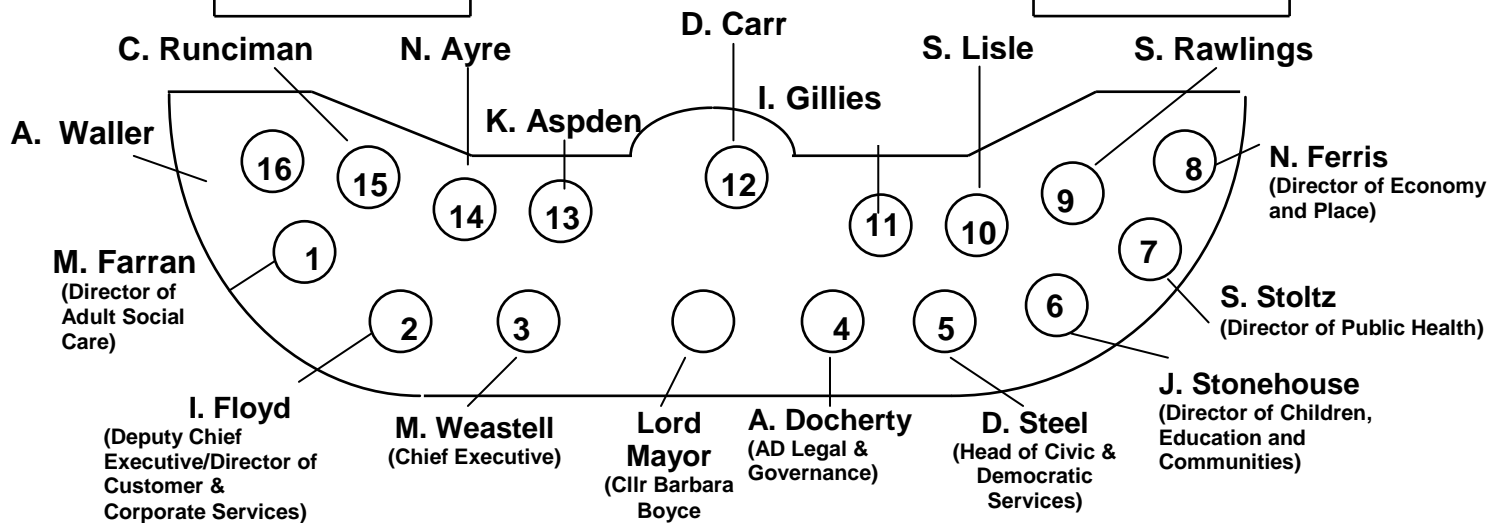
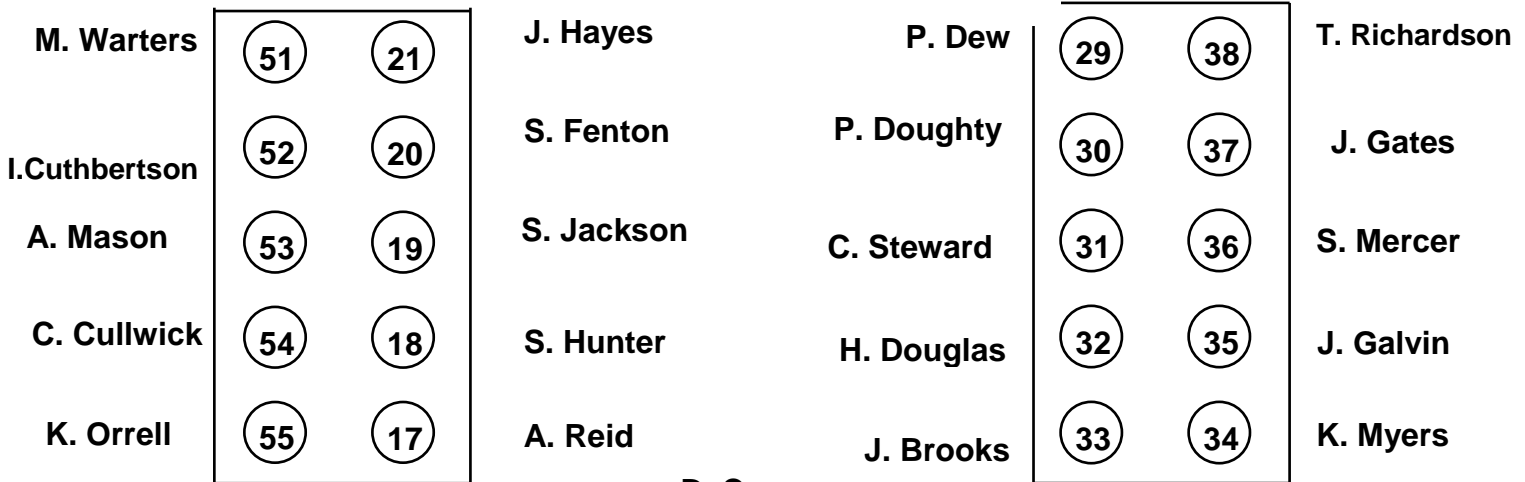
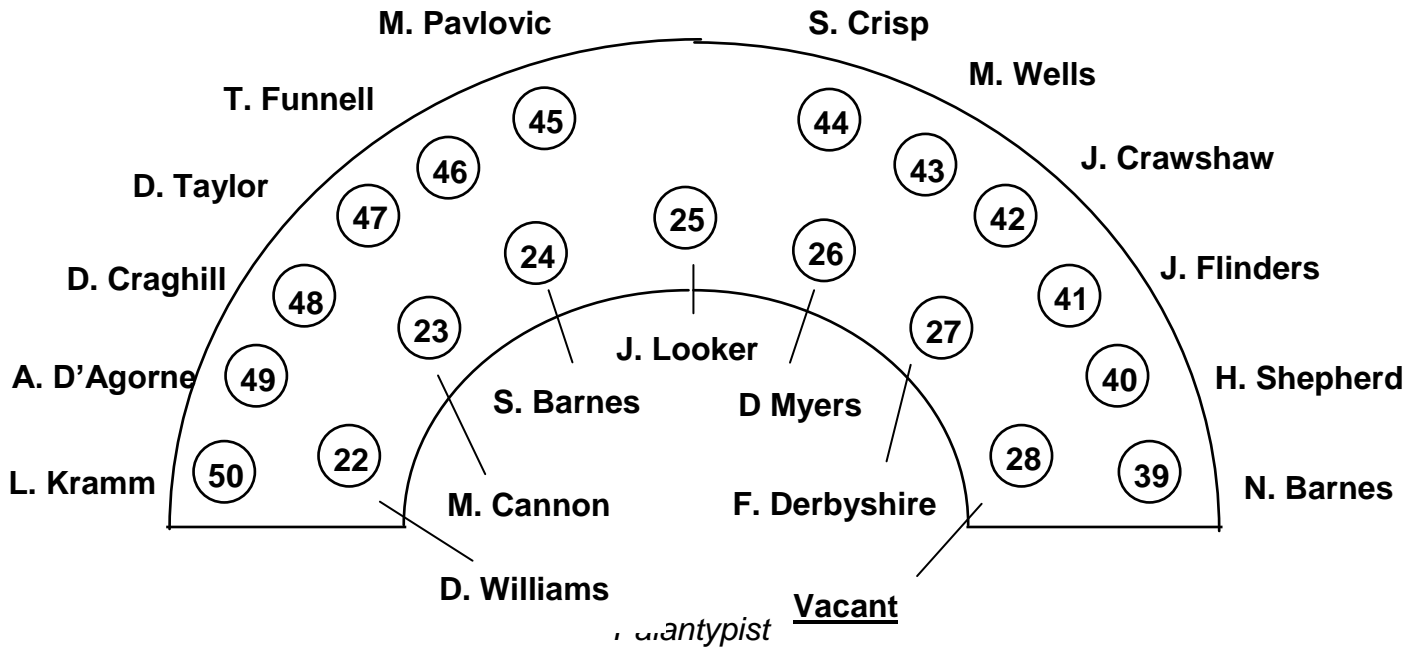


**CITY OF YORK COUNCIL
SUMMONS**

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, 20 July 2017 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. Exclusion of Press and Public

To consider the exclusion of the press and public from the meeting during consideration of the following:

- Annex 1a, 1b, 2 and 3 to Agenda Item 7 (Report of Executive Leader and Executive Recommendations and Questions – Minute 27: Establishing an Investment Budget for a Strategic Commercial Property Acquisition)

on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

3. Minutes (Pages 1 - 26)

To approve and sign the minutes of the last Ordinary Council Meeting held on 30 March 2017 and the Annual Meeting held on 25 May 2017.

4. Civic Announcements

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

5. 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 19 July 2017.**

To register to speak please contact the Democracy Officers 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_f_or_webcasting_filming_and_recording_of_council_meetings_20160809.pdf

6. 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 Williams, on behalf of residents calling for the installation of permanent basketball nets on Glen Gardens Basketball Court.
- Cllr Crawshaw, calling for a safe crossing to be installed on Bishopthorpe Road, close to its junction with Butcher Terrace, where significant safety concerns exist around pedestrian and cyclist safety."

7. Report of Executive Leader and Executive Recommendations and Questions (Pages 27 - 86)

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	18 May 2017	Minute 161: Shared Ownership Affordable Housing Programme http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=733&MId=9313&Ver=4
Executive	29 June 2017	Minute 13: Capital Programme Outturn http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=733&MId=10043&Ver=4
Executive	13 July 2017	Minute 25: York Central Update and Partnership Agreement Minute 26: Proposed York Outer Ring Road Improvements – Approach to Delivery Minute 27: Establishing an Investment Budget for a Strategic Commercial Property Acquisition (<i>Report and exempt annexes online</i>) http://democracy.york.gov.uk/ieListDocuments.aspx?Cld=733&MId=10188&Ver=4

- 8. Report of Deputy Leader and Questions** (Pages 87 - 90)
To receive and consider a written report from the Deputy Leader and, to question the Deputy Leader thereon.
- 9. Motions on Notice**
To consider the following Motions on Notice under Standing Order 22:

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

- (i) From Cllr D Myers

Ethical Care Charter

“This Council notes that the UNISON Ethical Care Charter sets minimum standards to protect the dignity and quality of life for people who need homecare. It commits councils to buying homecare only from providers who give workers enough time, training and a living wage, so they can provide better quality care for thousands of service users who rely on it.

This council recognises the important job that carers do and believes that the time allocated to visits should match the needs of the clients. Clients should be allocated the same homecare worker wherever possible and zero-hours contracts should not be used in place of permanent contracts. Homecare workers should be paid for their travel time, travel costs and other necessary expenses. Visits should be scheduled so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time.

This Council asks the Corporate Director: Health, Housing and Adult Social Care to prepare a report for the Executive setting out the Council's current position in the different areas covered by the Charter, and the implications of signing up to it, to inform a plan for City of York Council adopting the Charter.”

- (ii) From Cllr Carr

Channel 4

“Council notes:

That a consultation has recently closed soliciting views as to what extent Channel 4, a statutory body owned by the government, could more effectively contribute to regional growth, including questions as to whether all or part of its operations should be relocated outside of London;

There is enthusiasm throughout Yorkshire to position itself as the future home of all or part of Channel 4 should developments warrant;

That within Yorkshire, the Leeds City Region, and York itself would represent an ideal location for any such transfer of Channel 4 operations either in part or in full;

Council therefore resolves to take a proactive role in any decisions regarding the results of the consultation in order to position itself to work on behalf of bringing Channel 4 to Yorkshire and invites officers to maintain both a watching brief on developments and to put together preliminary plans to be able to respond in a timely matter to the potential outcomes of the consultation, including working with other organisations similarly enthusiastic about relocating Channel 4 to Yorkshire.”

(iii) From Cllr Cullwick

Mental Health

“Council notes that:

- Mental health issues will affect 1 in 4 people at some point in their lives
- Over 5,000 people in Yorkshire and the Humber could be affected by mental health issues
- Mental health issues can shorten life expectancy in some cases by 15 to 20 years
- There is often a direct link between mental health and issues such as housing, employment, family problems or debt
- There is a growing consensus that it is unacceptable to treat people with mental health conditions any differently from those with physical health conditions.

Council welcomes:

- The £200,000 investment into mental health services as part of the 17/18 Council budget, including training for Youth Health Champions and a Ways into Work scheme.

Council resolves:

- To ask the Health and Well Being Board to work closely with the Vale of York Clinical Commissioning Group, the Tees, Esk & Wear Valley Mental Health Trust and the local voluntary sector to support a fair deal for people with mental health conditions – including support for the Mental Health Concordat
<http://www.crisiscareconcordat.org.uk/about/>
- To lend its support to the Executive Member for Health and Adult Social Care in championing mental health care, within her remit, fighting for the interests of those with mental health issues
- To write to the Secretary of State for Health asking him to ensure that mental health has parity of esteem with physical health throughout the health service and is funded accordingly.”

(iv) From Cllr S Barnes

Universal Credit, Citizens Advice York and York Financial Assistance Scheme

“Council has concerns regarding the implementation of Universal Credit Full Service (UCFS) in York and the possible impact on the city’s residents.

Council further notes the inquiry launched by the parliamentary Work and Pensions select committee, and recognises the ‘serious concerns’ identified by the committee, including:

- Claimants waiting 12 weeks or more for their first payment, resulting in hardship and distress.

- Vulnerable claimants struggling to adapt to receiving UC as a single monthly payment.
- The seven waiting days at the start of a claim, for which claimants receive no benefit, adding to claimants' financial difficulty.
- Rent arrears amongst UC claimants rising.
- Poor communications between landlords, support organisations and the Department for Work and Pensions where UC 'full service' is operating.
- UC inadequately supporting claimants in emergency temporary accommodation.

Council also regrets the fact that Citizens Advice York (CAY) is being forced to halve the number of days it is able to offer advice sessions to York residents due to funding difficulties at the same time as demand for help is expected to escalate.

Council has significant concerns that the implementation of UCFS will significantly impact on the level of rent arrears for the council's own housing stock.

Council resolves:

To request the relevant director to urgently produce costed options for presentation to the Executive or relevant Executive Member Decision Session for consideration and decision.

To further request the options presented to include:

- An option to provide temporary, urgent financial support to CAY to enable it to continue offering the full four-day service of advice sessions (that was available to citizens in York until recently) for at least the first 12 months following full implementation of UC;
- An option to provide dedicated drop-in outreach sessions around the city for clients encountering difficulties with UCFS
- An option to provide a dedicated housing officer available during such sessions to liaise with CAY advisers to help facilitate an early warning system where rent arrears as a

result of the implementation of UCFS may lead to evictions

- Proposals to increase the awareness and uptake of the York Financial Assistance Scheme (YFAS) – Including: the ability for third party advocacy groups to make applications on behalf of residents; and, the ability for individuals or advocates to make YFAS applications online.”

