



AGENDA SUPPLEMENT 1 -_MOTIONS, RECOMMENDATIONS AND AMENDMENTS FOR CONSIDERATION

Council

To: Councillors K Myers, S Barnes, Galvin, D Myers, Wells, Carr, Fenton, Mason, Reid, D'Agorne, Taylor, Aspden, Craghill, Flinders, Looker, Cuthbertson, Gates, Richardson, Boyce (Lord Mayor), Funnell, Williams, Ayre, Cannon, Crisp, Derbyshire, N Barnes, Shepherd, Cullwick, Orrell, Runciman, Hayes, Kramm, Brooks, Warters, Dew, Lisle, Rawlings, Gillies, Steward, Doughty, Douglas, Hunter, Jackson, Waller and Mercer

Date: Thursday, 14 December 2017

Time: 6.30 pm

Venue: The Citadel, Gillygate, York

The Agenda for the above meeting was published on **Wednesday 6 December 2017**. The attached additional document is now available for the following agenda item:

MOTIONS, RECOMMENDATIONS AND AMENDMENTS FOR CONSIDERATION AT THE MEETING

This agenda supplement was published on **12 December 2017**

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Council Meeting – 14 December 2017

Motions, Recommendations and Amendments

A. Agenda Item 6 – Recommendations of Executive

Executive, 15 November 2017

86. Refresh of Housing Revenue Account Business Plan 2017 to 2047

Recommendation: That Council approve the creation of a new capital budget of £20m to fund the building of additional affordable homes over the period 2018/19 to 2022/23

Reason: In order to support the adoption of the HRA Business Plan, which sets out priorities for the housing revenue account for the next five years and gives clear messages as to the commitment to continue to invest in the council's existing stock and local communities and to build much needed social rented housing.

87. Capital Programme - Monitor 2 2017/18

Recommendation: That Council approve:

- (i) the adjustments resulting in a decrease of £3.728m in the 2017/18 budget, as detailed in the report and contained in Annex A and
- (ii) the amended financing of earmarked schemes from capital receipts, as set out in paragraphs 42 to 43 of the report and in Table 4.

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

B. Agenda Item 8 – Motions of Notice

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

(i) From Cllr Richardson

Non-recyclable materials

“Council notes:

- There are significant environmental problems with disposing of single use plastics, which release toxic chemicals when they break down, are a non-recyclable material and therefore a waste of energy and economic value and also contribute significantly to waterway litter in York.
- Council therefore requests the appropriate Scrutiny Committee to consider the merits of undertaking a scrutiny review in order to investigate the council’s use of single use plastics in its buildings, etc. and through its procurement arrangements and how the behaviour of others may be influenced in relation to this particular form of pollution in support of the coalition’s broader environmental policies.”

Amendment from Cllr D’Agorne

At the end of the first bullet point, after ‘in York’, **add:** ‘which can then contribute to long lasting plastic pollution on beaches and in the marine environment.’

Insert the following additional bullet points after the first one:

- ‘The harmful effects this has on marine life and the increased amount of plastic entering the food chain.
- Existing initiatives aimed at reducing the numbers of single use disposable coffee cups being used for take-away drinks such as the ‘Freiburg cup’ and the York manufactured ‘iamreusable’ cup.’

At the end of what is now the fourth bullet point, **add** the following sentence: 'Options to reduce the use of single-use disposable cups in York should include working with Make it York (possibly via its new service level agreement with the Council) and the York BID to reduce waste and tackle litter and rubbish collection challenges within the city centre.'

For information the effect on the original motion of this amendment:

"Council notes:

- There are significant environmental problems with disposing of single use plastics, which release toxic chemicals when they break down, are a non-recyclable material and therefore a waste of energy and economic value and also contribute significantly to waterway litter in York, **which can then contribute to long lasting plastic pollution on beaches and in the marine environment.**
- **The harmful effects this has on marine life and the increased amount of plastic entering the food chain.**
- **Existing initiatives aimed at reducing the numbers of single use disposable coffee cups being used for take- away drinks such as the 'Freiburg cup' and the York manufactured 'iamreusable' cup.**
- Council therefore requests the appropriate Scrutiny Committee to consider the merits of undertaking a scrutiny review in order to investigate the council's use of single use plastics in its buildings, etc. and through its procurement arrangements and how the behaviour of others may be influenced in relation to this particular form of pollution in support of the coalition's broader environmental policies. **Options to reduce the use of single-use disposable cups in York should include working with Make it York (possibly via its new service level agreement with the Council) and the York BID to reduce waste and tackle litter and**

“rubbish collection challenges within the city centre.”

