then taken of those Members present, with the following result:

For	Against	Abstained
Aspden		N Barnes
Ayre		S Barnes
Brooks		Boyce
Carr		Cannon
Cullwick		Craghill
Cuthbertson		Crawshaw
Dew		D'Agorne
Doughty		Derbyshire
Douglas		Flinders
Fenton		Funnell
Galvin		Hayes
Gates		Kramm
Jackson		Looker

Lisle		D Myers
Mason		Pavlovic
K Myers		Shepherd
Rawlings		D Taylor
Reid		K Taylor
Richardson		Waller
Runciman		Warters
Steward		Wells
		Williams
		Lord Mayor (Cllr Orrell)
21		23

Resolved: That the above recommendation in respect of the *Housing Delivery Programme* be approved

**Delivering Improved Sport and Active Leisure Facilities at Burnholme**

In the Leader's absence, Cllr Dew moved, and Cllr Aspden seconded, the following recommendation contained in Minute 23 of the Executive meeting held on 12 July 2018:

Recommended:

(i) That the net investment of £2.45m for the Burnholme sports facilities capital investment works and sport, health and housing enabling works be added to the Capital Programme and funded from receipts secured by the Older Persons' Accommodation Programme, and Section 106 contributions received for improving sports facilities.

(ii) That, in the light of recommendation (i) above and other minor changes set out in the report, a revised total capital budget of £8.529m be approved for the Burnholme development.

Reason: So that improved sports and active leisure facilities are made available for the benefit of the citizens of York.

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



Resolved: That the above recommendation in respect of  
*Delivering Improved Sport and Active Leisure Facilities  
at Burnholme* be approved.

### **Treasury Management Annual Report and Review of Prudential Indicators**

In the Leader's absence, Cllr Dew moved, and Cllr Aspden seconded, the following recommendation contained in Minute 24 of the Executive meeting held on 12 July 2018:

Recommended: That the increase in borrowing limit set out in paragraphs 13 to 15 of the report be approved.

Reason: In accordance with the statutory requirements in Section 3(1) of the Local Government Act 2003.

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

Resolved: That the above recommendation in respect of the  
*Treasury Management Annual Report and Review of  
Prudential Indicators* be approved.

#### **Action Required**

- |  |        |
|--|--------|
| 1 Deputy Leader to provide a response to question from Councillor D Taylor   | LC     |
| 2 To note the resolution in relation to Capital Programme Outturn 2017/18 and Revisions to 2018/19 - 2022/23 Programme | IF     |
| 3 To note the resolution in relation to the Housing Delivery Programme   | TC, TB |
| 4 To note the resolution in relation to Delivering Improved Sport and Active Leisure Facilities at Burnholme           | L, VJ  |
| 5 To note the resolution in relation to the Treasury Management Annual Report and Review of Prudential Indicators      | IF     |

## **19. Report of Deputy Leader and Questions**

A written report was received from Cllr Waller, the Deputy Leader on his portfolio area.

Members were then invited to question Cllr Waller on his report and questions were received from the floor from the following Members in relation to the subjects listed:

Councillor D Myers – Delays in the collection of green waste.

Supplementary questions

- Councillor D Myers – Recruitment of HGV drivers and ongoing collection issues due to this
- Councillor Richardson – How many rounds were currently outstanding
- Councillor S Barnes – How many rounds were currently outstanding

Councillor Cuthbertson – Commitment to the development of the 500 metre protection policy in relation to fracking.

Supplementary questions

- Councillor Cuthbertson – Ministerial input on this decision
- Councillor Kramm – Would the 500 metres only apply in the City of York or across North Yorkshire

Councillor Warters – Thanks to Councillor Hayes in relation to Clifford's Tower

Councillor Crawshaw – Commitment to a Clean Air Zone in relation to York Central

Councillor Waller responded directly to all the questions put to him, including supplementaries.