10. 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.

11. Report of Executive Member (Pages 91 - 96)

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

12. Scrutiny - Report of the Chair of the Customer and Corporate Services Scrutiny Management Committee (Pages 97 - 116)

To receive a report from Councillor Williams, the Chair of the Customer & Corporate Services Scrutiny Management Committee (CCSMC), to update Council on scrutiny work and to set out any recommendations that may be made to Council in relation to that work.

13. Allocation to Seats and Appointments to the Council Structure and Outside Bodies for 2017/18 and Revisions to Health & Wellbeing Board Terms of Reference (Pages 117 - 130)

At its Annual General Meeting, Full Council considered the allocation seats on Committees and other bodies for 2017/18 and made appointments for the current Municipal Year, based on the then proportionality of the Council with 45 elected Members and two vacancies, pending By-Elections. This report sets out details of the proposed new arrangements, as a result of the By-Elections held on 8 June 2017 for Hull Road and Micklegate wards.

14. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officers for this meeting:

Name: Louise Cook/Catherine Clarke (job-share)

Contact details:

- Telephone – (01904) 551031
- E-mail – louise.cook@york.gov.uk and catherine.clarke@york.gov.uk

(When emailing, please email both Democracy Officers)

**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

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City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in the Guildhall, York on Thursday, 30th March 2017, starting at 6.30 pm

Present: The Lord Mayor (Cllr Dave Taylor) 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 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	Cannon

Hull Road Ward

N Barnes
Levene
Shepherd

Huntington and New Earswick
Ward

Cullwick
Orrell
Runciman

Micklegate Ward

Gunnell
Hayes
Kramm

Osballdwick and Derwent Ward

Brooks
Warters

Rawcliffe and Clifton Without Ward

Dew
Lisle

Rural West York Ward

Gillies
Steward

Strensall Ward

Doughty
Douglas

Westfield Ward

Hunter
Jackson
Waller

Wheldrake Ward

Mercer

Apologies for absence were received from Councillors Crisp,
Derbyshire and Rawlings

In attendance: Honorary Alderman Ken King

66. 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** interest was declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Flinders	8. Report of Deputy Leader and Questions 12. Report of the Chair of CSMC	In relation to references to York Central and his employment by Network Rail

67. Minutes

Resolved: That the minutes of the last Ordinary meeting of Council held on 15 December 2016 and the Budget Council meeting held on 23 February 2017 be approved and then signed by the Chair as correct records.

68. Civic Announcements

The Lord Mayor reported that following the recent terror attack in Westminster he had written to the Lord Mayor of London, the Mayor of London and the Lord Mayor of Westminster on behalf of the Civic Party and the residents of York to express the City's sorrow at the atrocities carried out.

Following his visit to China, the Lord Mayor reported that he had recently welcomed a senior business and state delegation from the city of Nanjing. The delegation included representatives from a number of business sectors, with the focus of the visit being on tourism, education and business collaboration.

The Lord Mayor also highlighted the fundraising being undertaken by Anne Platt, the Council's Mansion House and Civic Events Manager, to raise funds for York Against Cancer and St Leonard's

Hospice. He confirmed that a Justgiving page had been set up for donations and that Anne would appreciate support for her chosen charities.

Finally, he confirmed that this would be the last meeting of Council attended by Cllr Gunnell and he thanked her for all her hard work both in the Ward and on the Council.

Cllr Gunnell replied to thank residents of the Micklegate Ward and both current and previous Council Members of all parties for their support during her 10 years in office.

69. Public Participation

Peter Richardson spoke in relation to the Independent Flood Inquiry report to be discussed later in the meeting. In particular he highlighted his views on the reasons for the flooding, including work undertaken at Naburn Weir and the River Derwent Barrage which he confirmed he would be happy to discuss with Members of the appropriate Committee.

Janet Conde spoke to express her concerns regarding cuts in resources which would affect changes being made to interim care services and the closure of Archways, an Intermediate Care Unit, which would affect vulnerable people in the city.

Ian Craven spoke to support the Labour Group Motion relating to the closure of Imphal and Queen Elizabeth II Barracks. He referred to the investment already made in the city by the Ministry of Defence. He also expressed disappointment that the City of York Council did not appear to have challenged the closure and the subsequent job losses.

Gwen Vardigans spoke with reference to the Sustainability and Transformation Plans (STP's) currently being prepared by the Clinical Commissioning Groups (CCG's). In particular the transfer of health and school nurses and cuts to community nursing and increased workload with less funding. She asked Members to reject the Plans pending a reduction in the CCG funding deficit.

Ralph Montgomery spoke in relation to the proposed visitor centre at Clifford's Tower and, whilst supporting improvements to the area, he requested Members to support the Heritage Groups to examine alternative solutions for a visitor centre sited away from the Tower.

Sheena Foxwell representing Mental Health Action for York, a group set up following the closure of Bootham Park Hospital, questioned the reasons for the closure of the hospital highlighting the good service and positive care received by patients.

Chris Brace also spoke on the STP's, expressing concern at the necessity for the Plans and resulting accountability and he requested Members to follow the West Yorkshire lead and request further information prior to sign off.

John Shaw, representing the Yorkshire Architectural and Archaeological Society, explained the historical significance of Clifford's Tower and surrounding area. He referred to the missed opportunity for a joint approach with the Council, Castle Museum and English Heritage to provide a joint visitor centre.

Jonny Crawshaw spoke on school places and expansion plans for Scarcroft Primary School. He highlighted the shortfall in school places generally and referred to the impact of Academies and Free Schools on existing schools and the reduction in school budgets. He asked Members to support York Schools and build schools where there was most need.

70. Independent Flood Inquiry

Consideration was given to the Executive report and recommendations of the Independent Flood Inquiry, which had been reported to the Executive on 9 February 2017.

In accordance with the terms of reference of the Independent Flood Inquiry, Ms Angharad Davies, Chair of the Inquiry presented the findings of the Inquiry Panel to Council. She reported on the factors leading up to the events, the effectiveness of the response, resilience of the infrastructure and services and the further measures required.

Cllr Waller, Executive Member for the Environment responded, thanking the Chair and all those involved for their work on the report and resulting recommendations. He highlighted key aspects of work undertaken with the Environment Agency and other partners to deliver the Five Year Plan, with Government funding.

Members were then invited to question Ms Davies or make a brief comment on the Inquiry report and recommendations and

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

- Cllr Looker – thanks on behalf of the Labour Group for the report, however concerns at the difficult to protect properties between Ouse Bridge and Skeldergate Bridge
- Cllr Hayes – support for the use of demountable defences in unprotected areas of York such as Clementhorpe
- Cllr Craghill – thanked the Panel for their work and raised the issue of city centre wards and responsibility for taking forward the use of demountable barriers
- Cllr Richardson – concern that Haxby and the flooding experienced in the village was no mentioned in the report
- Cllr Williams – also thanked the Panel for their report and questioned work on catchment management

Resolved: That Council receive and note the Flood Inquiry report and its recommendations.

71. 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 Mason, on behalf of local residents, calling on the Council to take action to improve the condition of the road surface on The Horseshoe, Tadcaster Road which they considered was dangerous to cyclists and vehicles. ¹
- Cllr D'Agorne, on behalf of 35 residents of the Danesmead Estate calling for double yellow lines or residents parking to address inconsiderate parking on the estate. ²
- Cllr D'Agorne, on behalf of residents of Barbican Mews requesting action on inconsiderate parking in the area by the use of yellow lines or the implementation of a residents only parking scheme. ³
- Cllr Warters confirmed that his petition on behalf of residents of Bransdale Crescent, Osbaldwick was no longer required as agreement had now been reached on the spelling of the street name.
- Cllr Danny Myers on behalf of 500 residents calling for City of York Council to press the Post Office Ltd to open a new branch in Clifton Ward, following the closure in December

of the ward's last remaining branch on Crichton Avenue.⁴

Action Required

1-4. Refer to CSMC

JP

72. 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 Warters – supervision of utility works on roads and footpaths
- Cllr Levene – importance of devolution discussions for the York area
- Cllr Craghill – siting of Clifford's Tower Visitor Centre
- Cllr S Barnes – guarantees regarding retention of former Manor School playing fields
- Cllr S Barnes – arrangement of meeting with Leader to discuss above matter
- Cllr Kramm – clarification regarding affordable housing as part of the partnership between CYC and the Homes and Communities Agency (HCA)
- Cllr Kramm – Number of affordable homes aimed for as part of the partnership with HCA
- Cllr Levene – the percentage of market value of properties considered as affordable in the city
- Cllr Boyce – Children and Social Work Bill and the abolition of the statutory requirement for the set up local Safeguarding Children's Boards¹.
- Cllr Williams – how the proposals for the Guildhall differed from that of the previous administration
- Cllr Williams – delay and costs associated with the Guildhall development

Cllr Carr responded directly to all the questions put to him, including supplementaries, but agreed to respond in more detail in writing to Councillor Boyce.

B Executive Recommendations

The Development of the Guildhall Complex

Cllr Carr moved, and Cllr Aspden seconded the following recommendations contained in Minute 140 of the Executive meeting held on 16 March 2017:

Recommended: That Council approve a total capital budget of £12.780m with prudential borrowing of £8.683m to fund the construction works to develop the Guildhall complex.

Reason: To ensure the future viability and effective re-use of the Guildhall as one of the City's most significant historic buildings, through the creation a vibrant business and civic venue, with supporting commercial development on the riverside.

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

Resolved: That the above recommendation in respect of the funding of the Guildhall improvement works, be approved.²

Update on the Re-Provision of the Ordnance Lane Temporary Homeless Hostel

Cllr Carr moved, and Cllr Aspden seconded the following recommendation contained in Minute 141 of the Executive meeting held on 16 March 2017:

Recommended: That Council approve a revised overall budget of £10.5m from the Housing Revenue Account for the purchase (subject to contract) and conversion of James House as a permanent replacement for the council's current temporary homeless accommodation at Ordnance Lane.

Reason: To enable the re-provision of the council's temporary homeless accommodation at Ordnance Lane, Holgate Road, Crombie

House and Acomb Road to a single service based at James House.³

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

Resolved: That the above recommendation in respect of the purchase and refurbishment of James House for temporary homeless accommodation, be approved.

Action Required

- | | |
|---|----|
| 1. Circulate response to Members. | JP |
| 2. Note approval of budget to fund construction works. | DW |
| 3. Note approval of revised budget for purchase of James House. | TB |

73. 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 Kramm – content of the report was similar to the Leaders
- Cllr Kramm – further information on devolution
- Cllr Reid – implications of the new business rate reforms in the city
- Cllr Cannon – concern regarding implications for the city arising from adult social care financing
- Cllr Cannon – use of 3% precept for adult social care
- Cllr Warters – clarification on the size of investment in Haxby Library¹.
- Cllr Craghill – York Central in the context of making York the Greenest City in the North
- Cllr Craghill – commitment to ensure York Central is a zero carbon development¹.
- Cllr Kramm – impact on recycling with the removal of recycling banks

Cllr Aspden responded directly to all the questions put to him, including supplementaries, but agreed to respond in more detail in writing to Councillors Warters and Craghill.:

Action Required

1. Circulate response to Members.

JP

74. **Motions on Notice**

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

(i) **Commemoration of the Great War**

(proposed by Cllr Gillies and seconded by Cllr Gates)

Cllr Gillies sought Council's consent to alter the word 'instructs' in the third paragraph of his motion to 'invites'. Council agreed to the motion as altered.

"Council notes that 2018 will mark 100 years since the ceasing of the hostilities in the Great War;

Council recognises that residents of York will wish to commemorate this event and to express their appreciation to all who sacrificed so much during that conflict;

Council therefore invites the Leader and Deputy Leader to set up a working group to coordinate a series of commemorative events for next year, such working group to include, at their discretion, councillors, officers, civic leaders, organisations representing the armed forces and similar groups; artists and residents. The working group will plan an overall strategy for the council's commemoration activities, determine and address its funding needs as the steering group deem appropriate."

An amendment was proposed by Cllr Craghill as follows:

"Add new paragraph at the end of the motion:

'Council further instructs that the working group should ensure that the programme of activities fully reflects the following:

- *the horrors of war, including the suffering caused by the 37 million military and civilian casualties during the First World War;*
- *a diversity of perspectives on the causes and consequences of the war;*
- *and a commitment to learn the lessons of the past to help build peace in the future.”*

On being put to the vote the amendment was CARRIED.

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

Resolved: That the original motion, as altered by Cllr Craghill’s amendment, be approved. ¹.

(ii) **Purple Flag Accreditation**

(proposed by Cllr Mason and seconded by Cllr Fenton)

Cllr Mason sought Council’s consent to alter his motion as follows

- “report back within three months to ~~a decision session of the Executive Member for Economic Development and Community Engagement~~ with an analysis of the costs, risks, and benefits of an application.”

Council agreed to the motion as altered.

“Council notes:

The importance of a safe and welcoming city-centre economy to residents of and visitors to York.

The work of the Business Improvement District, Make It York, and City of York Council officers in investing in a clean and safe city centre and promoting York as a great place to visit.

That the Association of Town & City Management runs a Purple Flag accreditation process for town and city centres that meet defined standards in managing the evening and night-time economy.

That the accreditation process measures such indicators as:

- the standard of public utilities, including street lighting and cleanliness
- the prevalence of harmful and hazardous drinkers and figures on night time-related accidents and injuries
- the safety and affordability of public transport.

That 42 locations around the United Kingdom have already been awarded Purple Flag status, including Leeds, Sheffield, and Halifax.

That the Purple Flag scheme provides research and training to help tackle issues such as anti-social behaviour.”

Council therefore resolves:

To ask Council officers to:

- make contact with the Business Improvement District, Make It York, and North Yorkshire Police to start exploring an application for Purple Flag status for York city centre
- report back within three months to the Executive with an analysis of the costs, risks, and benefits of an application.”

On being put to the vote the motion was CARRIED.

Resolved: That the motion be approved.²

(iii) **Closure of Imphal and Queen Elizabeth II Barracks**

(proposed by Cllr Finders and seconded by Cllr Boyce)

“Council acknowledges and values the social and economic contribution made by the Army’s long standing presence in York, currently through a combined 866 military staff and 417 civilian staff based or working at Imphal and Queen Elizabeth II Barracks, as well as associated jobs in the wider supply chain.

Council notes that there has been a barracks in Fulford since 1795 and an army base in Strensall since 1884, notes the vital role the Army has played during major flooding events in the past, including Christmas 2015, and further notes that York is proud to be a Garrison City.

Council resolves:

That the Chief Executive write to the Secretary of State for Defence, to express Council's opposition to the planned closures of Imphal and Queen Elizabeth II Barracks; and further resolves to lobby the city's two MPs to support City of York Council's position in Parliament."