(ii) From Cllr Mason

Funding for Children & Young People in York

“Council notes:

- That under the new Schools National Funding Formula, the Government is imposing real term cuts on schools by freezing per-pupil funding while inflation and school costs, such as staff salary costs, employer pension and national insurance contributions, which affect all schools and academies, increase.
- That schools in York are set to remain the lowest funded, when compared to any other local authority area in the country.
- That every child deserves the best possible start in life, and that an excellent education is pivotal to this, yet this Government’s Funding proposals will make it difficult for schools to meet the increasing demand of pupil numbers or address the growing national crisis in teacher recruitment and retention.
- The importance of the York Youth Council in providing a vital link between the Council and young people in facilitating a space where young people can actively engage in decisions which affect their future.
- The excellent contribution of staff and youth councillors to the Youth Council in its activities to support young people across the City, particularly in their campaign efforts to protect and develop mental health support in local schools.

Council resolves:

- To write to the Secretary of State for Education to highlight that York continues to remain the worst funded local authority and ask for her to reconsider York's position.
- That the Council supports schools as much as possible during the implementation of the new National Funding Formula.
- That we urge the Executive to maintain funding to the York Youth Council, particularly its membership of the UK Youth Parliament, as part of a wider effort to support children and young people.”

Amendment from Cllr Crawshaw

After 'Council Notes':

- **insert** the following as the first bullet point:
 - 'The challenges that York schools have had since core funding per pupil was frozen in cash terms in 2011.'
- In the what is now the second bullet point, after 'the Government is imposing', **insert** the word 'further', **add** an 's' to the word 'term' and then **delete** the word 'freezing' and **insert** 'failing to provide adequate'
- In what is now the third bullet point, **delete** 'school' and **insert** 'pupils' and then after 'when compared to' **insert** 'their peers in.'
- After the third bullet point, **insert** the following:
 - 'That changes due to the National Funding Formula will impact significantly on High Needs provision, putting this area in particular under extreme pressure.'
 - That unsustainable workloads, the impact of high-stakes testing, the narrowing of the curriculum and the public sector pay cap which has been in place since 2010, have all contributed to an alarming fall in the number of people

training to become teachers and the high levels of staff leaving the profession, often within five years of becoming qualified.

- That testing and exams have a place within schools but should be undertaken for the benefit of pupils' learning and development first and foremost and that pupil performance should not automatically be equated with staff or school performance.'

-In what is now the seventh bullet point, after 'an excellent education is', **delete** 'pivotal to' and **insert** 'a crucial factor in'.

After 'Council resolves':

- in the first bullet point, after 'highlight that', **delete** 'York continues to be' and **insert** 'York's pupils continue to be', delete the word 'remain', and then after 'the worst funded' **delete** 'local authority' and **insert** 'in the country'.

- **insert** the following additional bullet point after the first one:

- "That Council formally recognises that York's teachers are a real asset to the city and do an excellent job in increasingly difficult circumstances."

For information the effect on the original motion of this amendment:

"Council notes:

- **The challenges that York schools have had since core funding per pupil was frozen in cash terms in 2011.**
- That under the new Schools National Funding Formula, the Government is imposing **further** real terms cuts on schools by **failing to provide adequate** per-pupil funding while inflation and school costs, such as staff salary costs, employer pension and national insurance contributions, which affect all schools and academies, increase.

- That **pupils** in York are set to remain the lowest funded, when compared to **their peers in** any other local authority area in the country.
- **That changes due to the National Funding Formula will impact significantly on High Needs provision, putting this area in particular under extreme pressure.**
- **That unsustainable workloads, the impact of high-stakes testing, the narrowing of the curriculum and the public sector pay cap which has been in place since 2010, have all contributed to an alarming fall in the number of people training to become teachers and the high levels of staff leaving the profession, often within five years of becoming qualified.**
- **That testing and exams have a place within schools but should be undertaken for the benefit of pupils' learning and development first and foremost and that pupil performance should not automatically be equated with staff or school performance.**
- That every child deserves the best possible start in life, and that an excellent education is **a crucial factor in** this, yet this Government's Funding proposals will make it difficult for schools to meet the increasing demand of pupil numbers or address the growing national crisis in teacher recruitment and retention.
- The importance of the York Youth Council in providing a vital link between the Council and young people in facilitating a space where young people can actively engage in decisions which affect their future.
- The excellent contribution of staff and youth councillors to the Youth Council in its activities to support young people across the City, particularly in their campaign efforts to protect and develop mental health support in local schools.

Council resolves:

- To write to the Secretary of State for Education to highlight that **York's pupils continue to be** the worst funded **in the country** and ask for her to reconsider York's position.
- **That Council formally recognises that York's teachers are a real asset to the city and do an excellent job in increasingly difficult circumstances.**
- That the Council supports schools as much as possible during the implementation of the new National Funding Formula.
- That we urge the Executive to maintain funding to the York Youth Council, particularly its membership of the UK Youth Parliament, as part of a wider effort to support children and young people.”

Second Amendment from Cllr Steward

After ‘Council resolves’:

- in the final bullet point, **delete** all wording after ‘Executive to’ and **insert** the following:

‘find ways to increase funding to the York Youth Council, including possibly using some of the scrutiny budget which is regularly underspent. York puts the views of young people at the heart of everything it does, therefore giving the Youth Council more resources to increase participation in influencing decision making and events for young people supports this and recognises the excellent efforts of the youth councillors’.

