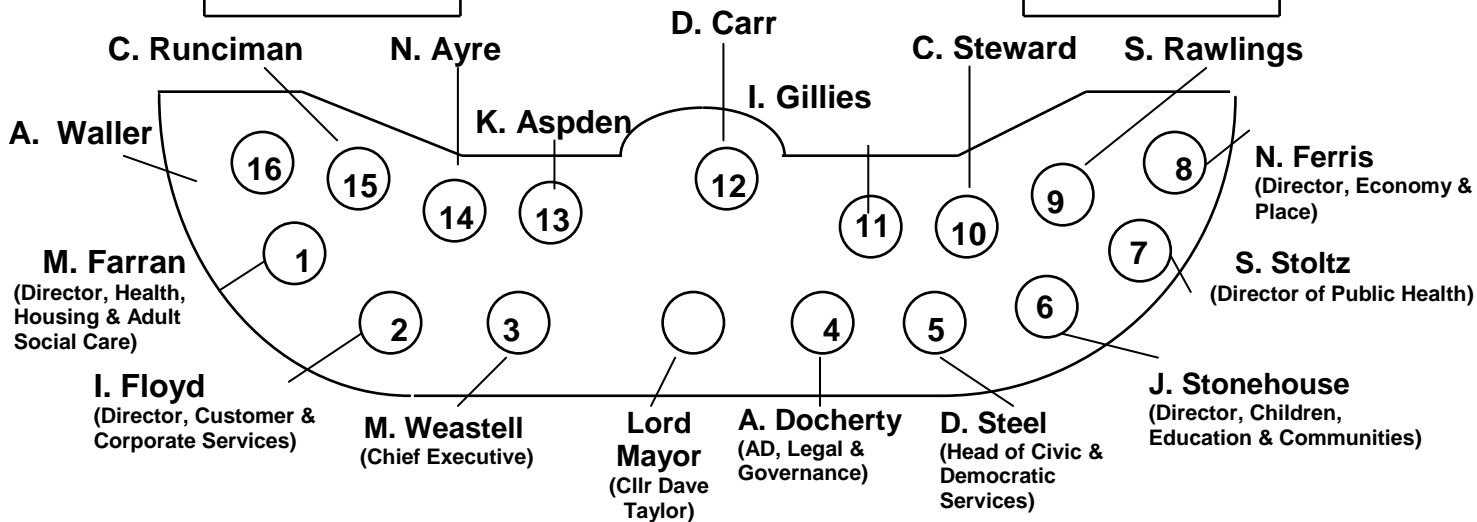
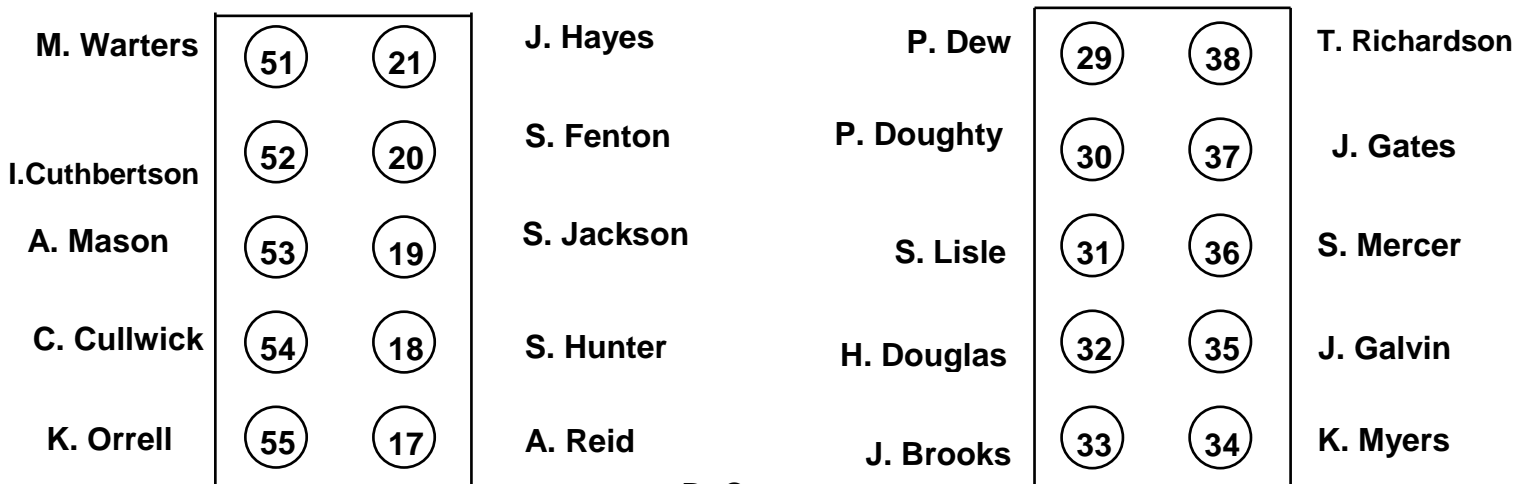