An amendment was proposed by Cllr D'Agorne as follows:

"After second paragraph **add**:

Council further notes that the assumption by the Ministry of Defence that the Imphal Barracks site is appropriate to release for large scale housing development rather than its current mix of employment land and housing is premature given that the proposal has yet to be considered through the local plan process."

On being put to the vote the amendment was CARRIED.

A further amendment was then proposed by Cllr Carr as follows:

"Following the second paragraph **add** additional paragraph:

Council notes that the Leader and Deputy Leader of the Council have written to the Secretary of State for Defence expressing the council's extreme concern regarding the closure of these barracks and seeking further clarification from the MoD of their intentions.

Final paragraph second line, **delete** "opposition to" and **replace** with "*extreme concern relating to*"

On being put to the vote the second amendment was LOST.

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

Resolved: That the original motion, as altered by Cllr D'Agorne's amendment, be approved.³

(iv) **Charity Fundraisers**

(proposed by Cllr Steward and seconded by Cllr Dew)

“Council believes York has a problem with overly aggressive charity fundraisers (known as ‘chuggers’) and so-called ‘gag mag’ sellers;

Council notes that whilst York supports licensed charity fundraising it takes issue with the intrusive and high pressure tactics often exhibited by both chuggers and gag mag sellers, which disrupt peoples’ enjoyment of their time in our city;

Further notes that although officers have taken a number of steps to address this issue, as a result of national legislation and long-existing statutes they have found it extremely difficult to effectively penalise street traders or charity fundraisers who persistently annoy members of the public;

Council therefore instructs officers; in consultation with Make it York and the York BID to:

- a) Review the present circumstances and determine whether any additional steps can be taken to improve the situation, and
- b) Take a lead with the LGA in lobbying the Government to bring national legislation up to date to reflect modern realities.”

On being put to the vote the motion was CARRIED.

Resolved: That the motion be approved.⁴

Action Required

- 1. Implement terms of commemoration motion, in consultation with Members. CC
- 2. Explore Purple Flag status and add item to Council's Forward Plan for report back. TB, JM
- 3. Write to Secretary of State and lobby MP's regarding MoD closures, in the terms stated in the motion. SB
- 4. Review steps to improve situation with street traders/charity fund raisers and arrange to lobby Government thereon. MS

75. 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 Carr, Leader & Executive Member for Finance and Performance:
 - Cllr Orrell – in relation to devolution is no deal better than a bad deal

- (ii) To Cllr Lisle, Executive Member for Housing and Communities:
 - Cllr Levene – congratulations on appointment as Executive Member and questioned whether neighbours in rented housing were less cohesive

- (iii) To Cllr Runciman, Executive Member for Adult Social Care and Health
 - Cllr Funnell – continuation of Better Care Fund in view of Vale of York Clinical Commissioning Groups debt

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

76. 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 (CSMC), on the work of the Committee, together with the recommendations of the Committee from their meeting held on 6 March in respect of new ways of working in scrutiny, at pages 91 to 142 of the agenda papers.

Councillor Williams moved and Cllr Galvin seconded acceptance of the report and recommendations of the Committee.

Cllr Looker moved the suspension of Standing Order 25.1 to allow an amendment to be put to Minute 51 from the CSMC meeting held on 6 March 2017, concerning the terms of reference for the proposed new Scrutiny Committees.

Following the agreement of Council to the suspension of Standing Orders, Cllr Looker then moved the following amendment to recommendation b), paragraph 32 of the CSMC Chair's report to Council, as set out on page 97 of the Council papers

At the end of recommendation b), add the following:

“with the exception of those proposed for the scrutiny of Economy & Place which should be replaced with those set out for 2 Committees at paragraph 7 of page 130 of the Council papers, which should be piloted for 12 months and then reviewed”

Following Council agreement, Cllr Looker then moved, the motion, as amended, and on being put to the vote the amendment was CARRIED.

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

Resolved: That the amended motion relating to the terms of reference for the proposed new scrutiny committees be approved and the scrutiny report be noted. ¹.

Action Required

1. Implement new ways of working in scrutiny from start of new municipal year.

DS

At this point in the meeting, the guillotine fell and the following business was deemed moved and seconded. Where a proposer and seconder were before Council, at the time of the guillotine falling, details are listed below:

77. Report of Executive Member

Council received a written report from Cllr Aspden, Executive Member for Economic Development & Community Engagement as set out in the agenda papers at pages 87 to 90.

Resolved: That the report of the Executive Member for Economic Development & Community Engagement be received and noted.

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

- Cllr Galvin – maximum value of scheme that can be authorised by an Executive Member

Cllr Aspden responded directly to the question put to him.

78. Pay Policy 2017/18

Consideration was given to a written report detailing the Council's Pay Policy Statement for 2017/18 relating to the pay of the Council's senior staff, to fulfil the requirements of Sections 38-43 of the Localism Act 2011.

Councillor Carr moved a motion to approve the Pay Policy Statement, which was seconded by Councillor Aspden.

Resolved: That the motion in respect of the Pay Policy Statement for 2016/17 be approved.

Reason: In order to fulfil the requirements of Section 38 – 43 of the Localism Act 2011 for the council to produce and publish an annual policy statement that covers a number of matters concerning the pay of the council's senior staff, principally Chief Officers and relationships with the pay of the rest of the workforce.

79. Constitution Updates

Council received a report from the Council's Monitoring Officer which advised Members of changes to the Constitution consequent upon the decisions taken by the Executive, relating to the creation of the Shareholder Committee and the delegation of powers in respect of academy conversions

Members were asked to formally confirm the above constitutional changes set out in the report, to ensure the Constitution was updated following decisions taken by the Executive.

Resolved: That the recommendations set out in the Monitoring Officers report relating to the Shareholder Committee and academy conversions, be approved. ¹.

Action Required

1. Update Constitution accordingly.

JC

Cllr Dave Taylor

LORD MAYOR OF YORK

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

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in the Guildhall, York on Thursday, 25th May, 2017, starting at 11.00 am

Present: The Lord Mayor (Cllr Dave Taylor) in the Chair during the first part of the meeting; the Lord Mayor Cllr Barbara Boyce, in the Chair for the second part of the meeting 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 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
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Ayre	Cannon Crisp Derbyshire
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Hull Road Ward	Huntington and New Earswick Ward
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N Barnes Shepherd 1 vacancy	Cullwick Orrell Runciman
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Micklegate Ward	Osbalwick and Derwent Ward
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Hayes Kramm 1 vacancy	Brooks Warters
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Rawcliffe and Clifton Without Ward	Rural West York Ward
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Dew Lisle Rawlings	Gillies Steward
--------------------------	--------------------

Strensall Ward	Westfield Ward
----------------	----------------

Doughty Douglas	Hunter Jackson Waller
--------------------	-----------------------------

Wheldrake Ward

Mercer

Also in attendance, Hon. Alderman Keith Wood, Charles Hall, David Wilde, Madeleine Kirk, Richard Watson, Irene Waudby, David Horton, Ken King and Brian WJE Watson

1. 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. No further interests were declared.

2. Appointment of Lord Mayor

Councillor David Carr moved and Councillor Dafydd Williams seconded and the Council unanimously

Resolved: That Councillor Barbara Boyce be elected Lord Mayor of the City of York for the ensuing municipal year.

3. Qualification of Lord Mayor

Councillor Barbara Boyce signified Acceptance of the Office of the Lord Mayor of the City of York, subscribed the Declaration of such acceptance and took the Affirmation of Allegiance prescribed by the law in that behalf.

4. Appointment of Sheriff

Councillor Stuart Barnes moved and Councillor John Galvin seconded and the Council unanimously

Resolved: That Mrs Gillian Brian be appointed Sheriff of the City of York for the ensuing municipal year

5. Qualification of Sheriff

Mrs Gillian Brian made and subscribed the Declaration of Acceptance of Office of Sheriff for the City of York Council and took the Affirmation of Allegiance prescribed by law in that behalf.

6. Appointment of Deputy Lord Mayor

Councillor Barbara Boyce as Lord Mayor moved and Councillor Andy D'Agorne seconded and the Council unanimously

Resolved: That Councillor Dave Taylor be appointed Deputy Lord Mayor for the ensuing municipal year.

7. Qualification of Deputy Lord Mayor

Councillor Dave Taylor made and subscribed the Declaration of Acceptance of Office of Deputy Lord Mayor of the City of York and took the Affirmation of Allegiance prescribed by law.

8. Lord Mayor's Humanist Celebrant

The Lord Mayor advised Council that she had appointed Sue Humphries to serve as her Humanist Celebrant during her year of office and expressed her thanks to her for undertaking that office.

9. Sheriff's Chaplain and Under Sheriff

The Sheriff advised Council that she had appointed Reverend Sue Nightingale to serve as her Chaplain and Matthew Clark to serve as her Under Sheriff during her year of office and expressed her thanks to them for undertaking these services to the city.

10. Vote of Thanks to Outgoing Lord Mayor and Lady Mayoress

Councillor Johnny Hayes moved and Councillor Janet Looker seconded and Council unanimously

Resolved: That the Council express its sincere thanks to the outgoing Lord Mayor and Lady Mayoress for their services to the city during the past municipal year.

11. Vote of Thanks to Outgoing Sheriff and Sheriff's Lady

Councillor Carol Runciman moved and Councillor Denise Craghill seconded and the Council unanimously

Resolved: That the Council expressed its sincere thanks to the outgoing Sheriff and Sheriff's Lady for their services to the city during the past municipal year.

12. Formal Business of Council - Allocation to Seats and Appointments to the Council Structure and Outside Bodies for 2017/18 and Allocation of Motions

With reference to the recommendations contained at paragraph 18 of the report at page 7 of the Council papers, Councillor David Carr moved the recommendations, which were seconded by Councillor Aspden, namely the allocation of places and Councillors to Committees and other bodies for 2017-18 as shown in the republished papers circulated at the meeting, as well as the proposed allocation of motions for consideration at Ordinary Full Council meetings for the 2017-18 municipal year.

It was then:

Resolved: That Council

- (i) Agrees the allocation of seats in accordance with Annex A circulated at the meeting and republished online
- (ii) Approves the nominations to Committees, other bodies and outside bodies, including the appointment of Chairs and Vice-Chairs to committees, at Annex B, as circulated at the meeting and set out online in the republished papers for the meeting
- (iii) Approve the proposed allocation of motions for consideration at Ordinary Full Council meetings for the duration of the 2017-18 Municipal Year, at Annex C to the report.

Reason: To fulfil the Council's statutory requirements.

13. Recommendations of Corporate and Scrutiny Management Policy and Scrutiny Committee

Councillor Carr moved and Councillor Aspden seconded the following recommendations from the Corporate and Scrutiny Management Policy and Scrutiny Committee meeting held on 8 May 2017

60. Proposals For The Future Ways Of Working In Scrutiny

Recommended: That the Corporate & Scrutiny Management Policy & Scrutiny Committee recommend to Council the proposed terms of reference for the two Economy & Place Committees being trialled throughout the coming municipal year.

Reason: To enable the changes required to the scrutiny function to be presented to Full Council in May 2017 for approval.

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

Resolved: That the above recommendations of the Corporate and Scrutiny Management Policy and Scrutiny Committee meeting held on 8 May 2017 be approved.

14. Recommendations of the Gambling, Licensing & Regulatory Committee

Councillor Carr moved and Councillor Aspden seconded the following recommendation from the Gambling, Licensing & Regulatory Committee meeting held on 24 April 2017

33. Council's Constitution - Licensing Appeals

Recommended: That, in accordance with Option 2, the Committee recommend to Full Council that a change to the Council's Constitution in relation to the internal appeals process is approved on the basis of:

- Licence applicants and licence holders being able to appeal a decision made by Officers to refuse/suspend/revoke to a Sub-

Committee of the Gambling, Licensing and Regulatory Committee;

- In line with the relevant legislation, licence applicants/holders would also be able to appeal Officers decisions to Magistrates Court.

Reason: To allow applicants/licence holders who are aggrieved by a decision made by an Officer of the Council to appeal that decision in line with the requirements of the relevant legislation.

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

Resolved: That the above recommendations of the Gambling, Licensing & Regulatory Committee meeting held on 24 April 2017 be approved.

15. Recommendations of the Health and Wellbeing Board

Councillor Carr moved and Councillor Aspden seconded the following recommendation from the Health and Wellbeing Board meeting held on 8 March 2017.

62. Governance Arrangements for the Health and Wellbeing Board

Recommended: That the amendments to the Health and Wellbeing Board's Terms of Reference be approved.

Reason: To complete the review of the Health and Wellbeing Board governance arrangements.

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

Resolved: That the above recommendations of the Health and Wellbeing Board meeting held on 8 March 2017 be approved.

16. Expressions of Thanks

On behalf of the council, the Lord Mayor expressed best wishes to two long serving members of staff as follows:

- Jill Pickering who formally retired from the Council the next day after more than 20 dedicated years working with Councillors
- Anne Platt, Marketing and Events Manager, who was missed today due to ongoing illness and who would normally have organised Lord Mayor's Day.

Resolved: That the expressions of thanks be noted.

Cllr Barbara Boyce

LORD MAYOR OF YORK

[The meeting started at 11.00 am and concluded at 12.30 pm]

Leader's Report to Council – July 2017

Castle Gateway

We have launched a consultation on the Castle Gateway area about which we're particularly enthusiastic, because we're trying something new with this consultation exercise based on public feedback. We've teamed up with local organisation My Future York to present what could be called a 'consultation in the round', to give residents a better idea of the options of how this historic but somewhat underutilised area of York might develop, with events, guided walks and opportunities for debate on social media platforms, along with the usual consultation options.

We think this will work particularly well for Castle Gateway because of the great diversity of the area's assets- Piccadilly, Coppergate, Clifford's Tower to name but a few- and the potential to enhance the area and to improve the city's public spaces, so we await the results of the consultation with interest and hope that all councillors will help direct their residents to ways in which they can take part.

York Walls

Work is about to start on the £1.5 million project to repair parts of our city walls. Micklegate Bar will have a new roof, new gates and two new walkways so the museum can stay open when the walls are closed for operational reasons; Monk Bar's very worn and sunken steps will be repaired and a number of smaller towers- Towers 39, 32, 2, the Anglian Tower, Red Tower (utilities) and Bootham Bar to Robin Hood Tower will also be repaired and restored. Our administration set out early in its tenure that it would work to repair and restore as much of York's public built environment as practical following years of underinvestment, and we are doing just that.