## 20. **Motions on Notice**

**Motions submitted for consideration directly by Council, in accordance with Standing Order 22.1.**

### **(i) Green Waste Collection**

(Proposed by Councillor Doughty, seconded by Councillor K Myers)

In moving his motion, Councillor Doughty indicated he was minded to accept the amendment to be proposed by Councillor Reid, which was as follows:

At the end of the last paragraph, **add** the words “As a result, it resolves:

That in response to recently missed green waste collections; a report is prepared for the Executive at the earliest opportunity to examine options for building further resilience into the service.

That Council officers produce a report, to be brought back for consideration of the Executive, to identify options for the delivery of a new green waste ‘bring site’.”

Upon being formally asked, Council then agreed to accept the motion as altered above for debate, so that it now read:

“Council:

- Recognises residents do not expect to pay additional charges, over and above their council tax, for green waste collection and that they are right in this;
- acknowledges that the separation of green (garden) waste into a separate bin plays a well-established role in helping the environment;
- believes it was right for the coalition's emergency budget to guarantee that there is no additional charge for the collection of the first household green bin for the duration of the administration;

Therefore pledges its support to ensuring that for the years ahead the first green bin collection remains free and that this desire should be at the forefront of budget planning.

As a result, it resolves:

- That in response to recently missed green waste collections; a report is prepared for the Executive at the earliest opportunity to examine options for building further resilience into the service.
- That Council officers produce a report, to be brought back for consideration of the Executive, to identify options for the delivery of a new green waste ‘bring site’”.

Following debate, a vote was then taken on the motion, as altered above by Cllr Reid's amendment, being declared CARRIED, it was:

Resolved: That the motion, as altered and set out above, be approved.

**(ii) Police & Fire services in York**

(Proposed by Councillor Mason, seconded by Councillor Aspden)

"Council acknowledges and commends the hard work of the North Yorkshire Police Force and North Yorkshire Fire Service in difficult times.

Council notes:

- That the North Yorkshire Police budgets have remained exactly the same as last year, which taking into account inflation, means that North Yorkshire Police have incurred real-terms cuts of £1.27 million.
- That in 6 months, between March 2017 and September 2017, there were 58 fewer North Yorkshire Police officers.
- That the UK's Senior National Coordinator for Counter-Terrorism highlighted that neighbourhood policing was now at risk and that withdrawing police on the ground could mean losing the relationships and trust within communities.
- That violent crime in York and North Yorkshire rose by 10% and total recorded crime by 5% in 2016-17.
- That the North Yorkshire Fire & Rescue Service faces significant and on-going financial pressures nearing £1million per annum.
- That vital and valuable policing and fire services across North Yorkshire need additional resources to cope with additional pressures on the respective services.

Council therefore thanks North Yorkshire Police Force and North Yorkshire Fire Service in appreciation of their services to York, particularly against the backdrop of increasing demand on their services.

Council resolves:

That the Chief Executive writes to the Police & Crime Commissioner for York and North Yorkshire, copied to the City's

Members of Parliament and Minister of State for Policing and the Fire Service, requesting that:

- North Yorkshire Police and North Yorkshire Fire Service are funded properly in order to do their jobs effectively.
- That additional resources are provided to Neighbourhood Policing Teams in order to strengthen the working relationships between the Force and local communities in the city.
- That there should be no cuts to frontline fire & rescue services in the City of York.”

A vote was then taken on the motion, which was declared CARRIED and it was:

Resolved: That the motion, as set out above, be approved.

**(iii) Micklegate Bar**

(Proposed by Councillor Crawshaw, seconded by Councillor Looker)

“Council notes that Micklegate Bar:

- is one of the jewels in York’s heritage crown;
- is a site of cultural and historic significance for York, Yorkshire and the entire country;
- Is the last of York’s four historic gateways to have unrestricted traffic access through it.

Council believes that recent works to secure Micklegate Bar for future generations could be undermined by the continued impact of motorised vehicles passing beneath the gateway.

Council resolves:

- To request Executive bring forward options for the closure of Micklegate Bar to outbound motorised vehicles at the earliest possible opportunity;
- That in the short to medium term Executive gives consideration to full closure of the gateway to motorised vehicles.”

