

## City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in the Guildhall, York on Thursday, 15th December, 2016, starting at 6.30 pm

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

Acomb Ward

K Myers  
S Barnes

Bishopthorpe Ward

Galvin

Clifton Ward

D Myers  
Wells

Copmanthorpe Ward

Carr

Dringhouses & Woodthorpe Ward

Fenton  
Mason  
Reid

Fishergate Ward

D'Agorne  
Taylor

Fulford and Heslington Ward

Aspden

Guildhall Ward

Craghill  
Flinders  
Looker

Haxby & Wigginton Ward

Cuthbertson  
Gates  
Richardson

Heworth Ward

Boyce  
Funnell  
Williams

Heworth Without Ward

Ayre

Holgate Ward

Cannon  
Crisp  
Derbyshire

Hull Road Ward

Huntington and New Earswick  
Ward

Levene

Cullwick  
Orrell  
Runciman

Micklegate Ward

Osbaldwick and Derwent Ward

Gunnell  
Hayes  
Kramm

Brooks  
Warters

Rawcliffe and Clifton Without Ward

Rural West York Ward

Dew  
Lisle

Gillies  
Steward

Strensall Ward

Westfield Ward

Doughty  
Douglas

Hunter  
Jackson  
Waller

Wheldrake Ward

Mercer

Apologies for absence were received from Councillors N Barnes,  
Shepherd and Rawlings

In attendance Honorary Alderman Brian Watson

#### 43. 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 **personal** interests were declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
S Barnes	8.(ii) Motions on Notice – Local Pharmacies 8. (iii) Access to NHS Services	Employee of NHS Leeds North Clinical Commissioning Group
Fenton		Employee of NHS England
Richardson		Niece works for NHS and took no part in discussion or voting thereon
Flinders	10. Report of Executive Member and 11. Report of the Chair of CSMC – Operation Erase	Employment by Network Rail and took no part in discussion or voting thereon
Levene	6. Executive Recommendations – West Yorkshire Transport Fund	Employee of Transport for the North
Crisp	8.(ii) Motions on Notice – Local Pharmacies 8. (iii) Access to NHS Services	Daughter works for the NHS
Doughty		Employee of Network Rail
Kramm		Father and sister in law work for the NHS
Gates		Wife works for NHS

The following **prejudicial or disclosable pecuniary** interests were declared and the Members withdrew from the meeting and took no part in the discussion or voting thereon:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Mason	8.(ii) Motions on Notice – Local Pharmacies 8. (iii) Access to NHS Services	Employment funded by Vale of York Clinical Commissioning Group
Ayre	8.(ii) Motions on Notice – Local Pharmacies 8. (iii) Access to NHS Services	Employed by Healthwatch North Yorkshire
Flinders	7. Report of Deputy Leader – York Central	Employed by Network Rail

#### 44. Minutes

Resolved: That the minutes of the last Ordinary Council meeting held on 20 October 2016 be approved and signed by the Chair as correct record.

#### 45. Civic Announcements

The Lord Mayor reported on his visit to Nanjing, China, for the World Historical and Cultural Cities Expo and Mayors Forum, and the signing of a Memorandum of Understanding with the Mayor of Nanjing to formalise a 'Sister Cities' relationship. Also whilst there he had spoken at conferences in Nanjing, Changsha and Suzhou.

He also confirmed receipt of the civic gift of a plate from a delegation from Tongzhou Bay, which was displayed at the meeting.

The Lord Mayor also announced the retirement of George Edwards, Civic Officer at the Guildhall, for the last 26 years and all Members joined him in wishing Mr Edwards a long and happy retirement.

#### 46. Public Participation

Peter Richardson spoke as a local resident to raise his concerns regarding government plans which would allow local authorities to raise Council Tax by an extra 6% over the next two years to pay for social care. He also referred to the existing precept raised from

the North Yorkshire Fire and Rescue Authority and suggested the refurbishment of Bootham Park Hospital to assist with hospital discharges.

Honorary Alderman Brian Watson spoke regarding delays to the Community Stadium project and issues relating to the football and rugby clubs use of the Bootham Park ground. He suggested the purchase and refurbishment of the Bootham Park ground to provide joint use for both clubs.

Rory Barke spoke as a resident of the city and requested Council protection for Clifford's Tower, including the removal of the adjacent car park. He expressed support for an improved gateway to the city and concern at the recent permission granted for a visitor centre to English Heritage.