Mayor of Munster

On 12th June, I met the Oberbürgermeister of our twin city, Munster, Markus Leve, to share thoughts and experiences particularly around making our City a liveable place. The Mayor was in the city as the keynote speaker for the One Planet Expo event. Munster was voted the most liveable city in the world in 2004, with a focus on balancing the need for economic, social and environmental sustainability. Munster's

ambitions link clearly to those of this administration, as a council that listens to residents, creating a prosperous city for all and focussing on front line services. What is clear is that by working to these principles, aligned to our One Planet framework, we can move forward in a way that ensures a liveable city for everyone – our children, families, adults - as residents and visitors to the city.

Regional working

At a regional level, in my roles on the York, North Yorkshire and East Riding LEP Board and substitute on the West Yorkshire Combined Authority and Leeds City Region LEP Leaders Board, we have had wide ranging discussions on the significantly changing environment for local government. As we collectively assess and respond to the opportunities and challenges of Brexit, the Industrial Strategy and Local Government finance, to name but three, a strong and consistent voice from Yorkshire gives the best chance of securing future investment in our region.

In the complex Yorkshire devolution landscape, I have brought together Council leaders from across the region to seek to broker a possible solution on an agreeable devolution option, and begin more pragmatic discussions around areas we can collaborate regardless of any governance changes through devolution, particularly around tourism and culture.

In my specific role on the York North Yorkshire East Riding LEP Board, alongside colleagues on sub-committees, we continue to make sure York gets a good deal from funding opportunities coming on stream, including £5m allocated to York Central as part of the last round of Local Growth Funding, and strong support for bids going to Government around transport improvements for its National Productivity Investment Fund. This, in addition to the major investment already coming into the city through the West Yorkshire + Transport Fund.

Cllr David Carr
Leader, City of York Council

Meeting	Executive
Date	18 May 2017
Present	Councillors Carr (Chair), Aspden (Vice-Chair), Ayre, Gillies, Lisle, Rawlings, Runciman and Waller
Other Members participating in the meeting	Councillors Stuart Barnes and Craghill

Part B - Matters Referred to Council

161. Shared Ownership Affordable Housing Programme

[See also Part A minute]

Members considered a report which outlined the capital grant funding awarded to the Council under the Government's Shared Ownership and Affordable Homes Programme, administered through the Homes and Communities Agency.

Following discussion it was:-

Recommended: That Council agrees a budget of £5.52m for the scheme funded from the HCA grant (£2.76m) and the HRA investment reserve (£2.76m).

Reason: So that the Council can formally accept the HCA investment and deliver this affordable home ownership programme as part of the Council's ambition to deliver a wider range of tenure products to meet the housing needs of the city.

Cllr D Carr, Chair

[The meeting started at 5.30 pm and finished at 7.10 pm].

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City of York Council

Extract from Committee Minutes

Meeting	Executive
Date	29 June 2017
Present	Councillors Carr (Chair), Aspden (Vice-Chair), Ayre, Gillies, Lisle, Rawlings, Runciman and Waller
Other Members participating in the meeting	Councillors D'Agorne and Looker

Part B - Matters Referred To Council

13. Capital Programme Outturn

Members considered a report setting out the capital programme outturn position, including any under or overspends, overall funding of the programme and an update as to the impact on future years of the programme.

Following discussion it was:-

Resolved: That the Executive recommend to Full Council the restated 2017/18 to 2021/22 programme of £252.615m as summarised in Table 3 and detailed in Annex A.

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

Cllr D Carr, Chair

[The meeting started at 5.30 pm and finished at 6.55 pm].

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Meeting	Executive
Date	13 July 2017
Present	Councillors Carr (Chair), Aspden (Vice-Chair), Ayre, Gillies, Lisle, Rawlings, Runciman and Waller
Other Members participating in the meeting	Councillors D'Agorne and Looker

Part B - Matters Referred to Council

[See also Part A minutes]

25. York Central Update and Partnership Agreement

Members considered a report which outlined progress to date on the York Central scheme and set out the Council's commitment to developing a formal partnership agreement and the programme of work to take the scheme through to the submission of Planning Applications.

Resolved: That the Executive recommends to Council that a budget of £37.4m be approved for the York Central Transport improvements funded from the West Yorkshire Plus Transport Fund grant.

Reason: To ensure the delivery of York Central and to ensure that a range of access options have been considered.

26. Proposed York Outer Ring Road Improvements – Approach to Deliver

Members considered a report which set out the proposed approach to the York Outer Ring Road improvements project and sought approval of the delivery methodology for the development and construction of the seven targeted improvements to junctions on the north York Outer Ring Road over the next 5 years.

Consideration was given as to how key issues and risks would be managed as well as the most effective way to make decisions over the coming months to develop the proposals.

The report recommended that future decisions on the programme of improvements were taken by the Executive Member for Transport and Planning, for example over matters concerning the purchase of land, consultation and phasing of works.

Resolved: That the Executive proposes to full Council that a budget of £34.2m be approved for the York Outer Ring Road improvements funded from the West Yorkshire Plus Transport Fund grant.

Reason: To confirm the detailed allocation within the budget for the delivery of the Outer Ring Road Upgrade scheme in accordance with the previous Council Decision taken in December 2016.

27. Establishing an Investment Budget for a Strategic Commercial Property Acquisition

Members considered a report which outlined an opportunity that had arisen for the council to acquire the freehold interest in a portfolio of properties in the city centre that would ensure the ongoing maintenance of the buildings, support the economic vibrancy of the city centre and generate significant additional income to contribute to the increased budget income target set for the council's commercial portfolio.

It was noted that if the proposed recommendations were agreed and the subsequent bid successful, a due diligence report would be brought back to the Executive for consideration.

The long term opportunity to influence activity and ensure a vibrant, thriving city centre with a mixed economy was welcomed.

Resolved: That the Executive recommends to full Council:-

- (i) the establishment of a capital budget of £15m, to be financed initially from borrowing, to fund the acquisition of freehold interest in a portfolio of city centre commercial property assets; and
- (ii) to agree that any future capital receipts not currently assumed in the Capital strategy, be allocated to fund the purchase, thereby reducing in time the associated borrowing related to the investment. This will be updated in capital monitor reports in the future.

Reason: To ensure the ongoing economic vibrancy of the city centre and increase the income from the council's commercial property portfolio in order to achieve budget targets.

Cllr D Carr, Chair

[The meeting started at 5.30 pm and finished at 7.15 pm].

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Executive

13 July 2017

Report of the Director of Economy and Place

Portfolio of the Executive Member for Finance and Performance

Establishing an Investment Budget for a Strategic Commercial Property Acquisition

1. An opportunity has arisen for the council to acquire the freehold interest in a portfolio of properties in the city centre that will ensure the ongoing maintenance of the buildings, support the economic vibrancy of the city centre and generate significant additional income to contribute to the increased budget income target set for the council's commercial portfolio.

Recommendations

2. Executive is asked :
 - (i) To recommend to full council
 - the establishment of a capital budget of £15m, to be financed initially from borrowing, to fund the acquisition of freehold interest in a portfolio of city centre commercial property assets.
 - to agree that any future capital receipts not currently assumed in the Capital strategy, be allocated to fund the purchase, thereby reducing in time the associated borrowing related to the investment. This will be updated in capital monitor reports in the future.
 - (ii) To bring back to Executive a due diligence report prior to completion of the acquisition

Reason: - To ensure the ongoing economic vibrancy of the city centre and increase the income from the council's commercial property portfolio in order to achieve budget targets

Background

3. The council has for many years operated a significant commercial portfolio often purchased in order to conserve either the buildings or promote the regeneration and economic vibrancy of the area. The assets also generate a revenue income stream to support the council's revenue budget. In the last two years, additional income targets have been agreed as part of the annual budget. Significant work has already been undertaken to deliver additional income including the disposal of underperforming assets and the acquisition of property in Hospital Fields Road.
4. The budget report for 2017/18 set out an approach to a 4 year budget and identified the need to consider further property investment opportunities in order to continue this good progress over future years. Given that interest rates are low, property acquisitions perform well when compared to other forms of investment and are capable of delivering higher yields.
5. The council has always focussed its commercial estate in York in order to promote and support economic vibrancy and ensure the preservation of historic buildings. These acquisitions also serve a broader role in meeting social economic and environmental objectives such as regeneration and ensuring the sustainability and vibrancy of the city centre.
6. An opportunity has arisen to make a strategic acquisition of a mixed commercial portfolio in York city centre. The portfolio is on the open market and hence the details are commercially sensitive. Details of the properties are attached as confidential Annex 1, together with a pre-acquisition report at confidential Annex 2, prepared by national and York based commercial agents, which provides a commercial view of the opportunity.
7. The marketing exercise is live now and will close later in July. In order to make an offer for these properties the council will need to agree an overall capital budget for the acquisition. If that offer is then accepted by the vendor then a more detailed due diligence report will be brought back to Executive before the acquisition is completed.
8. The item has been added to the forward plan as an urgent item because a decision is needed by Executive and full Council in July 2017. This does not allow for the item to appear on the forward plan for the usual 28 days. The next full Council meeting is in October which would be too late.

Funding

9. Given the commercial sensitivity of an open marketing exercise, it is proposed that an overall capital budget of £15m is set aside to fund the

acquisition. The detailed due diligence report will set out the actual sale value if the council is successful in securing the assets.

10. The funding will be provided by borrowing from the Public Works Loan Board (PWLB) and will be repaid from rental income.
11. The outline business case in confidential Annex 3 sets out scenarios for a range of eventual purchase prices showing the different returns. Prudent assumptions have been made to make provision for potential voids, the staff costs of operating an enlarged commercial estate and a prediction of the potential increase in income over the next 5 years to indicate how the revenue stream will increase whilst repayment of the capital will stay steady and eventually fall away. The business case is based upon borrowing over 50 years and minimum revenue provision being based on the asset's perceived life.
12. It is proposed that ultimately the financing for the purchase will be paid for from future capital receipts. There are a number of potential significant receipts in coming years, and as these come through it is intended that these will be utilised to reduced the borrowing requirement on the assets within this report. Ultimately that should result in there being no actual debt associated with the investment, incurring no associated borrowing costs. This will be set out in further detail in the next report.
13. In addition to rent each lease has the ability for a service charge to be levied which will ensure the ongoing quality of the assets and pay for the repairs and maintenance liabilities of the property. Given current low interest rates, even with making full provision for repayment of the costs of purchase the rental income will provide an additional source of annual revenue, net of borrowing costs. In addition the value of the asset is likely to increase over time.
14. The investment therefore represents a good opportunity to increase the commercial portfolio rental stream and support city centre economic prosperity

The Council Plan

15. The acquisition will support the following priorities;
 - I. The creation of a Prosperous City for All,
 - II. Be a Council that listens to residents particularly by ensuring that :
 - III. Everyone who lives in the city can enjoy its unique heritage and range of activities.
 - IV. Visitors, businesses and residents are impressed with the quality of our city.

- V. Local businesses can thrive.
- VI. We are entrepreneurial, by making the most of commercial activities.

Implications

Financial – These are covered in the report and in confidential annex 3.

Human Resources (HR) – If the acquisition goes ahead additional resource will be needed to manage the expanded commercial portfolio. This will be funded from additional income.

Equalities – n/a

Legal – Under part 1 chapter 1 of the Local Government Act 2003, a local authority may borrow for any purpose relevant to its functions or for “the prudent management of its financial affairs. The detailed due diligence exercise will consider the detailed legal implications of the acquisition.

Information Technology (IT) - There are no IT implications.

Crime and Disorder – none

Property – All property implications are covered in the report. A more detailed report will set out the results of the due diligence exercise.

Risk Management

- 16. As with all property acquisitions there is a risk that the value of the property may decrease over time. Full provision is made in the business case to pay off the capital cost over the life of the asset.
- 17. There is also a risk that there may be a level of tenancy voids. The business case makes provision for that risk.

Contact Details

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**Chief Officer Responsible
for the report:**

Neil Ferris – Director of
Economy and Place

✓ 5 July 2017

Specialist Implications Officer(s)

Financial –Debbie Mitchell
Head of Corporate Finance
Tel No. 554161

Legal – Andy Docherty
Assistant Director Legal and Governance
Tel No. 551004

Wards Affected: Guildhall

For further information please contact the author of the report

Background Papers:

Annexes

Confidential Annex 1a –Property Details
Confidential Annex 1b – Property Details
Confidential Annex 2 - Buyers Pre Acquisition Report
Confidential Annex 3 – Outline Business Case

List of Abbreviations

None

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of the Local Government Act 1972.

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Report of the Deputy Leader

York Central consultation

We continue to make significant progress on York Central by working in partnership with Network Rail, the National Railway Museum (NRM), and the Homes and Communities Agency. Our joint plan will deliver new homes, new jobs, and new community facilities as well as a chance to further develop the NRM.

The Executive meeting on 13th July will consider an update on the progress of the project, as well as consider Heads of Terms for a legal partnership agreement between the York Central Partners to enable further progress with delivery of the project.

We intend to continue to work closely with local residents to get the plans right. That will involve further consultation on draft plans, including on the key aspect of access to the site.

Business Improvement District

The BID is continuing its work to bring city-centre businesses together and deliver economic and environmental benefits.

The BID has recently appointed the company Momentum to review York's existing wayfinding provision and make recommendations for improvements. Executive agreed in May 2015 to release £50,000 in funding for a contribution to the scheme.

The BID teams are also taking advantage of the long daylight hours to carry out lots of deep cleansing work. Recently there has been activity on Coney Street and the city screen area, with the removal of chewing gum delivering a considerable improvement.

Flood resilience

Earlier this year, Council received the report and recommendations of the independent flood inquiry. Executive set up the inquiry after the devastating floods of Boxing Day 2015 to ensure that we and relevant partners understood what had happened and how we could act to reduce the likelihood of similar events in future.

In June, Executive approved measures to create greater community resilience in the event of future flooding and other emergencies in York. We have decided to invest £122,000 to deliver this. The programme will encompass a number of work areas, including:

- Establishing a Flood Resilience Role
- Restructuring the Flood Risk Manager function
- Enhancing the Council's Emergency Planning function
- The Ready for Anything programme
- Hosting a Flood Defence Foundation Degree student.

The above work and investment is complementary to the Environment Agency's new investment in York's flood defences, including £17m for improvements to the Foss Barrier and £45m for wider flood defences across the city.

The Executive Member for the Environment also recently considered an update on York's 5-year Flood Plan, which noted progress on the Environment Agency's investment programme. Cllr Waller will also monitor progress on joint work between CYC and the EA arising from the independent inquiry's recommendations.

Older Persons' Accommodation Programme

The Older Persons' Accommodation Programme seeks to address the needs of York's ageing population, making the best use of York's existing Extra Care Housing by making it more accessible for people with higher care needs, and replacing the council's out-dated Older People's Homes with a wide range of more modern accommodation which meets modern care standards.