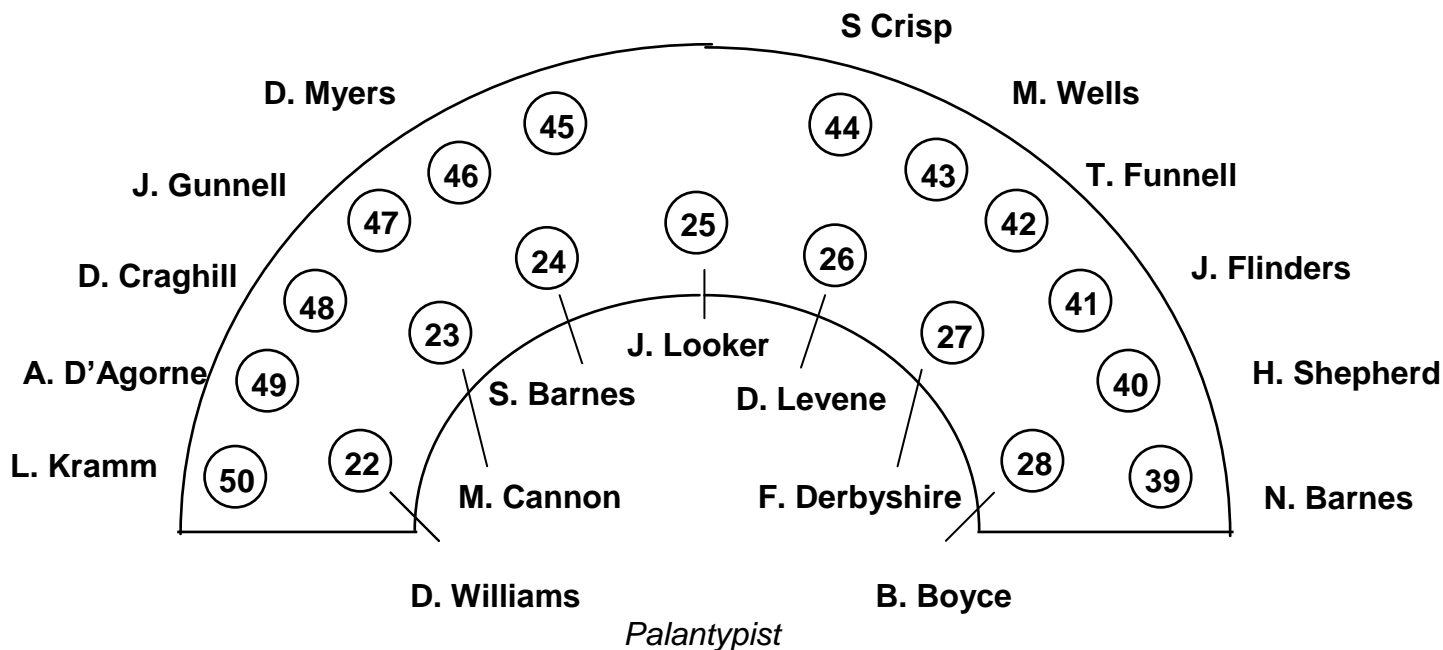