#### **47. Petitions**

Under Standing Order 15, the following petitions were presented by the following Members for reference to the Corporate and Scrutiny Management Policy and Scrutiny Committee, in accordance with the Council's petition arrangements:

- Cllr Johnny Hayes, on behalf of local residents and visitors, which called on the Council to stop English Heritage's redevelopment plans for Clifford's Tower, for a proposed visitor centre (online petition 3,617 signatories and 161 hard copy signatories).<sup>1</sup>
- Cllr Paul Doughty, on behalf of 73 residents of Strensall Road in Earswick Parish and Strensall Ward, calling upon the Council for a reduction from the current 60mph national speed limit for the third of a mile section of Strensall Road between Towthorpe and Earswick and replace it with a consistent 40mph zone.<sup>2</sup>

#### Action Required

1./2. Add to Council's petitions schedule and refer to CSMC.

JP

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

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

A written report was received from the Executive Leader, Cllr Carr on the work of the Executive.

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

- Cllr Levene – contact with the Department of Communities and Local Government regarding the Local Plan delay and receipt of new homes bonus
- Cllr Levene –confirmation regarding the Local Plan delay had been received in writing from the Department of Communities and Local Government
- Cllr Williams – opposition to the closure of the MoD barracks
- Cllr Williams – city's link with barracks and need for opposition to the closure
- Cllr Levene – lobbying of government on barracks closure
- Cllr Crisp – opposition to closure of MoD bases
- Cllr Kramm – West Yorkshire Transport Fund (WYTF) projects and receipt of support and Council approval
- Cllr Kramm – decision process for allocation of funds to WYTF projects
- Cllr Looker – level of discussion with North Yorkshire County Council (NYCC) regarding Local Plan changes
- Cllr Levene – discussions with NYCC regarding their change of position regarding the Local Plan

Cllr Carr responded directly to all the questions, including supplementary ones, put to him.

### **B Executive Recommendations**

#### **Funding Major Transport Projects – West Yorkshire Transport Fund**

Cllr Carr moved, and Cllr Aspden seconded the following recommendations contained in Minute 78 of the Executive meeting held on 24 November 2016:

Recommended: That Council agree to:

- (i) Formally join the West Yorkshire Transport Fund.
- (ii) Accept the financial liability that arises from joining the fund and to note that future increases in the levy would represent as unavoidable additional cost in future budgets. Although the precise figures could not be determined at this stage it would be within the parameters identified in the report which estimated an increase from the budgeted contribution of £500k per annum to £1m to £1.5m per annum in 2025.
- (iii) Delegate to the Deputy Chief Executive/Director of Customer and Corporate Services the finalisation of the legal agreement in consultation with the Leader of the Council, the Deputy Leader of the Council and the Finance Portfolio holder.<sup>1</sup>

- Reason:
- (i) To ensure the delivery of the York Outer Ring Road improvements and York Central Access Road and Station Gateway schemes.
  - (ii) To ensure proper financial planning within the authority.
  - (iii) To ensure that York's position is fully protected in line with the principles set out in the report.

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

Resolved: That the above recommendations in respect of the West Yorkshire Transport Fund be approved.

### **Capital Programme – Monitor 2 2016/17**

Cllr Carr moved, and Cllr Aspden seconded the following recommendations contained in Minute 79 of the Executive meeting held on 24 November 2016:

Recommended: That Council:

- (i) Agree to make adjustments resulting in a decrease in the 2016/17 programme of

£29.080m as detailed in the report and contained in Annex A.

- (ii) Approve the loan of £1.110m the Council will provide to Yorwaste, as set out in paragraphs 23 – 29 of the report, to be funded from the Waste reserve and note that this will have no impact on the Council's overall borrowing levels. <sup>2</sup>.

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

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

Resolved: That the above recommendations in respect of the adjustments to the capital programme and approval of a loan to Yorwaste, be approved.

### **Burnholme Health and Wellbeing Campus: Key Decisions to further progress this development**

Cllr Carr moved, and Cllr Aspden seconded the following recommendations contained in Minute 93 of the Executive meeting held on 7 December 2016, circulated at the meeting:

Recommended: That Council agree to:

- (i) Add the estimated £4.727m of costs for the community and library facilities to the Capital Programme with the costs to be funded from the capital receipt received from the future disposal of surplus development land on the Site subject to obtaining DfE consent necessary for such disposal. No capital costs will be incurred until official confirmation of the DfE consent has been received.
- (ii) The estimated £200,000 of costs for urgent repairs and works to the sports facilities are added to the Capital Programme with the costs initially



being funded from capital held for the use of the Older Persons' Accommodation Programme and subsequently being paid back from the capital receipt received from the disposal of development land on the Site.<sup>3</sup>

Reason: To progress to delivering the Burnholme Health & Wellbeing Campus including the delivery of a Care Home as part of the Older Persons' Accommodation Programme.