Work is underway on the former Burnholme school site, where our plans will deliver a new care home. Along with the care home, there will also be a community and library building, a health centre, and housing, while sports and play facilities will be retained.

Executive has also appointed a developer and operator for the Extra Care facility at Oakhaven. This follows a procurement exercise for the

construction and operation which began in 2016. I look forward to seeing further progress on the site.

Local Plan

A key priority for the joint administration is to progress a Local Plan for York.

As Councillors are aware, progress on the Local Plan was affected by the Ministry of Defence's sad announcement last year that it intended to close Imphal Barracks, Queen Elizabeth Barracks, and Towthorpe Lines. I have written to the Secretary of State for Defence to express my surprise and concern at this news, and to seek further information about how the closures will be carried out and what work has been done to understand their implications.

However, it is important to continue to make progress with the Local Plan now that officers have been able to complete analysis on the potential of the sites for future housing allocations. The Local Plan Working Group met yesterday (10th July) to consider an update on the Local Plan, and I am pleased that the Group has agreed that officers produce an updated draft plan for consultation, based on the recommendations of Executive (to be held 13th July).

It is important to give residents and local groups such as parish councils a full and meaningful opportunity to comment on the draft proposals. We will therefore carry out a further consultation process this year, and engage with residents to seek their views before any changes and submission to the Secretary of State.

Armed Forces Day

This year's Armed Forces Day was celebrated on Saturday 24th June. The day is an opportunity for the nation to show appreciation for the contribution made by all those who serve, or who have served in Her Majesty's Armed Forces.

CYC joined many other local authorities in flying the flag at the Railway War Memorial outside West Offices throughout the week building up to the day. I was honoured to attend as the Council's Armed Forces Champion, along with the Lord Mayor, the Leader, and the Chief

Executive, along with many other representatives from the Council and partner organisations.

Ward Committees

Member briefings, both groups and individual, have been offered from April onwards with 25 of 47 councillors attending. These are designed to update councillors in relation to the new process and systems that have been introduced.

Some data about how the system is operating is copied below.

- Ward Budget spend 1 April - 28 June 2017: £68k actual spend (compared to £52k by June 2016) and £70k grounds maintenance charges = £134k projected spend to date. I am keen to support wards to spend their budgets effectively and am happy to meet Councillors individually or in groups to facilitate this.
- Number of ward committee grants approved for release to community groups to date: 39
- Ward Committee meetings since April: 10
- New Highways scheme ideas sent through for feasibility: 33

If Members have any questions on the content of this report or would like further information on other issues then please email me on:

cllr.kaspden@york.gov.uk

Cllr Keith Aspden

Deputy Leader of City of York Council

Full Council**20th July 2017****Report by the Executive Member for
Finance and Performance**

This is a very wide ranging portfolio which includes leading the financial strategy, collecting council tax, providing a range of professional support, ensuring compliance, and managing our facilities and assets. There is a clear emphasis on the customer and, where relevant, the Council's partners, throughout all activities making up the portfolio.

Financial Management

This includes the preparation of accounts, effective financial monitoring, and the setting and implementation of a financial strategy which aims to continue making the council more cost efficient whilst maintaining a proper level of front-line services, and at the same time keeping Council Tax at a reasonable and affordable level against a backdrop of continuing withdrawal of Government funding support. There are risks of course, not least in responding to the financial pressures brought about by the rapidly ageing demographic of the City, the financial position of the CCG, and so on.

The Council delivered an underspend of over £1m in the last financial year demonstrating that this administration is in control of the authority's finances, at a time when external challenges are very significant. One does not have to go far to find some other public organisations struggling in financial terms.

Our financial strategy approved in February of this year set out a wide range of affordable investment, with investment in adult care, winter maintenance, ensuring provision to maintain the park and ride service, and investment in financial inclusion.

This comes on top of a large additional programme of capital investment, funding the delivery of a wide range of capital schemes, from drainage and highways to the community stadium, the remodelling and restoration of the Guildhall complex, and of course using our financial strength to deliver schemes such as York Central. Total capital expenditure in the present 5 year programme is forecast to be £215m. It is through having strong financial health that we are able to make the prioritised investments we need to make for the City.

During the last year we have joined the West Yorkshire Transport Fund, but only on the basis that York received certain protections to limit exposure to any unaffordable increases in the payments we would make. This will see us attract some £80m of funding to invest in York Central and the Outer Ring Road.

Customer Services

The primary objectives here are the effective collection of income, benefits administration and the improvement in key customer performance measurements to demonstrate how we are delivering a better customer experience.

Customer satisfaction has remained high all year, with an average of 92.5% across all channels which is an improvement over the last two years. We have successfully moved 14 highly transactional revenues and benefits services on line over the past year. Collection levels are high in relation to council tax (97.6%) and business rates (99.0%), with some £200m collected per annum.

We will be implementing a brand new system from July 2017 for customers who benefit from British Sign Language (BSL) support. This will give our residents who require BSL interpretation:

- Access to services face to face. If someone comes to West Offices and requires BSL from customer services they will be shown to a private room and provided with a video link to the interpretation service.
- Access by phone from home. If someone has the appropriate equipment (web-cam and internet access) the person can use a link from our website, contact the interpretation service who will then contact customer services by phone.

One of the biggest challenges recently has been managing the change to Universal Credit which is being fully implemented in York in July. This is expected to bring greater work pressures along with an expected increase in the number of citizens asking for financial support either through Discretionary Housing Payment (DHP) or through our social fund (YFAS).

Human Resources

HR sits in this portfolio and a key priority of this service is to ensure that employees are supported and developed to be able to perform to the best of their ability.

We have introduced a set of 'values' to govern behaviour between all within the Council, and between all at the Council and external stakeholders, developed a workforce plan, and are committed to supporting staff wellbeing. However, I also recognise that we need to develop a stronger approach to issues such as absence. Many areas of the Council have very low absence rates which compare with the best organisations in the private sector, but there are some areas where performance is not as I would like and we will look to provide targeted support in these areas in order to effect improvement.

In addition, I am keen to increase the number of apprenticeship opportunities and to maximise the use of the apprenticeship levy, which is a key element of our workforce plan.

Asset Management

The Council's asset management strategy is now well established and very active. The commercial exploitation of the authority's property assets is a key policy priority in growing the economy of the City, and the leveraging of the Council's holdings and capital to secure the redevelopment of key sites and the regeneration of significant parts of the city is now well underway.

Within this strategy, a number of major projects such as York Central and Castle Gateway which had been stalled for far too long are at last being brought forward to enable them to make a significant contribution to the economic and environmental future wellbeing of the City.

In addition, we are taking stock of how we use our remaining assets, with a proposal for a review of community assets during the next quarter and a report on the continuing work we are doing to deliver increased income from our commercial portfolio to deliver the large budget targets allocated to this business area to generate an additional £1m income from our commercial estate by 2020/21.

Major Projects

There are a number of major projects and initiatives now in train such as:

York Central: a major partnership delivery of up to 2500 homes and 100,000 sq m of commercial office on a key brownfield site. Work is progressing well and will be the subject of a number of updates over the coming months with large scale public consultation on the developing masterplan.

Castle Gateway; the development of the area around Piccadilly, Coppergate, Castle Car Park and St George's Field car park to expand the city centre and create new commercial and residential opportunities. Business case development is under way and extensive public engagement/consultation has just started.

Guildhall; moving into construction phase for a managed office space to support small business growth with supporting commercial development and ongoing civic use of the space.

Mansion House; in construction with reopening targeted for Autumn 2017.

Housing Delivery; working in a strategic partnership with the HCA to deliver accelerated housing construction on public land. A report will be brought to Executive in the Autumn, setting out a business case containing proposals for site development and delivery mechanisms. This has significant cross over with the Housing Portfolio.

Delivery Efficiencies across the Directorate

Key priorities include restructuring across a number of business areas, and generating more income across a range of services.

ICT

Further development and implementation of the Digital Services Programme, enabling service transformation, easier customer interaction, and providing a greater range of services available on line.

ICT programme

The programme this year as well as the delivery of specific projects, is mainly focussed on maintenance and upgrade of infrastructure, and ensuring information security as part of ICT's ongoing commitment to protect CYC from new and ever changing cyber security threats. We identified, procured and implemented Trend security during 2016/17. It provides a constantly evolving suite of protection products including anti-ransomware.

As we continue to maximise the potential and use of digital technology, it is bringing about a change in customer behaviour, for example there has been a significant reduction in call volume, for example:

- Council tax; 30%
- Waste, highways and environment; 38%

Going forward we will be bringing in webchat and a social media suite which will help us assess the types of issues that residents are concerned about.

Revenues on-line forms were launched in July 2016 and Benefits in September 2016, and we are processing 1000 forms per week electronically with 60% automation.

Review of Administration and Accommodation

The financial strategy sets out a requirement to generate significant income from the Council's occupied facilities and we are well on track with this by letting space out to external partners such as Network Rail at West Offices. At this point, I would like to extend my appreciation to Council staff who have demonstrated flexibility in their working arrangements to ensure we maximise utilisation of space. Every desk at West Offices has a 'value' or opportunity cost of around £4,000 so we have to use these resources effectively. To continue to deliver efficiencies will, however, require us to consider the utilisation of other buildings, and opportunities for further rationalisation.

This area of my portfolio also provides a range of support services across all areas of the Council, some of which are;

- Supporting Savings and Change; supporting all directorates in delivery of savings plans, including changes in service delivery.

- Effective Governance; working with Directorates on information security, complaints, and performance data.
- Compliance and Assurance; ensuring effective internal audit, HR processes, and other systems and controls, including ICT security.
- Ensuring Effective Risk Management/Project Management across the organisation.
- Procurement Compliance; supporting all services on procurement, ensuring effective controls and compliance, and completion of a new procurement and commissioning strategy.

In connection with the last point, the Council has commissioned the Local Government Association to carry out a peer review of the procurement service by providing an external perspective and challenge of the Council's overall procurement model, its effectiveness, and how it operates, including accountability, capacity, and decision-making. The peer review team is due to submit its formal report shortly.

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

20 July 2017

1. This report is submitted by the Chair of Customer & Corporate Services Scrutiny Management Committee (CSMC), in accordance with the constitutional requirements set out in Standing order 8.3 (m) to update Council on scrutiny work and to set out any recommendations that may be made to Council in relation to that work. It includes, at Annex 1, the Annual Scrutiny Report 2016-17 which was approved by CSMC in June 2017. The recommendation from CSMC in respect of the Annual Report is attached at Annex 2.
2. Since the last report to Council on 30 March 2017 CYC scrutiny committees have been restructured to align to the new directorates. The terms of reference for the new scrutiny committee were agreed by Council at the meeting in March 2017 and the new ways of working in scrutiny was implemented from the start of the 2017-18 municipal year.
3. This means the former:
 - Corporate & Scrutiny Management Policy & Scrutiny Committee
 - Health & Adult Social Care Policy & Scrutiny Committee
 - Learning & Culture Policy & Scrutiny Committee
 - Economic Development & Transport Policy & Scrutiny Committee
 - Communities & Environment Policy and Scrutiny Committee

Have been replaced by:

- Customer & Corporate Services Scrutiny Management Committee
- Health, Housing & Adult Social Care Policy & Scrutiny Committee
- Children, Education & Communities Policy & Scrutiny Committee
- Economy & Place Scrutiny Committee
- Economy & Place Policy Development Committee

Finance and Performance

4. Since the last report to Council the Children, Education & Communities Policy & Scrutiny Committee received its end of year Finance and

Performance Monitoring Reports in early July. Finance and Performance reports are not within the terms of reference of the Economy & Place Policy Development Committee. The remaining committees will receive their Finance & Performance reports at their next meetings.

Attendance of Executive Members

5. The Executive Leader (Finance & Performance) attended the June meeting of CSMC to outline his challenges and priorities for 2017-18. The Executive Member for Housing and Safer Neighbourhoods and the Executive Member for Health and Adult Social Care both attended the June meeting of the Health, Housing & Adult Social Care Policy & Scrutiny Committee while the Deputy Executive Leader (Community Engagement), the Executive Member for Culture, Leisure and Tourism and the Executive Member for Education, Children and Young People all attended the July meeting of the Children, Education and Communities Policy & Scrutiny Committee.

Pre-Decision Call-Ins

6. There have been no pre-decision call-ins since the last report to Council.

Customer & Corporate Services Scrutiny Management Committee

Post-Decision Call-Ins

7. There have been no post decision call-ins since the last report to Council.

Petitions

8. At each of its meetings, CSMC continues to receive its standing report on Council petitions providing details of new petitions received by the Council and the appropriate course of action.

Scrutiny Work

9. The former Corporate & Scrutiny Management Policy & Scrutiny Committee met once before the end of the 2016-17 municipal year. In May the Committee received the Draft Final Report from the One Planet York Scrutiny Review and a report presenting the Terms of Reference for the new scrutiny committees agreed by Council on 20 March. In June the new Customer & Corporate Services Scrutiny Management Committee received a presentation on the Customer Relations Management System (CRM) and agreed the Annual Scrutiny Report 2016-17 (Annex 1). Two

new members were appointed to the Electoral Arrangements Scrutiny Review Task Group to enable this review to proceed.

Health, Housing & Adult Social Care Policy & Scrutiny Committee

10. The former Health & Adult Social Care Policy & Scrutiny Committee met twice since the last report to Council and before the end of the 2016-17 municipal year. In April the Committee received a report on the development of community services in light of the closure of Archways Intermediate Care Unit and a report on the Safeguarding Adults Board Peer Review. In May Members received the Safeguarding Adults Board action plan following the Peer Review, a report from York Teaching Hospital NHS Foundation Trust on its winter experience and the six-monthly Performance Update Report from Healthwatch York.
11. The new Health, Housing & Adult Social Care Policy & Scrutiny Committee has met once since the start of the new municipal year. In June they considered the annual report of the Health and Wellbeing Board and the six-monthly Quality Monitoring Report on residential, nursing and homecare services. They also received an update report on decisions taken on smoking cessation and their impact, a scoping report on a potential scrutiny review aimed at improving engagement with the Vale of York Clinical Commissioning Group and an update report on the provision of a new mental health hospital for York, including a decision on the preferred site and the configuration of beds. Finally, as part of the Executive Member for Housing and Safer Neighbourhood's participation at the meeting, Members discussed CYC's approach to fire safety in the aftermath of the fire at Glenfell Towers in London. At the June meeting Members expressed concern about the Committee's increased work load following the decision to align scrutiny committees to directorates. The addition of housing and community safety to the existing health and adult social care remit was considered to be too big a challenge and Members agreed to take these concerns back to their groups for further discussion.