For information the effect on the original motion of this amendment:

“Council notes:

- That under the new Schools National Funding Formula, the Government is imposing real term cuts on schools by freezing per-pupil funding while inflation and school costs, such as staff salary costs, employer pension and national

insurance contributions, which affect all schools and academies, increase.

- That schools in York are set to remain the lowest funded, when compared to any other local authority area in the country.
- That every child deserves the best possible start in life, and that an excellent education is pivotal to this, yet this Government's Funding proposals will make it difficult for schools to meet the increasing demand of pupil numbers or address the growing national crisis in teacher recruitment and retention.
- The importance of the York Youth Council in providing a vital link between the Council and young people in facilitating a space where young people can actively engage in decisions which affect their future.
- The excellent contribution of staff and youth councillors to the Youth Council in its activities to support young people across the City, particularly in their campaign efforts to protect and develop mental health support in local schools.

Council resolves:

- To write to the Secretary of State for Education to highlight that York continues to remain the worst funded local authority and ask for her to reconsider York's position.
- That the Council supports schools as much as possible during the implementation of the new National Funding Formula.
- That we urge the Executive to **find ways to increase funding to the York Youth Council, including possibly using some of the scrutiny budget which is regularly underspent. York puts the views of young people at the heart of everything it does, therefore giving the Youth Council more resources to increase**

participation in influencing decision making and events for young people supports this and recognises the excellent efforts of the youth councillors.”

(iii) From Cllr D Myers

Construction Standards

“Council notes:

- The ability of this council to influence standards within the construction industry through its procurement policies. It further notes some sub-standard practices historically within the industry that are likely to continue unless those procuring large contracts insist on basic minimum standards for every worker, whether directly or indirectly employed.

Council resolves:

- To request the Executive to review the council’s procurement policies around construction contracts, with particular regard to health and safety, pay and benefits, employment rights and skills, (modelled on Construction Standards Charters adopted by fellow Yorkshire councils Barnsley, Bradford, Doncaster, Sheffield and Wakefield) in order that workers enjoy a reasonable level of protection and are safe and properly paid for the work they do.”

Amendment from Cllr D’Agorne

In the bullet point under ‘Council resolves’, **delete** ‘a reasonable level of protection and are safe and properly paid for the work they do’ and **insert** ‘protection of employment rights, a safe working environment and at least the UK Living Wage.’

For information the effect on the original motion of this amendment:

“Council notes:

- The ability of this council to influence standards within the construction industry through its procurement policies. It further notes some sub-standard practices historically within the industry that are likely to continue unless those procuring large contracts insist on basic minimum standards for every worker, whether directly or indirectly employed.

Council resolves:

- To request the Executive to review the council’s procurement policies around construction contracts, with particular regard to health and safety, pay and benefits, employment rights and skills, (modelled on Construction Standards Charters adopted by fellow Yorkshire councils Barnsley, Bradford, Doncaster, Sheffield and Wakefield) in order that workers enjoy **protection of employment rights, a safe working environment and at least the UK Living Wage.”**

(iv) From Cllr Hayes

Arts, Culture and Creative Industries

“Council notes:

- The importance of Arts, Culture and the Creative Industries for the City’s future, both from a social wellbeing and economic development perspective.
- This is illustrated with a strong section in the Draft Local Plan on Arts and Culture, which recognises the importance of this to York’s future development.
- The pending Scrutiny Report on the work of the various Arts, Culture and Heritage organisations in the city is keenly anticipated with forward looking recommendations of this cross party committee which is due to be presented to Executive.

- We recognise the importance of the “Cultural Leaders Group” and other key decision makers. A cross party grouping of Councillors with a keen interest in Arts and Culture along with key advisors could help to lead the debate forward, and also help to ensure that residents from all sections of society are included in any decisions about the future of Arts and Culture in York.

Council therefore resolves to make a long-term commitment to maintaining cross party involvement in supporting and developing York’s Arts and Cultural offer.”

C. Agenda Item 12 - Recommendations of the Audit and Governance Committee

45. Contract Procedure Rules Update

Recommendation: That Council approve the revised Contract Procedure Rules, with the following amendments:

- A change from “should” to “must” throughout the document to emphasis the importance of the specified actions and procedures.
- The addition of the following sentence to section 7.9 on page 9: “An updated register of routine procurement must be presented regularly to the Executive Member for Finance and Performance.”
- Removal of the word “regularly” from the final sentence of page 29 (section 26) relating to the report of breaches.
- Removal of delegated authority to the Chief Finance Officer to vary the spending limit of £5000 specified on page 8 (section 4.3 and 4.4)
- A change to section 2.1.3 (page 6), from “may be brought” to “must be brought and from “or” to “and”
- The addition of a requirement in section 4.4 (page 8) to maintain an ongoing schedule of contracts not using Yortender.

Reason: To ensure appropriate governance of the Council’s purchasing activity.