Councillor Dew then moved, and Councillor Galvin seconded, an amendment to the motion, which was as follows:

At the beginning of the first bullet point following 'Council resolves:'  
**add:**

"Following a consultation exercise taking into account the views of residents and traders..."

On being put to the vote this amendment was CARRIED.

Councillor Fenton then moved, and Councillor Cuthbertson seconded, a further amendment as follows:

**Insert** a third bullet point under 'Council resolves':

- That the Council, through a report to the Executive, launches a My Future York style consultation to open a discussion with key stakeholders (residents, businesses, cycle/pedestrian groups and groups who represent people that have special access requirements) on the future of accessibility, safety and traffic management in the city centre.

On being put to the vote this amendment was also CARRIED.

A vote was then taken on the original motion, as altered by both Councillor Dew and Councillor Fenton's amendments, which was then CARRIED. It was therefore

Resolved: That the original motion, as altered by both Councillor Dew and Councillor Fenton's amendments, be approved as set out below:

"Council notes that Micklegate Bar:

- is one of the jewels in York's heritage crown;
- is a site of cultural and historic significance for York, Yorkshire and the entire country;
- Is the last of York's four historic gateways to have unrestricted traffic access through it.

Council believes that recent works to secure Micklegate Bar for future generations could be undermined by the continued impact of motorised vehicles passing beneath the gateway.

Council resolves:

- Following a consultation exercise taking into account the views of residents and traders, to request Executive bring forward options for the closure of Micklegate Bar to outbound motorised vehicles at the earliest possible opportunity;
- That in the short to medium term Executive gives consideration to full closure of the gateway to motorised vehicles.”
- That the Council, through a report to the Executive, launches a My Future York style consultation to open a discussion with key stakeholders (residents, businesses, cycle/pedestrian groups and groups who represent people that have special access requirements) on the future of accessibility, safety and traffic management in the city centre.

**(iv) Food Poverty**

(Proposed by Councillor Craghill, seconded by Councillor Kramm)

“Council notes:

- The End Hunger UK campaign supported by Oxfam, Child Poverty Action Group, UK churches, and the Trussell Trust amongst many others.
- Growing cross party support for the campaign to require the Government to measure food insecurity in the UK.
- The 2014 United Nations study that indicated that as many as 17 times the number of people using Trussell Trust foodbanks are food insecure.
- The 2018 report by the Children’s Society and the Church of England that concludes that local welfare schemes are failing to reach many people in crisis.
- York’s status as a member of the Sustainable Food Cities Network and ongoing work by the Good Food York partnership and York Food Poverty Alliance to promote access for all to healthy food in York.

Council further notes that:

- According to York’s Joint Health and Well Being Strategy 11.7% of children in York were living in poverty in 2015.
- The Trussell Trust experienced a 13% increase in the number of 3-day emergency food supplies distributed by its food banks during the last financial year; York Food Bank alone distributed 3,379 parcels last year.

Council therefore resolves:

- To request the Chief Executive to write to both York MPs urging them to support Emma Lewell-Buck MP's Private Members Bill coming up in the Autumn to require the Government to measure food poverty in the UK
- To request a report to Executive setting out:
  - the background to food poverty in York including any available local statistics and how local measurement might be improved;
  - the current role of crisis support in York in mitigating food poverty;
  - and a range of options for the Council and its partners to improve the city wide response to food poverty in York.”

A vote was then taken on the motion, which was declared CARRIED and it was:

Resolved: That the motion, as set out above, be approved.

Action Required

- |  |    |
|--|----|
| 1 Corporate Director of Economy and Place to take forward actions requested in motion (iii) Micklegate Bar       | NF |
| 2 Corporate Director of Economy and Place to take forward actions requested in motion (i) Green Waste Collection | NF |
| 3 Chief Executive to take forward actions requested in motion (ii) Police & Fire services in York                | MW |
| 4 Chief Executive to take forward actions requested in motion (iv) Food Poverty                                  | MW |

**21. Questions to the Leader or Executive Members**

In accordance with Standing Order 20, Members were invited to question the Leader and/or the other Executive Members in respect of any matters within their portfolio responsibility.