Children, Education & Communities Policy & Scrutiny Committee

12. The former Learning & Culture Policy & Scrutiny Committee met once since the last report to Council and the end of the 2016-17 municipal year. In May Members received an update from the Chair of Learning City on the delivery of joint services, York Theatre Royal's bi-annual performance update report a bi-annual performance update report on Explore York Libraries and Archives Service level Agreement. The new Children, Education and Communities Policy & Scrutiny Committee has

met once since the start of the 2017-18 municipal year. In July Members received the bi-annual update report on York Museums Trust's Partnership delivery Plan and the Draft Final report from the Tour De France Scrutiny review.

Economy and Place Committees

13. The former Economic Development & Transport Policy & Scrutiny Committee met once since the last report to Council and the end of the 2016-17 municipal year. In May Members received the annual report from the Managing Director of Make It York and the six-monthly update report on major projects, including major developments within the city and transport initiatives. They also considered an update report on progress of the economic strategy, a scoping report on the potential of undertaking a scrutiny review into air quality and an update report on the implementation of recommendations from the Grass Verges Scrutiny Review. A Scrutiny review into the Impact of the Arts and Culture Sectors on the Economy of York is ongoing with a draft final report due in the summer.
14. The **Economy and Place Policy Development Committee** has met once since the start of the new municipal year. In June there was a members' Workshop on the long-term work plan with officer presentations on policy opportunities in transport, regeneration, waste and public realm.
15. The **Economy and Place Scrutiny Committee** has also met once during this time. In June Members received an introductory presentation on customer interface, operational practice and outcomes, and commercial estate. They also considered an update report on the implementation of recommendations from the Grass Verges Scrutiny Review.

Communities and Environment Policy & Scrutiny Committee

16. The former Communities and Environment Policy & Scrutiny Committee met for the final time in May when Members considered the six-monthly update report from North Yorkshire Fire and Rescue Service and an update report on the implementation of recommendations from the Housing registrations Scrutiny review.

Report Recommendation

17. Members are recommended to:

- i. Note this report;
- ii Approve/endorse the Annual Report attached at Annex 1, in line with the recommendation of CSMC from its meeting on 12 June, as shown in Annex 2.

Reason: To comply with the Council's constitutional requirements

Annexes:

Annex 1 - Draft Annual Scrutiny Report 2016-17

Annex 2 – Part B Minute - Customer and Corporate Services Scrutiny Management Committee, 12 June 2017

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Customer & Corporate Services Scrutiny Management Committee**12 June 2017**

Report of the Assistant Director of Governance & ICT

Draft Annual Scrutiny Report 2016-17**Summary**

1. This Draft Annual Scrutiny Report summarises the work of the five Policy & Scrutiny Committees for the municipal year June 2016 – May 2017, and asks Members to agree the report prior to its presentation to Council in July 2016.

Background

2. This committee is charged with monitoring overall performance in relation to scrutiny work and providing an Annual Report to Full Council. The last Annual Report for the period June 2015 – May 2016 was presented to this Committee on 13 June 2016 and to Council on 21 July 2016.

Consultation

3. Consultation was not required for the production of this Annual Report. However, consultation is an important element of scrutiny and is regularly carried out in support of all scrutiny reviews.
4. The final reports produced for each of the reviews completed during the period June 2016 – May 2017 detail all of the work undertaken, including any consultation carried out. Those final reports and all supporting information can be viewed in full at:

<http://modgov.york.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13029&path=13028>

Scrutiny Reviews in 2016-17

5. In the last municipal year Members of the **Corporate & Scrutiny Management Policy & Scrutiny Committee (CSMC)** initiated two scrutiny reviews.

6. One Planet York.

In early September 2016 CSMC considered a scoping report on One Planet York and members agreed there would be value in undertaking a scrutiny review to support this work. CSMC agreed the review should focus on ensuring a balance between economic, social and environmental needs that is right for York; ensuring key decisions and strategic plans take account of economic, social and environmental factors and ensuring decisions and strategic plans are informed by both short-term priorities and anticipated longer-term impacts. After a series of meetings and presentations the Task Group was able to assess what leading sustainable cities and those similar to York are doing in seeking to balance economic, social and environmental needs; examine how the One Planet York framework can benchmark York with other cities; have a wider understanding about what makes cities resilient and sustainable and review statutory and local decision making tools, engagement and collaboration methods to help cities balance economic, social and environmental needs. The Task Group made a series of recommendations which were endorsed by CSMC on 8 May 2017.

7. Electoral Arrangements.

In late July 2016 CSMC considered an overview report on electoral arrangements, and while Members acknowledged that overall the current arrangements in York were working effectively, they agreed to carry out a scrutiny review to examine ways of maximising the number of people eligible to vote and improving the performance of the count while maintaining a high standard of accuracy. The Task Group has held two meetings to date, firstly to consider the impact of Individual Electoral Arrangements and to examine creative solutions to improving the performance at the count and, secondly, to consider information from the Electoral Commission regional manager and the Electoral Services manager from Sheffield City Council. A third scheduled meeting was cancelled at short notice due to the unavailability of the registration officer from the University of York. Since then one of the Task Group Members has been made an Executive Member and a second has resigned his seat. In May 2017 CSMC agreed to select new members for the Task Group after the annual Council meeting.

8. **The Economic Development & Transport Policy & Scrutiny Committee** carried out two reviews during 2016-17.

9. Protection of Grass Verges. In March 2016 EDAT agreed to look at how the Council can work in partnership with residents to improve and protect the condition of grass verges from damage caused by motor vehicles. A Task Group received significant input from residents who were concerned about this issue and had a number of meetings which led to a

series of recommendations which were endorsed by EDAT in September 2016 and by the Executive in November 2016.

10. Impact of the Arts and Culture Sectors on the Economy of York.
In July 2016 EDAT considered a feasibility report on the impact of the arts and culture sectors on the economy of York and agreed it was a topic worthy of review. The aim is to understand the value and impact of the arts and culture sectors on the economy of York and examine how they can further increase their impact on economic development and create additional high-value jobs in the city. The objectives are to promote cultural amenities in the city for the purpose of attracting economic investment, leading to an increase in high-value jobs and the retention of high-quality employees; examine the City Council's role within these sectors and assess what further interventions the Council could undertake to support these sectors and to identify ways to facilitate more and better joint working among cultural organisations. The Task Group has consulted widely with leading arts and culture organisations and the business community and in February presented an interim report to EDAT when the Committee agreed the review could run into the next municipal year with a view to presenting a final report in late summer 2017.
11. The **Health & Adult Social Care Policy & Scrutiny Committee** was also involved in two reviews during 2016-17.
12. Public Health Grant Spending.
In July 2015 the Health & Adult Social Care Policy & Scrutiny Committee appointed a Task Group to undertake a scrutiny review on public health grant spending. The review aimed to identify a comprehensive understanding of York's public health outcomes and spend, and establish a knowledge base for joint use with the Health & Wellbeing Board. The review stalled slightly while revised figures from the Department of Health were confirmed so it was not possible to conclude the review during the 2015-16 municipal year. However, after meetings in 2016 and early 2017 the Task Group presented their recommendations in a final report in March 2017 when they were endorsed by the full committee.
13. Bootham Park Hospital Closure
Bootham Hospital was closed following an unannounced inspection of the psychiatric inpatients services by the Care Quality Commission (CQC) on 9 & 10 September 2015 when the CQC reaffirmed it was not fit for purpose and all clinical services had to be relocated from 30 September 2015. In November 2015 the Committee agreed to carry out its own review *"To understand the circumstances leading to the closure*

of Bootham Park Hospital, to establish what could have been done to avoid the gap in services in York, particularly for in-patients and their families, and identify any appropriate actions for relevant partners". The review utilised the support of an Independent Expert Adviser, who provided his services pro bono, and NHS England who were carrying out their own lessons learned review. Scrutiny worked closely with NHS England throughout the process and NHS England published its own report via scrutiny in April 2016. It was publicly discussed for the first time at a Health & Adult Social Care Policy & Scrutiny Committee on 25 April 2016. The Committee was unable to complete its review during the 2015-16 municipal year as it needed action plans from partner organisations before any final recommendations could be. The recommendations in the final report were endorsed by the full committee in September 2016 and by the Executive in November 2016.

14. During 2016-17 the **Communities & Environment Policy & Scrutiny Committee** completed one review.
15. Ward Funding.
In June 2016 the Committee received a detailed report on the Council's new approach to community engagement through the establishment of revised ward committees, and the progress to date in embedding them in working practices. This highlighted some areas of operation where there were issues, so it was agreed it would be helpful if the Scrutiny Committee were to undertake a review to assess achievements to date and ambitions for the future for a number of areas which still needed refining. To help achieve their objectives the Task Group agreed to consult with all councillors on their experiences. After this consultation, and a series of meetings, the Task Group made a number of recommendations which were endorsed by the Committee in January 2017. These were subsequently endorsed by Executive in March 2017 in order to facilitate further improvements to the neighbourhood working model.
16. Finally, the **Learning & Culture Policy & Scrutiny Committee** was involved in two reviews during 2016-17.
17. Play Opportunities
In July 2016 a Task Group was formed to undertake a scrutiny review with the aim of developing improved play opportunities across the city and identifying ways of enabling communities to bring forward potential schemes. During the course of the review the Task Group recognised the limited opportunities available for York teenagers. They also recognised that the active involvement of children and young people was essential in the development of play opportunities, and that it works best

when there is a visible commitment to their involvement, and their involvement is valued. On that basis, and after a series of meetings, the Task Group made a series of recommendations which were endorsed by the Committee in January 2017 and by the Executive in March 2017.

18. Tour de France

In January 2016 a Task Group was formed to consider the appropriate planning, promotion, and delivery of future major events to ensure all associated risks can be managed effectively, including Health & Safety and reputational risk. The review focussed on the Tour de France Grand Depart, and the provision of the entertainment Hubs and camping sites, and included consideration of feedback on individual elements of the delivery programme, including management of the event, its financial implications, and the lessons learned for the future. The review was still ongoing at the end of the 2015/16 municipal year and so the Task Group was reformed in June 2016 to conclude its investigation. The new Children, Education & Communities Policy & Scrutiny Committee is scheduled to receive the review draft final report in July 2017, prior to its consideration by the Executive in September 2017.

Supporting the Council Plan 2015-19

19. All of the reviews carried out during 2016-17 (identified above) took account of the Council's need to be inclusive and ensure equality in accessing the services being reviewed. Each review also supported a number of the council's other improvement priorities and direction statements:
20. The following reviews were directly linked to the 'Prosperous City for All' element of the Council Plan:
- Impact of the Arts and Culture Sectors on the Economy of York;
 - One Planet York
 - Tour de France
21. The following reviews were directly linked to the 'Focus on Frontline Services' element of the Council Plan:
- Public Health Grant Spending;
 - Bootham Park Hospital;
 - One Planet York
 - Play Provision
22. The following reviews were directly linked to the 'Council That Listens to Residents' element of the Council Plan:

- Bootham Park Hospital;
- Grass Verges;
- One Planet York
- Ward Funding
- Play Provision

Finance & Performance Monitoring

23. Throughout 2016-17 the Policy & Scrutiny Committees received regular quarterly monitoring reports relating to the council's performance and finance management, in service areas specific to their individual remits.
24. In addition, they also received other monitoring reports specific to their individual terms of reference, as detailed below:
25. **Corporate & Scrutiny Management Policy & Scrutiny Committee** considered a Schedule of Petitions at each meeting and other overview and updates reports throughout the year i.e.:
 - Electoral organisation;
 - Guildhall Project;
 - Procurement activity;
 - Future ways of Working in Scrutiny;
 - One Planet York;
 - Peer Review Challenge and Action Plan;
 - Administration of Section 106 agreements;
 - Scrutiny Revenue Support Budget;
 - Customer Relations Management System;
 - The Annual Scrutiny Report for 2015-16;
 - Air Quality.
26. The **Communities & Environment Policy & Scrutiny Committee** received updates on:
 - Riverside Improvements;
 - Consultation on Draft Alcohol Strategy;
 - Allerton Park Waste Recovery Treatment Centre;
 - Updates on CYC Flood Defences Action Plan;
 - Update on Environment Agency Flood Action Plan;
 - Report on Mixed recycling and Waste Collection
 - Update report on Housing and Planning Bill
27. The Committee welcomed the attendance of officers from North Yorkshire Police and North Yorkshire Fire and Rescue Service and

throughout 2016-17 it received a number of updates in support of its responsibility for the discharge of the functions conferred on the Council by sections 19 & 20 of the Police & Justice Act 2006, in relation to the scrutiny of community safety issues, the Police and the work of the local Crime and Disorder Reduction Partnership (CDRP). These included:

- Bi-annual performance reports from Safer York Partnership (SYP);
- An update on the work of AVANTE (Alcohol, Violence & Night-Time Economy);
- Updates on Domestic Violence and Drug Related Crime and Disorder;
- An update on the Community Safety Plan;
- An update on the Hate Crime Action Plan

28. The **Economic Development & Transport Policy & Scrutiny Committee** welcomed the attendance of the Managing Director of Make it York on two occasions and received briefings/updates on:

- Major projects within the city including major developments and major transport initiatives and issues arising from them;
- York Economic Dashboard;
- Modal shift in transport in the city
- Universal Credit
- York Central project
- Castle Gateway project
- York Access Fund project
- Air Quality
- Progress against actions in the Economic Strategy.

29. The Committee also received presentations from the York Business improvement District (BID) manager, the Guild of Media Arts and York Civic Trust on its proposed transport policy for the city.

30. The **Health & Adult Social Care Policy & Scrutiny Committee** has a statutory role to review and scrutinise the impact of services and policies of key partners on the health of the city's population. As such it received updates on:

- York Health and Wellbeing Board;
- Safeguarding Arrangements;
- Carers' Strategy;
- Residential, Nursing and Home Care Services;
- Healthy Child Services;
- Substance Misuse Treatment and Recovery Services;
- Re-procurement of community services and wheelchair services

- Sustainability and Transformation Plans
- Elderly Persons' Homes;
- Winter pressures;
- Safeguarding Adults Board Peer Review and Action Plan;
- York Hospital winter experience;
- Delayed transfer of Care;
- Continuing Health Care;
- Partnership Commissioning
- Access to NHS Services
- Public Health Services Commissioned by NHS England – vaccinations, immunisation and screening.

31. The Committee were also consulted on a number of issues:

- Proposed new mental health hospital for York;
- Change of services at Archways Intermediate Care Unit;
- Vale of York CCG turnaround and recovery plans;
- Actions against York Hospital Action Plans;
- Yorkshire Ambulance Service CQC Inspection;
- New Joint Health & Wellbeing Strategy.
- The merger of medical practices in York – Front Street / Beech Grove.