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

Resolved: That the above recommendations in respect of the funding of the Burnholme Health and Wellbeing Campus, be approved.

**Lowfield Green Development: Moving forward to deliver a care home, health facility and housing**

Cllr Carr moved, and Cllr Aspden seconded the following recommendation contained in Minute 94 of the Executive meeting held on 7 December 2016, circulated at the meeting:

Recommended: That Council agree the estimated £993,000 of costs for the enabling works and the access road needed to facilitate the development are added to the Capital Programme with costs initially being funded from capital held for the use of the Older Persons' Accommodation Programme and subsequently being paid back from the capital receipt received from the disposal of development land on the Site.<sup>4</sup>

Reason: To progress with the Lowfield Green development and deliver additional care, health and housing facilities for the residents of York.

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

Resolved: That the above recommendation in respect of the costs of the enabling works and access road for the Lowfield Green development, be approved.

### Action Required

- |   |        |
|---|--------|
| 1. Confirm membership of WYTF and finalise legal agreement in consultation with those listed. | IF, NF |
| 2. Make necessary arrangements for Yorwaste loan and adjust the capital programme.            | DM     |
| 3/4. Make arrangements to adjust the capital programme to enable the schemes to progress.     | RW     |

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

A written report was received from the Deputy Leader, Councillor Aspden, on his portfolio area.

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

- Cllr Craghill – omission of Navigation Road/Fossgate area from Environment Agency's five year flood plan
- Cllr Williams – Deputy Leader's response to the recent Ministry of Defence announcements regarding the closure of sites
- Cllr Williams – cross party support to lobby government against MoD closures
- Cllr Cullwick – update on York's response to the refugee crisis
- Cllr Boyce – government suggestion to raise Council tax by up to 6% to support social care
- Cllr Williams – scale of governments cuts has required cuts in services
- Cllr Levene – context where it would be acceptable for Council to make cuts
- Cllr Hayes – timescales for report back on flood inquiry <sup>1</sup>.
- Cllr Lisle – reference in report to Job Seekers Allowance

Councillor Aspden responded directly to all the questions put to him, including supplementaries, but agreed to respond in more detail in writing to Councillor Hayes. <sup>1</sup>.

Action Required

1. Circulate written reply to Members.

JP

50. **Motions on Notice**

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

(i) **Review of Gaming Machines and Social Responsibility Measures**

(proposed by Cllr Gillies and seconded by Cllr Douglas)

'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.'<sup>1</sup>

An amendment was proposed by Cllr Kramm as follows:

At the end of the motion the **addition** of the following paragraph:

*That Officers present to the Local Plan Working*

- *options for policy improvements which prevents clustering of betting shops, pay day loan shops, and pawnbrokers in the city and town centres,*
- *possibilities to restrict the change of use to Sui Generis uses and to limit the presence of fixed odds betting terminals (FOBTs) in premises. <sup>2</sup>*

On being put to the vote the amendment was CARRIED.

A vote was then taken on the original motion, as altered by Cllr Kramm's amendment, which was also CARRIED and it was

Resolved: That the original motion, as altered by Cllr Kramm's amendment, be approved.

(ii) **Local Pharmacies**

(Proposed by Cllr Runciman and seconded by Cllr Cullwick)

'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.'

On being put to the vote the motion was CARRIED.

Resolved: That the motion be approved.<sup>3</sup>

(iii) **Access to NHS Services**

(Proposed by Cllr S Barnes and seconded by Cllr Boyce)

'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; <sup>4</sup>.
- 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.’ <sup>5</sup>.

An amendment was proposed by Cllr Craghill as follows:

*After ‘health inequalities’ in the last paragraph before ‘Council resolves’ add ‘and is just one example of the sort of decisions which could limit access to NHS services for York residents as a result of the Government imposed Humber, Coast and Vale Sustainable Transformation Plan. There is still little clarity as to how the required £420 million saving will be made or which NHS facilities in the region will be closed or rationalised, jeopardising future free access for all.*

*‘In addition Council also notes there is clear opposition to the imposition of Sustainable Transformation Plans by an increasing number of Councils and Health and Well Being Boards, including Liverpool, Shropshire, Telford & Wrekin, Hammersmith & Fulham and Ealing.’*

Under ‘Council resolves’ **add** a third bullet point:

*‘To write to the Head of NHS England and the Secretary of State for Health to express this Council’s opposition to yet further cuts and service changes to the NHS through the Government imposed Sustainable Transformation Plans and to express this Council’s unwillingness to work with the Humber, Coast and Vale STP*

*without a fully accountable governance structure and transparent public consultation on how the £420 million will be saved and the impact it will have on patients in York and across the region.'*

On being put to the vote the amendment was LOST.