Questions were received from the floor from the following Members in relation to the subjects listed:



- (i) To Councillor K Myers, Executive Member for Children, Education & Young People:

Councillor Crawshaw – with the loss of senior managers in Children’s Services and a reliance on agency social workers, how would the Executive Member ensure safeguarding remained a key focus.

- (ii) To Cllr Douglas, Executive Member for Housing & Safer Neighbourhoods:

Councillor Wells – Beyond the next 5 years, how did the Council plan to deliver affordable housing for key workers in the City

Supplementary questions

- Councillor Wells – how did the Executive Member plan to help those key workers who wished to remain living in the City they were born in
- Councillor Williams – given that the Local Plan only proposed to provide 1/15<sup>th</sup> of required affordable housing, how was the Executive Member proposing to address this

Councillor Boyce – What problems were there with the Housing Development company to cause the change of approach to Housing Delivery

Supplementary questions

- Councillor S Barnes – what would have been the problem with reinvesting profit made by a Development Company for future development

Councillor Hunter – what was the Council’s policy on empty homes

Councillor S Barnes – what are the plans for securing part of the old Manor School playing fields as public open space

Councillor Kramm – improvements to the enforcement of bus lanes

Supplementary questions

- Councillor Kramm – would the Executive Member consider restricting use of the bus lanes to local private hire firms

*[this question was put to the Executive Member for Housing and Safer Neighbourhoods but answered at the meeting by the Executive Member for Transport and*

*Planning - this amendment was agreed at the meeting of Council on 25 October 2018]*

The Executive Member for Education, Children & Young People responded directly to all the questions, including supplementary questions, put to them. The Executive Member for Housing & Safer Neighbourhoods agreed to respond to questions in writing.

At this point in the meeting the guillotine fell, and remaining matters were deemed moved and seconded as required under the Constitution.

Action Required

1 Executive Member for Housing & Safer Neighbourhoods to respond in writing to questions from Members. LC

**22. Report of Executive Member**

Council received a written report from Cllr Runciman, Executive Member for Adult Social Care & Health.

As the guillotine had already fallen, no questions were put to the Executive Member on their report in accordance with Standing Order 19 and it was:

Resolved: That the report of the Executive Member for Adult Social Care & Health be received and noted.

**23. Report of the Chair of the Customer & Corporate Services Scrutiny Management Committee**

Council received the report of the Chair of the Customer and Corporate Services Scrutiny Management Committee on the work of the Committee. Council was asked them to endorse the Annual Scrutiny Report attached to the agenda papers, in line with the recommendation of the Customer and Corporate Services Scrutiny Management Committee from its meeting on 11 June 2018.

As the guillotine had already fallen this was deemed moved and seconded as required under the Constitution and it was:

Resolved: That the report of the Customer and Corporate Services Scrutiny Management Committee be noted and the Annual Scrutiny Report be approved.

Reason: To update Members on the work of the committee and to ensure the Council receives an Annual Scrutiny Report in accordance with Constitutional requirements.

#### **24. Annual Report of the Audit & Governance Committee**

Council received the Annual report of Audit & Governance Committee.

As the guillotine had already fallen this was deemed moved and seconded as required under the Constitution and it was:

Resolved: That the report be received and noted.

#### **25. Appointments and Changes to Membership**

Resolved: That the appointment set out at page 85 of the agenda papers be approved.

#### **26. Expressions of Thanks**

On behalf of the Council, the Lord Mayor expressed best wishes to Martin Farran, Corporate Director of Health, Housing and Adult Social Care and Jon Stonehouse, Corporate Director of Children, Education and Communities, who would both be leaving shortly to take up new posts. He thanked them for their hard work and commitment during their time at City of York Council.

Cllr Keith Orrell,  
Lord Mayor of York

*[The meeting started at 6.30 pm and concluded at 10.00 pm]*