**CITY OF YORK COUNCIL
SUMMONS**

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, 15 December 2016 at 6.30 pm

COUNCIL CHAMBER



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 - 22)

To approve and sign the minutes of the last Council meeting held on 20 October 2016.

3. Civic Announcements

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

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 14 December 2016.**

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.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at

http://www.york.gov.uk/download/downloads/id/11406/protocol_for_webcasting_filming_and_recording_of_council_meetings_20160809.pdf

5. Petitions

To consider any petitions received from Members in accordance with Standing Order No.15. Notice has been received of two petitions to be presented by:

- Cllr Johnny Hayes on behalf of visitors and local residents, calling on the Council to stop English Heritage's redevelopment plans for Clifford's Tower, York for a proposed visitor centre (online petition 3,617 signatories and 161 hard copy signatories)
<https://you.38degrees.org.uk/petitions/stop-english-heritage-making-clifford-tower-look-like-disneyland>
- Cllr Paul Doughty on behalf of residents of Strensall Road in Earswick Parish and more widely from Strensall ward, calling upon the Council for a reduction from the current 60mph national speed limit third mile section of Strensall Road between Towthorpe and Earswick and instead have a consistent 40mph zone from the edge of Strensall to the commencement of the current 30mph section at the main built up part of Earswick village.

6. Report of Executive Leader and Executive

Recommendations and Questions (Pages 23 - 34)

To receive and consider a written report from the Leader and, to answer questions on the work of the Executive, and the Executive recommendations for approval, as set out below:

Meeting	Date	Recommendations
Executive	24 November 2016	Minute 78: Funding Major Transport Projects – West Yorkshire Transport Fund

Minute 79: Capital
Programme - Monitor 2
2016/17

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=9307&Ver=4>

Executive 7 December
2016

Minute 93: Burnholme
Health & Wellbeing
Campus: Key Decisions to
further progress this
development

Minute 94: Lowfield Green
development: Moving
forward to deliver a care
home, health facility and
housing

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=9308&Ver=4>

7. **Report of Deputy Leader and Questions** (Pages 35 - 38)
To receive and consider a written report from the Deputy Leader
and, to question the Deputy Leader thereon.

8. **Motions on Notice**
To consider the following Motions on Notice under Standing
Order 23:

**Motions submitted for consideration directly by Council, in
accordance with Standing Order 23.1**

- (i) From Cllr Gillies

**Review of Gaming Machines and Social Responsibility
Measures**

'Whereas Council

Notes the launch of the Government's 'Review of Gaming Machines and Social Responsibility Measures' consultation;

Further notes that rates of problem and at-risk gambling, particularly on gaming machines, have been found to be higher among loyalty card holders and where there are clusters of gaming shops;

Recognises that whilst York does not have a severe problem of clusters of betting shops per se it does host a large number of betting shops, some of which, particularly in the city centre, are in close proximity to each other and all of which have gaming machines;

Council therefore requests that officers respond to the Government's consultation and to include the following points:

To ask the Government to address the evidence and widespread public concern over the use and abuse of gaming machines by reducing gaming machine stakes to £2;

To represent that local authorities should be given more powers to manage and respond to clusters of gambling premises in their areas; and

To support the introduction by the Government of a statutory cumulative impact approach to gambling licensing, in line with its approach to alcohol licensing.'

(ii) From Cllr Runciman

Local Pharmacies

'Council Notes:

- Local pharmacies in York and North Yorkshire provide a range of NHS services and ensure residents can get face-to-face professional healthcare advice without an appointment.
- Our pharmacies play an important role in promoting wellbeing such as healthy eating, smoking cessation, exercise, flu vaccination and sexual health.