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

Resolved: That the original motion, be approved.

(iv) **Air Quality**

(Proposed by Cllr D'Agorne and seconded by Cllr Kramm)

'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 NO<sub>2</sub> 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 transhipment 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.'

Cllr Galvin then moved and Cllr Aspden seconded referral of the motion to Corporate and Scrutiny Management Policy and Scrutiny Committee (CSMC) to enable a detailed examination of the



motions content and recommendations to take place and on being put to the vote the motion to refer was CARRIED.

Resolved: That the motion be referred to CSMC for further examination.<sup>6</sup>

#### Action Required

- |  |        |
|--|--------|
| 1. Respond to Government consultation on the lines stated.   | LC     |
| 2. Compile report to future LP Working Group to include possible options and restrictions.           | MS, MG |
| 3. Write to the bodies listed on the lines stated in the local pharmacy motion.                      | SS     |
| 4. Write a letter of objection to those listed in relation to access to NHS Services.                | SS     |
| 5. Prepare report for H&ASCP&S Committee to assess the impact of the CCG policy, to include options. | SS     |
| 6. Refer Air Quality motion to CSMC for in depth examination and consideration.                      | JP     |

#### **51. Questions to the Leader or Executive Members**

In accordance with Standing Order 20, Members were then invited to question Cllr Carr and/or the 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 Cllr Aspden, Deputy Leader & Executive Member for Economic Development & Community Engagement:
- Cllr Kramm – support for local businesses in recruiting skilled staff, in particular the hospitals and hospitality industry
  - Cllr Dew – improvements in the Christmas lighting on the Bar walls from Business Improvement District funds
- (ii) To Cllr Waller, Executive Member for Environment:
- Cllr Flinders – cleanliness of the city following visit to Aldwark area

- Cllr Flinders – meeting with Guildhall residents and Ward Members to discuss cleanliness concerns
  - Cllr Kramm – funding assistance to provide litter bins in Micklegate Ward
  - Cllr D’Agorne – Street sweeping issues, concerns regarding wet leaves on pavements
- (iii) To Cllr Gillies, Executive Member for Transport and Planning:
- Cllr Gunnell – monitoring, inspection and action taken following pavement excavation works by utility companies
- (iv) To Cllr Steward, Executive Member for Finance and Performance:
- Cllr D Myers – examples of improved standards and better outcomes across the city following receipt of lower funding
  - Cllr D Myers – request for specifics which resulted in the same or better outcomes as reported by the Executive Member
- (v) To Cllr Ayre, Executive Member for Culture, Leisure and Tourism:
- Cllr Looker – public statement of support regarding for Community Stadium

The Executive Members responded directly to all the questions, including supplementary ones, put to them.

## **52. Report of Executive Member**

Council received a written report from Cllr Carr, Executive Member for Housing and Safer Neighbourhoods as set out in the agenda papers at pages 35 to 48.

Cllr Carr moved, and Cllr Aspden seconded receipt of the report.

Resolved: That the report of the Executive Member for Housing and Safer Neighbourhoods be received and noted.

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

- Cllr Derbyshire – meaningful interventions to enable key workers to live in the city
- Cllr Derbyshire – how the coalition would enable key workers to live in the city
- Cllr Danny Myers – low level of home ownership and policies to assist
- Cllr Reid – allocation of ward funding and the use of Estate Improvement Grants
- Cllr Gates – achievement and receipt of Gold Standard in relation Council's housing
- Cllr Crisp – owner occupiers and social housing tenants
- Cllr Levene – extension of licensing regime to all houses in multiple occupation

Cllr Carr responded directly to the questions put to him, including supplementaries.

**53. Scrutiny - Report of the Chair of the Corporate and Scrutiny Management Policy and Scrutiny Committee**

Council received the report of the Chair of the Corporate and Scrutiny Management Policy and Scrutiny Committee, at pages 49 to 52 of the agenda papers, on the work of the Committee since the last report to Council in October 2016.

Resolved: That the scrutiny report be received and noted.