32. Finally, they received a number of reports and presentations i.e.:

- Be Independent monitoring reports;
- Healthwatch Performance Updates;
- Annual report of the Chief Executive of Yorkshire Ambulance Service;
- Annual report of the Chief Executive of York Teaching Hospital NHS Foundation Trust;
- Tees, Esk and Wear Valleys FT – One Year in York.
- CCG turnaround and recovery Plans
- Ambulance cover in York;

33. The **Learning & Culture Policy & Scrutiny Committee** also received a range of reports and updates on the following, which included:

- Bi-annual Partnership Delivery Plan updates from York Museums Trust;
- Bi-annual Service Level Agreement Performance updates from York Theatre Royal;
- Bi-annual Service Level Agreement Performance updates from Explore York Libraries & Archives;
- Bi-annual updates on the work of York Safeguarding Board

- Bi-annual progress reports on Safeguarding and Looked After Children;
- Update Reports on York Trial for 30 House Free Childcare for Working Families;
- A Report on the Draft Skills Strategy;
- An Update Report on School Meals;
- Update on implementation of Local Area Teams;
- School improvement updates and an Ofsted update on Schools Performance;
- A Learning Services Self-Assessment Overview Report
- SACRE's Annual Report & Review of York Schools' agreed syllabus;
- Update on Schools Response to White Paper – Educational Excellence Everywhere.

34. In addition the Committee received presentations from the Chair of York @ Large and the Chair of Learning City York on their ongoing partnership work with the Council. They also met with the Chair of York Safeguarding Board.

Acting as Critical Friend

35. During the municipal year 2015-16 each of the Policy & Scrutiny Committees met with the relevant Executive Members to hear about their challenges and priorities for the year. They also met with some of the council's appropriate statutory partners to hear about their priorities and challenges.

Monitoring Previous Recommendations

36. Finally, each of the committees received bi-annual updates on the implementation of the approved recommendations arising from their previously completed scrutiny reviews. Those deemed to be fully completed were signed off.

Calling – In (post decision)

37. Throughout the municipal year 2016-17 there were three Executive/ Executive Member decisions called-in for consideration by CSMC. The decision of the Executive was confirmed in each instance. They were:

- Better Bus Area Fund – Clarence Street Bus Improvement Scheme.
- Park & Ride Service Operator Specification

- Disposal of Land to English Heritage for a Clifford's Tower Visitor Centre

Pre-decision call-in

38. At its meeting in August 2015, the Executive agreed some operational guidelines for enabling and supporting a pre-decision call-in process. This supplements the pre-existing arrangements for post-decision call in and is intended to provide all backbench and scrutiny Members with opportunities to comment upon relevant upcoming Executive or Executive Member decisions.
39. During the 2016-17 municipal year there were four pre-decision call-ins:
- CSMC: PARK & Ride Service Operator Procurement
 - CSMC: York Central – Consultation on Highway Access
 - CSMC: Yearsley Pool Review
 - Learning & Culture: Arboricultural Policy for the management of Public Trees and Woodland

Options

40. Having considered the draft Annual Report, Members may choose to:
- Agree any amendments required to the report
 - Approve the report for presentation to the meeting of Full Council in July 2017.

Implications

41. There are no known legal, HR and financial implications associated with the recommendation within this report.

Risk Management

42. There are no known risks associated with the recommendation in this report.

Recommendations

43. Having considered the information within this report, Members are asked to approve this Annual Scrutiny Report which covers the period between June 2016 and May 2017.

Reason: To enable its presentation to Full Council in July 2017, in line with Constitutional requirements.

Contact Details

Author:

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Tel: 01904 554279

Chief Officer Responsible for the report:

Andrew Docherty
Assistant Director Governance & ICT

Melanie Carr
Scrutiny Officer
Tel: 01904 552054

Report Approved

Date: 5 May 2017

Specialist Implications Officer(s) - None

Wards Affected:

All



For further information please contact the authors of the report

Background Papers: None

Annexes: None

Abbreviations:

AVANTE – Alcohol, Violence And the Night Time Economy

CDRP – Crime & Disorder Reduction Partnership

CQC – Care Quality Commission

CRM – Customer Relations Management

CSMC – Corporate & Scrutiny Management Policy & Scrutiny Committee

CYC – City of York Council

EDAT – Economic Development & Transport Policy & Scrutiny Committee

HR – Human Resources

NHS – National Health Service

NYBEP –North Yorkshire Business Education Partnership

SYP – Safer York Partnership

YMT – York Museums Trust

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City Of York Council

Extract from Committee Minutes

Meeting	Customer and Corporate Services Scrutiny Management Committee
Date	12 June 2017
Present	Councillors Williams (Chair), D'Agorne, Fenton, Gates, Reid, Steward, S Barnes, Flinders and Dew (Substitute for Councillor Galvin)
Apologies	Councillor Galvin

Part B - Matters Referred To Council

8. Draft Annual Scrutiny Report

Members considered the Draft Annual Scrutiny Report, which summarised the work of the five Policy & Scrutiny Committees for the municipal year June 2016 – May 2017.

During discussion Members highlighted the following:

- The importance of finding the right balance between overview and policy work, particularly given that most Health Policies are developed at a National level.
- CSMC holding to account Chairs of the other scrutiny committees.

Resolved: That Members approve the Annual Scrutiny Report, which covers the period between June 2016 and May 2017, and refer to Council for endorsement.

Reason: To enable its presentation to Full Council in July 2017, in line with Constitutional requirements.

Councillor D Williams, Chair

[The meeting started at 5.30 pm and finished at 7.05 pm].

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Council Meeting

20 July 2017

Report of the Assistant Director, Governance & ICT

Re- Allocation to Seats and Appointments to the Council Structure and Outside Bodies for 2017/18 and Revisions to Health & Wellbeing Board Terms of Reference

Summary

1. At its Annual General Meeting, Full Council considered the allocation of seats on Committees and other bodies for 2017/18 and made appointments for the current Municipal Year, based on the then proportionality of the Council with 45 elected Members and two vacancies, pending By-Elections. This report sets out details of the proposed new arrangements, as a result of the By-Elections held on 8 June 2017 for Hull Road and Micklegate wards.

Background

2. Council is required to make those appointments and to allocate those places on the committees and other bodies that it wishes to set up in order to run its business during the 2017/18 Municipal Year. These appointments were made in accordance with the political balance of the Council which pertained at the time of the Annual Meeting on 26 May 2017, in accordance with the requirements set out in the 1989 Local Government & Housing Act. As a general rule, Council has 47 elected Members but at the time of making those appointments, there were 2 vacancies.
3. On 8 June 2017, the Council held 2 By-Elections for Micklegate and Hull Road Wards, as a result 2 Labour Councillors were returned, altering the proportions on seats to be allocated to Committees.

Allocation of Seats

4. At the Annual Meeting on 26 May 2017, Full Council approved appointments to those available seats at the time to which the political balance rules apply under the terms of the Local Government & Housing Act 1989. Council also applied the rules to the remaining bodies it chose

to set up, in accordance with usual practice. The details approved at that meeting now need updating to take account of the By-Election results referred to above. The revised calculations relating to the proportional allocation of seats are set out in Annex A to this report.

Appointments to Committees, Working Groups & Outside Bodies

5. Further to the allocation of seats referred to above Full Council is asked to make the changes to appointments to those Committees now set out in Annex B. These revised appointments are proposed in accordance with nominations made by political groups, and Independent Members, as may be appropriate. These revised appointments also include replacements not affected by changes in proportionality but which are standard in year switches due to Members' commitments changing since the initial appointments were made.

Health & Wellbeing Board Terms of Reference

6. Since the changes agreed at the Annual Meeting to the above terms of reference, Health & Wellbeing Board are recommending some further slight improvements to the revised terms of reference. These are set out at Annex C to this report and itemized at paragraphs 2.1 and 9.9, to which Members' approval is sought.

Consultation

7. In accordance with the usual process for gathering nominations to available places on Committees etc, all relevant party Groups have been consulted and provided with the necessary information on available places.

Options

8. Options open to the Council are:
 - (i) to approve or not approve the allocation of seats in accordance with the revised arrangements set out in Annex A;
 - (ii) to make the revised appointments proposed at the meeting to Committees set out in Annex B or propose alternatives;

Council Plan 2015-19

9. Establishing an appropriate decision making and scrutiny structure, is essential in providing a framework through which the Council can make

decisions relating to the delivery of its core priorities set out in the Council Plan, effectively.

Implications

10. There are no known implications in relation to the following in terms of dealing with the specific matter before Members, namely to consider the allocation of seats and places to Committees and other bodies, including Chairs and Vice Chairs, together with the appointment of a Council Leader.
 - Financial
 - Human Resources (HR)
 - Equalities
 - Crime and Disorder
 - Property
 - Other

Legal Implications

11. The Council is statutorily obliged to make appointments to committees, advisory committees, sub Committees and certain other prescribed bodies in accordance with the political balance rules. These rules may only be waived where no Member votes against the proposal. At the Annual Meeting, Council waived those rules in relation to appointments to the Joint Standards Committee, in the interests of fairness, independence and equality on this Committee.

Risk Management

12. In compliance with the Council's risk management strategy, there are no known risks associated with the recommendations in this report, other than the failure to meet the above legal requirements by reflecting its new proportionality in the allocation of seats.

Recommendations

13. Members are asked to consider the recommendations and annexes attached to this report and
 - (i) Agree the revised allocation of seats in accordance with Annex A; and
 - (ii) Approve appropriate revised appointments to Committees, as set out in Annex B, and

(iii) Approve the further revisions to the Health & Wellbeing Board Terms of Reference attached at Annex C.

Reason: To fulfil the Council's statutory and constitutional requirements.

Contact details:

Author:

Dawn Steel
Head of Civic &
Democratic Services
Tel: 01904 551030

Chief Officer Responsible for the report:

Andrew Docherty
Assistant Director, Governance & ICT

Report Approved



Date 10 July 2017

Specialist Implications Officer(s) None

Wards Affected:

All



For further information please contact the author of the report

Annexes:

Annex A – Revised Allocation of seats 2017/18

Annex B - Revised Appointments to Committees

Annex C – Further Revisions to Health and Wellbeing Board Terms of Reference

Background Papers

None

Allocation of Seats on Committees, Sub-Committees, Boards and
Working Groups between Political Groups

Note:

Seats in relation to the meetings below have been allocated between groups by agreement and in accordance with the rules on political balance contained within the Local Government and Housing Act 1989.

	Total	Lib Dem	Labour	Green	Con	Ind
Decision Making Committees						
Staffing Matters & Urgency Committee	3	1	1	0	1	0
Planning Committee	15	4	5	1	4	1
Area Planning Sub-Committee	11	2	4	1	4	0
Audit & Governance Committee	7	2	2	1	2	0
Gambling, Licensing and Regulatory Committee	15	4	5	1	4	1
Corporate Appeals Panel	3	1	1	0	1	0
Housing Appeals Panel	3	0	1	0	1	1
Education Appeals Panel	3	1	1	0	1	0
Scrutiny Function						
	Total	Lib Dem	Labour	Green	Con	Ind
Customer & Corporate Services Scrutiny Management Committee	9	2	3	1	3	0
Economy & Place Scrutiny Committee	7	2	2	1	2	0
Economy & Place Policy Development Committee	7	2	2	1	2	0
Health, Housing & Adult Social Care Policy & Scrutiny Committee	7	2	2	0	2	1
Children, Education & Communities Policy & Scrutiny Committee	7	2	2	1	2	0
Other bodies to which proportionality also applies						
North Yorkshire Fire & Rescue Authority	4	1	1	1	1	0
Total seats to which proportionality must be applied	101					
Seat Entitlement per Group		26	32	9	30	4

Note: In view of the nature of the work of the Joint Standards Committee, Council has previously agreed not to apply proportionality strictly to the Committee to which appointments are be made on the following basis:

	Total	Lib Dem	Labour	Green	Con	Ind
Joint Standards Committee	5	1	1	1	1	1

Other Bodies to Which Proportionality Does Not Apply

Although proportionality does not strictly apply on the following, the Council has traditionally decided to apply proportionality on these wherever possible. As such, the proportional figures would be as follows for 2017/18:

Local Plan Working Group	13	3	4	1	4	1
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Health & Wellbeing Board

Council must appoint the Leader or his/her nominee, in addition the Council currently has 3 other Members, one to each of the remaining Groups (excepting Independent Members) is suggested as per the 2015/16 Municipal Year.

REVISED APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES 2017/18

Planning Committee

Remove Councillor Mercer

Add Councillor Pavlovic

Gambling & Licensing Committee

Remove 1 x Con Member (tbc)

Add Councillor Pavlovic

Planning Area Sub-Committee

Remove Councillor Hayes

Add Councillor Crawshaw

Remove Councillor Cullwick as a full Committee Member

Add Councillor Mercer

Add Councillor Cullwick as a named Liberal Democrat Substitute

Economy & Place Scrutiny Committee

Replace Councillor Orrell with Councillor Reid

West Yorkshire Combined Authority (Scrutiny Committee)

Remove Councillor Douglas and replace with Councillor Brooks

Derwenthorpe Partnership Forum

Add Councillor Brooks

SACRE (Standing Advisory Council on Religious Education)

Add Councillor Kramm

Gambling, Licensing & Regulatory Committee

Remove Cllr Richardson

York Health and Wellbeing Board Terms of Reference

The York Health and Wellbeing Board has a key strategic role in carrying out assessments of the health and wellbeing needs of the people of York and in developing strategies to meet those needs. It also has a role in encouraging health and social care providers to work together to meet those needs.

1. Name

- 1.1 The Board will be known as the York Health and Wellbeing Board ('the Board')

2. Membership

- 2.1 Board members will be required to represent their organisation with sufficient seniority and influence for decision making. The membership of the Board will consist of:
- i. The Leader of City of York Council ("the Council) or his/her nominee. The Leader's nominee is the Elected Member Portfolio Holder for Adult Social Care (Chair)
 - ii. Elected Member Portfolio Holder for Education, Children and Young People)
 - iii. Elected Member – Opposition Representative
 - iv. Elected Member – Opposition Representative
 - v. The Chair of NHS Vale of York Clinical Commissioning Group (Vice-Chair) – appointed by the Health and Wellbeing Board
 - vi. The Accountable Officer of NHS Vale of York Clinical Commissioning Group – appointed by NHS Vale of York Clinical Commissioning Group
 - vii. *The Medical Director* of NHS Vale of York Clinical Commissioning Group – *appointed by the Health and Wellbeing Board*
 - viii. The *Manager* of Healthwatch York - *appointed by Healthwatch York*
 - ix. The Director of Public Health
 - x. The Corporate Director of Children, Education & Communities of City of York Council
 - xi. The Corporate Director of Health, Housing & Adult Social Care of City of York Council

- xii. The Chief Executive of York CVS
- xiii. The Chief Executive of York Teaching Hospital NHS Foundation Trust
- xiv. The Chief Executive of Tees, Esk and Wear Valleys NHS Foundation Trust
- xv. The Chair of the Independent Care Group
- xvi. *The Locality Director (North)* NHS England
- xvii. The Deputy Chief Constable of North Yorkshire Police
- xviii. Other members appointed by the Board or the Leader of the Council after consultation with the Board.