- 96% of people can get to a pharmacy within 20 minutes, making them a health and social care asset close to where people live, work, and shop.

This Council is therefore extremely disappointed that the Department of Health (DH) proposes budget cuts of £200 million to pharmacies over the next two years to take effect from this month. This means a cut of 12% during the financial year and could lead to the loss of up to a quarter of pharmacies, putting extra pressure on our already strained GPs and hospitals.

The cuts to pharmacies come at a time of unprecedented pressure on wider health and social care services exacerbated by the following failures of the current Government:

- Giving the NHS less than half of the £10 billion it promised before last year's General Election
- Cutting public health budgets, including in York where our public health grant has been reduced by £1.2 million over the last two years
- A failure in the Autumn Statement to recognise or address the potential £2.6 billion national funding gap and growing crisis in social care
- Earmarking a further £420 million of potential cuts to local services through the 'Humber Coast and Vale' Sustainability and Transformation Plan (STP).

Council therefore resolves to write to the Secretary of State for Health, NHS England and Vale of York Clinical Commissioning Group detailing our concerns and demanding an immediate reversal of the pharmacy proposals, as well as outlining our growing anxiety about the wider picture for local health and care services.'

(iii) From Cllr S Barnes

Access to NHS Services

'Council notes:

- the financial crisis in health facing the NHS and City of York Council, whose public health funding has seen cutbacks in

recent years;

- The decision of Vale of York NHS Clinical Commissioning Group (CCG) to ration access to NHS services by imposing conditions for surgery on some who smoke or who are obese;
- The expert clinical view put forward by the Royal College of Surgeons, and comments from its President, Clare Marx, who has labelled Vale of York NHS CCG's policy as 'frankly shocking'.

Council agrees with the CCG's aim to reduce levels of obesity and smoking prevalence among York residents, and recognises that individuals themselves must play a part and take responsibility for looking after their own health.

But Council believes the recent CCG policy change regarding the provision of surgery to patients who are obese, or who smoke, sets a dangerous precedent. A change to restrict and ration health services to specific groups of people is unfair.

Furthermore, Council believes this policy threatens to exacerbate existing health inequalities.

Council resolves:

- To write to Vale of York Clinical Commissioning Group (CCG), Sir Simon Stevens, Head of NHS England, and Jeremy Hunt MP, Secretary of State for Health objecting to this decision in the strongest possible terms;
- To request that the Executive commissions the Director of Public Health to assess the impact of this policy, including the impact on health inequalities, reporting back to Health and Adult Social Care Policy and Scrutiny Committee, with options recommended to Executive for what the council can do to mitigate its impact on health inequalities.'

(iv) From Cllr D'Agorne

Air Quality

'Council notes:

- That improving air quality is a key objective in the Council

- Plan and a matter of significant public concern;
- That recent data shows that between 94 and 163 people die prematurely in York each year due to the impacts of poor air quality (Local Air Quality Management Status Report 2016, City of York Council);
 - That 50-70% of nitrogen dioxide pollution in York is from vehicle traffic, largely diesel vehicles and the annual average air quality objective for NO₂ is still being breached at numerous locations around the inner ring road (Local Air Quality Management Status Report 2016, City of York Council)
 - A report by the Royal College of Physicians and the Royal College of Paediatrics and Child Health in Feb 2016 estimated that the adverse impact on public health caused by air pollution costs the UK economy more than £20bn per year – around 16% of the current annual NHS budget.
 - The publication in December 2016 of draft guidelines by NICE (National Institute for Clinical Excellence) calling on local authorities to take a range of actions to reduce the impact of road traffic related pollution on health including putting air quality at the centre of Local Plans, introducing Clean Air Zones and reducing emissions from public transport.