**54. Recommendations of Gambling, Licensing and Regulatory Committee**

Cllr Douglas, as Chair of the Gambling, Licensing and Regulatory Committee moved the following recommendations from the Gambling, Licensing and Regulatory Committee meeting held on 7 November 2016.

**18. City of York Council Community Governance Review**

Recommended: (i) That Heslington Parish Council should

no longer be divided into wards and there be a single parish area represented by nine councillors.

- (ii) That Council formally confirms that Heslington Parish should not be abolished, that its area and name should be unchanged and that it should continue to have a Parish Council.
- (iii) That the name of Kexby Parish Council be changed to Kexby and Scoreby Parish Council.<sup>1</sup>

Reason: To allow better local representation for the electors of the parishes.

On being put to the vote the recommendations were declared CARRIED and it was

Resolved: That the above recommendations of the Gambling, Licensing and Regulatory Committee meeting held on 7 November 2016 be approved.

#### Action Required

1. Implement new parish arrangements for Heslington and Kexby.

AF

### **55. Recommendations of the Audit and Governance Committee**

Clr Dew, as Vice Chair of the Audit and Governance Committee, moved the following recommendations from the Audit and Governance Committee meeting held on 7 December 2016, copies of the draft Audit and Governance minutes and Code of Corporate Governance for 2016/17 were circulated at the meeting.

### **39. Appointment of External Auditor**

Recommended: That Council opt-in to the approved sector led body, Public Sector Audit Appointments Ltd (PSAA), to act as the appointing person for the appointment of external auditors for the council for five years commencing 1 April 2018.<sup>1</sup>

Reason: To enable the council to take advantage of the national scheme for appointing external auditors.

#### **40. Local Code of Corporate Governance**

- Recommended:
- (i) That the current Code of Corporate Governance be removed from the Constitution.<sup>2.</sup>
  - (ii) That the revised Local Code of Corporate Governance, as attached at Annex A of the report, be adopted.<sup>3.</sup>
  - (iii) That any future changes to the Code of Corporate Governance be presented to the committee for consideration.<sup>2.</sup>

Reason: To ensure appropriate governance arrangements are in place.

On being put to the vote the recommendations were declared CARRIED and it was

Resolved: That the above recommendations of the Audit and Governance Committee meeting held on 7 December 2016 be approved.

#### Action Required

- |   |    |
|---|----|
| 1. Opt in to the sector led body for the appointment of an external auditor.                          | DM |
| 2. Remove current code from constitution and ensure any future changes are reported to A&G Committee. | JC |
| 3. Adopt revised Local Code of Corporate Governance.  | DM |

#### **56. City of York Council Joint Standards Committee**

Council considered a request to establish a new Joint Standards Committee in place of the former Joint Committee, set up on 8 October 2015 and, to confirm the new terms of reference, as set out at pages 55 to 57 of the agenda papers.

Councillor Runciman moved and Councillor Kramm seconded the following recommendations:

Recommended: 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.

Resolved: That the recommendations to appoint a new Standards Committee and confirm the terms of reference of that Committee as set out above, be approved. <sup>1</sup>.

On being put to the vote the recommendations were declared CARRIED and it was

Resolved: That the above recommendations relating to the Joint Standards Committee be approved.

Action Required

1. Establish new Committee and implement terms of reference.

AD, JC

**57. Constitution - Scheme of Delegation**

Council received a report from the Council's Monitoring Officer which advised Members of changes to the Constitution consequent upon recent Chief Officer restructuring and of a minor change to the Executive scheme of delegation approved by the Leader.

Councillor Carr moved and Councillor Aspden seconded the following recommendations in relation to the report:

Recommended: Members are asked to:

- a) Note and confirm the constitutional changes made by the Monitoring Officer under delegated powers following the recent restructuring.
- b) Agree the designation of the Assistant Director Customer Services and Digital as Proper Officer for registration functions.<sup>1</sup>
- c) Note the changes made to the Constitution to reflect the Leader's allocation of executive decision making responsibilities.

Reason: The Council is legally obliged to prepare and keep its constitution up to date.

Resolved: That the recommendations set out in the Monitoring Officer report set out above, be approved.

Action Required

1. Note agreement to designation as Proper Officer for registration functions.

PS

**58. Appointments and Changes to Membership**

Resolved: That the appointment of Mr John Tull as a member of the Ainsty 2008 Internal Drainage Board, be approved.<sup>1</sup>

Action Required

1. Inform appointee and IDB.

JP

Cllr Dave Taylor

LORD MAYOR OF YORK

*[The meeting started at 6.30 pm and concluded at 9.40 pm]*