Council further notes:

- That with the measures listed in York's Third Air Quality Action Plan (AQAP3) **in place**, together with the emission reduction measures through modal shift included in the Third Local Transport Plan (LTP3), the health based national air quality objectives for NO₂ would be met by 2021 in all the current air quality 'technical breach' areas in York.
- However, that while York has successfully secured 'Go Ultra-Low City' status and is making progress on establishing an electric charging network, there are significant actions identified in AQAP3 where a great deal still needs to be done to achieve targets. These include making tangible progress towards establishing a freight transshipment facility to keep delivery vehicles out of the city centre/urban areas, enforcement of anti-idling zones such as Rougier St, implementation of procurement requirements for council contracts, and firm plans for the

establishment of a city centre Clean Air Zone by 2018.

- That the AQAP3 plan makes no strategic assessment of the likely growth in traffic by 2021 and beyond arising out of housing growth within the draft Local Plan.
- That the Council has a statutory public health responsibility to 'improve the health of the local population', with the overall management of air quality allocated to the Executive (section 3A, para. 2.1, no. 6 of the constitution).

Council therefore resolves to:

- Request an annual joint strategic report to Executive by the Director for Place Services and the Director of Public Health on the progress towards targets and further actions proposed for all the elements of the Third Air Quality Management Plan (AQAP3), including the proposed Clean Air Zone for public transport, the Low Emission Strategy and the elements of the Third Local Transport Plan which relate to improving air quality.
- Request a report to the Local Plan Working Group and Executive setting out how the emerging Local Plan will ensure that development does not detract from improvements in air quality in York. The completion of the city-wide transport model should include a cost/benefit analysis of the options for investment in a tram, light rail or guided bus way system to facilitate very low emission/zero carbon development, drawing on the experience of other cities in the UK and abroad.'

9. Questions to the Leader or Executive Members

To question the Leader and/or Executive Members in respect of any matter within their portfolio responsibility, in accordance with Standing Order 20.

10. Report of Executive Member (Pages 39 - 52)

To receive a written report from the Executive Member for Housing and Safer Neighbourhoods, and to question the Executive Member thereon, in accordance with Standing Order 19.

- 11. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Policy and Scrutiny Committee** (Pages 53 - 56)
To receive a report from Councillor Williams, the Chair of the Corporate and Scrutiny Management Policy and Scrutiny Committee (CSMPSC) on the work of the Committee.

- 12. Recommendations of Gambling, Licensing and Regulatory Committee** (Pages 57 - 58)

Meeting	Date	Recommendations
Gambling, Licensing & Regulatory Committee	7 November 2016	Minute 18: City of York Council Community Governance Review http://democracy.york.gov.uk/ieListDocuments.aspx?CId=606&MId=9640&Ver=4

- 13. Recommendations of the Audit and Governance Committee** (Pages 59 - 72)

Meeting	Date	Recommendations
Audit & Governance Committee	7 December 2016	Minute 39: Appointment of External Auditors Minute 40: Local Code of Corporate Governance (<i>includes copy of revised Local Code of Corporate Governance</i>) http://democracy.york.gov.uk/ieListDocuments.aspx?CId=437&MId=9185&Ver=4

- 14. City of York Council Joint Standards Committee** (Pages 73 - 76)

Council is asked to;

- (i) establish a new Joint Standards Committee in place of the former Joint Committee set up on 8 October 2015 and to confirm the terms of reference for the new

committee as set out in the attached. This follows the nomination of Sian Wiseman, Earswick Parish Councillor, as a parish council representative on the Joint Standards Committee.

- (ii) note that there remains a vacancy for a Parish Council representative on the Joint Standards Committee following the resignation of Mark Waudby and that arrangements are in place to seek a replacement.

15. Constitution - Scheme of Delegation (Pages 77 - 80)

Council is asked to agree changes to the Constitution consequent upon the recent Chief Officer restructuring and of a minor change to the Executive scheme of delegation approved by the Leader.

16. Appointments and Changes to Membership (Pages 81 - 82)

To consider an appointment to an Internal Drainage Board as set out on the list attached to this summons.

17. 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

**MOTIONS, RECOMMENDATIONS AND AMENDMENTS FOR
CONSIDERATION AT THE MEETING**

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 and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**