3. Legal Status

- 3.1 The Health and Wellbeing Board is a committee of the Council and will adhere to the Constitutional requirements of the Council affecting committees unless alternative provision is made within these terms of reference or the law.

4. Disqualification from Membership

- 4.1 The following are disqualified from being a Board Member
- a. Any person who is the subject of a bankruptcy restrictions order or interim order.
 - b. Any person who has within five years before the day of being appointed or since his or her appointment been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine.

5. Quorum

- 5.1 The quorum shall be 7 members including as a minimum a representative of the City of York Council and a representative of NHS Vale of York Clinical Commissioning Group.

6. Chair and Vice-Chair

- 6.1 The Chair of the Board shall be the Leader of the Council or his or her nominated representative. The Vice-Chair of the Board shall be the Chair of NHS Vale of York Clinical Commissioning Group
- 6.2 The Chair of the Health and Wellbeing Board will be required to hold a named delegate list for board representatives including deputies.

7. Frequency of Meetings

- 7.1 The Board shall schedule meetings at least four times a year.

8. Delegation of Powers

- 8.1 The Board may establish sub-committees to discharge any function of the Board or to advise the Board in respect of its functions.
- 8.2 If the Council delegates any of its public health functions to the Board in accordance with section 196(2) of the Health and Social Care Act 2012 then the Board may arrange for those functions to be discharged by an officer. Other functions of the Board may not be delegated to officers.

9. Functions of the Board

- 9.1 In order to advance the health and wellbeing of the patients and residents in York, encourage persons who arrange for the provision of any health or social care services to work in an integrated manner.
- 9.2 To provide such assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 between the Council and NHS bodies in relation to the exercise of NHS functions or health related functions of the Council.

- 9.3 To approve and make recommendations to the Executive and the Clinical Commissioning Group in respect of use of Better Care funding based upon jointly agreed plans
- 9.4 To exercise the functions of a local authority and its partner clinical commissioning groups under sections 116 and 116A of the Local Government and Public Involvement in Health Act 2007 relating to joint strategic needs assessments, and the joint health and wellbeing strategy.
- 9.5 To exercise the statutory functions of a Health and Wellbeing Board in relation to the carrying out and publication of pharmaceutical needs assessments.
- 9.6 To exercise any other functions of the Council which the Council has determined should be exercised by the Board on its behalf in accordance with section 196(2) of the Health and Social Care Act 2012 including:
- Overseeing the development of local commissioning plans and, where necessary, initiating discussions with the NHS Commissioning Board (NHS England) if an agreed concern exists
 - Leading cultural and behavioural change to support a joint approach to meeting local need
 - Holding all partners to account for their role in the delivery of joint commissioning and overall stewardship of the health and wellbeing outcomes for patients and residents
 - Working alongside local and regional strategic partnership arrangements to ensure the coordination of city wide ambitions, all of which impact on the health and wellbeing of patients and residents.
- 9.7 Where it considers it appropriate to do so, or when so requested by the Council, to give the Council its opinion on whether the Council is discharging its duty under section 116B of the 2007 Act to have regard to the joint strategic needs assessment and joint health and wellbeing strategy.

- 9.8 To periodically review the York Health and Wellbeing Board constitution.
- 9.9 *When acting as a member of the Board members will be bound by the same codes of conduct as Councillors.*

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Council Meeting – 20 July 2017**Motions, Recommendations and Amendments****A. Agenda Item 7 - Recommendations of Executive**

Recommendations and Motions to be moved by Cllr Carr as follows:

Executive, 18 May 2017**161. Shared Ownership Affordable Housing Programme**

Recommended: That Council agrees a budget of £5.52m for the scheme funded from the HCA grant (£2.76m) and the HRA investment reserve (£2.76m).

Reason: So that the Council can formally accept the HCA investment and deliver this affordable home ownership programme as part of the Council's ambition to deliver a wider range of tenure products to meet the housing needs of the city.

Executive, 29 June 2017**13. Capital Programme Outturn**

Recommended: That the Executive recommend to Council the restated 2017/18 to 2021/22 programme of £252.615m as summarised in Table 3 and detailed in Annex A.

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

Executive, 13 July 2017**25. York Central – Update and Partnership Agreement**

Recommended: That the Executive recommends to Council that a budget of £37.4m be approved for the York Central Transport improvements funded from the West Yorkshire Plus Transport Fund grant.

Reason: To ensure the delivery of York Central and to ensure that a range of access options have been considered.

26. Proposed York Outer Ring Road Improvements – Approach to Delivery

Recommended: That the Executive proposes to Council that a budget of £34.2m be approved for the York Outer Ring Road improvements funded from the West Yorkshire Plus Transport Fund grant.

Reason: To confirm the detailed allocation within the budget for the delivery of the Outer Ring Road Upgrade scheme in accordance with the previous Council Decision taken in December 2016.

27. Establishing an Investment Budget for a Strategic Commercial Property Acquisition

Recommended: That the Executive recommends to Council:

- (i) the establishment of a capital budget of £15m, to be financed initially from borrowing, to fund the acquisition of freehold interest in a portfolio of city centre commercial property assets; and
- (ii) to agree that any future capital receipts not currently assumed in the Capital strategy, be allocated to fund the purchase, thereby reducing in time the associated borrowing related to the investment. This will be updated in capital monitor reports in the future.

Reason: To ensure the ongoing economic vibrancy of the city centre and increase the income from the council's commercial property portfolio in order to achieve budget targets.

B. Agenda Item 9 – Motions of Notice

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

(i) From Cllr D Myers

Ethical Care Charter

“This Council notes that the UNISON Ethical Care Charter sets minimum standards to protect the dignity and quality of life for people who need homecare. It commits councils to buying homecare only from providers who give workers enough time, training and a living wage, so they can provide better quality care for thousands of service users who rely on it.

This Council recognises the important job that carers do and believes that the time allocated to visits should match the needs of the clients. Clients should be allocated the same homecare worker wherever possible and zero-hours contracts should not be used in place of permanent contracts. Homecare workers should be paid for their travel time, travel costs and other necessary expenses. Visits should be scheduled so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time.

This Council asks the Corporate Director: Health, Housing and Adult Social Care to prepare a report for the Executive setting out the Council's current position in the different areas covered by the Charter, and the implications of signing up to it, to inform a plan for City of York Council adopting the Charter.”

Amendment from Cllr Runciman as follows:

“**Remove** the following words from the last sentence:

- to inform a plan for City of York Council adopting the Charter”

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

“This Council notes that the UNISON Ethical Care Charter sets minimum standards to protect the dignity and quality of life for people who need homecare. It commits councils to buying homecare only from providers who give workers enough time, training and a living wage, so they can provide better quality care for thousands of service users who rely on it.

This council recognises the important job that carers do and believes that the time allocated to visits should match the needs of the clients. Clients should be allocated the same homecare worker wherever possible and zero-hours contracts should not be used in place of permanent contracts. Homecare workers should be paid for their travel time, travel costs and other necessary expenses. Visits should be scheduled so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time.

This Council asks the Corporate Director: Health, Housing and Adult Social Care to prepare a report for the Executive setting out the Council's current position in the different areas covered by the Charter, and the implications of signing up to it.”

(ii) From Cllr Carr

Channel 4

“Council notes:

That a consultation has recently closed soliciting views as to what extent Channel 4, a statutory body owned by the government, could more effectively contribute to regional growth, including questions as to whether all or part of its operations should be relocated outside of London;

There is enthusiasm throughout Yorkshire to position itself as the future home of all or part of Channel 4 should developments warrant;

That within Yorkshire, the Leeds City Region, and York itself would represent an ideal location for any such transfer of Channel 4 operations either in part or in full;

Council therefore resolves to take a proactive role in any decisions regarding the results of the consultation in order to position itself to work on behalf of bringing Channel 4 to Yorkshire and invites officers to maintain both a watching brief on developments and to put together preliminary plans to be able to respond in a timely matter to the potential outcomes of the consultation, including working with other organisations similarly enthusiastic about relocating Channel 4 to Yorkshire.”

(iii) From Cllr Cullwick

Mental Health

“Council notes that:

- Mental health issues will affect 1 in 4 people at some point in their lives
- Over 5,000 people in Yorkshire and the Humber could be affected by mental health issues
- Mental health issues can shorten life expectancy in some cases by 15 to 20 years
- There is often a direct link between mental health and issues such as housing, employment, family problems or debt
- There is a growing consensus that it is unacceptable to treat people with mental health conditions any differently from those with physical health conditions.

Council welcomes:

- The £200,000 investment into mental health services as part of the 17/18 Council budget, including training for Youth Health Champions and a Ways into Work scheme.

Council resolves:

- To ask the Health and Well Being Board to work closely with the Vale of York Clinical Commissioning Group, the Tees, Esk & Wear Valley Mental Health Trust and the local voluntary sector to support a fair deal for people with mental health conditions – including support for the Mental Health Concordat <http://www.crisiscareconcordat.org.uk/about/>
- To lend its support to the Executive Member for Health and Adult Social Care in championing mental health care, within her remit, fighting for the interests of those with mental health issues
- To write to the Secretary of State for Health asking him to ensure that mental health has parity of esteem with physical health throughout the health service and is funded accordingly.”

Amendment from Cllr Craghill as follows:

“Under ‘Council welcomes’ **add** second bullet point:

- The first steps towards a long overdue comprehensive Mental Health Strategy for York.

Under ‘Council resolves’ **add** fourth bullet point as follows:

- To work through the Health, Housing and Adult Social Care Scrutiny Committee to closely monitor progress towards improved mental health services in York - taking into account the challenge to provide high quality hospital and community based services for all, in the context of a wider local health system facing financial crisis.”

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

“Council notes that:

- Mental health issues will affect 1 in 4 people at some point in their lives
- Over 5,000 people in Yorkshire and the Humber could be affected by mental health issues
- Mental health issues can shorten life expectancy in some cases by 15 to 20 years
- There is often a direct link between mental health and issues such as housing, employment, family problems or debt
- There is a growing consensus that it is unacceptable to treat people with mental health conditions any differently from those with physical health conditions.

Council welcomes:

- The £200,000 investment into mental health services as part of the 17/18 Council budget, including training for Youth Health Champions and a Ways into Work scheme.
- **The first steps towards a long overdue comprehensive Mental Health Strategy for York.**

Council resolves:

- To ask the Health and Well Being Board to work closely with the Vale of York Clinical Commissioning Group, the Tees, Esk & Wear Valley Mental Health Trust and the local voluntary sector to support a fair deal for people with mental health conditions –

including support for the Mental Health Concordat

<http://www.crisiscareconcordat.org.uk/about/>

- To lend its support to the Executive Member for Health and Adult Social Care in championing mental health care, within her remit, fighting for the interests of those with mental health issues
- To write to the Secretary of State for Health asking him to ensure that mental health has parity of esteem with physical health throughout the health service and is funded accordingly.
- **To work through the Health, Housing and Adult Social Care Scrutiny Committee to closely monitor progress towards improved mental health services in York - taking into account the challenge to provide high quality hospital and community based services for all, in the context of a wider local health system facing financial crisis.”**

(iv) From Cllr S Barnes

Universal Credit, Citizens Advice York and York Financial Assistance Scheme

“Council has concerns regarding the implementation of Universal Credit Full Service (UCFS) in York and the possible impact on the city’s residents.

Council further notes the inquiry launched by the parliamentary Work and Pensions select committee, and recognises the ‘serious concerns’ identified by the committee, including:

- Claimants waiting 12 weeks or more for their first payment, resulting in hardship and distress.
- Vulnerable claimants struggling to adapt to receiving UC as a single monthly payment.
- The seven waiting days at the start of a claim, for which claimants receive no benefit, adding to claimants’ financial difficulty.
- Rent arrears amongst UC claimants rising.
- Poor communications between landlords, support organisations and the Department for Work and Pensions where UC ‘full service’ is operating.
- UC inadequately supporting claimants in emergency temporary accommodation.

Council also regrets the fact that Citizens Advice York (CAY) is being forced to halve the number of days it is able to offer advice sessions to York residents due to funding difficulties at the same time as demand for help is expected to escalate.

Council has significant concerns that the implementation of UCFS will significantly impact on the level of rent arrears for the council's own housing stock.

Council resolves:

To request the relevant director to urgently produce costed options for presentation to the Executive or relevant Executive Member Decision Session for consideration and decision.

To further request the options presented to include:

- An option to provide temporary, urgent financial support to CAY to enable it to continue offering the full four-day service of advice sessions (that was available to citizens in York until recently) for at least the first 12 months following full implementation of UC;
- An option to provide dedicated drop-in outreach sessions around the city for clients encountering difficulties with UCFS
- An option to provide a dedicated housing officer available during such sessions to liaise with CAY advisers to help facilitate an early warning system where rent arrears as a result of the implementation of UCFS may lead to evictions
- Proposals to increase the awareness and uptake of the York Financial Assistance Scheme (YFAS) – Including: the ability for third party advocacy groups to make applications on behalf of residents; and, the ability for individuals or advocates to make YFAS applications online.”

Amendments from Cllr Cuthbertson as follows:

“ Under Council resolves:

Delete ‘costed options for presentation to the Executive or relevant Executive Member Decision Session for consideration and decision,’ **add** ‘an assessment for presentation to the relevant Executive Member Decision Session. This assessment should set out practical measures that the council and its partners could quickly put in place to mitigate the risk of residents being adversely affected by the introduction of UCFS’

Delete ‘To further request the options presented to’ **add** ‘this assessment should include, but not be limited to’

Delete, from the first bullet point, ‘An option to provide temporary, urgent support to enable it to continue offering the full four day service of advice sessions (that was available to citizens in York until recently) for at least the first 12 months following full implementation of UC **add** ‘ Options for the provision of additional financial or other assistance to CAY and/or other partners to support access to drop-in outreach sessions for clients encountering difficulties with UCFS’

Delete, the second bullet point , ‘An option to provide dedicated drop-in outreach sessions around the city for clients encountering difficulties with UCFS’

Delete from the third bullet point, ‘ An option to provide a dedicated housing officer available during such sessions to liaise with CAY advisers to help facilitate an early warning system, **add** ‘ Options for an ‘early warning system’ to be put in place through which Housing Officers can quickly and easily signpost residents to sources of help and support’

Delete the word ‘Proposal’ from the fourth bullet point and **replace** ‘Options’. **Add** in the word ‘Scheme’ after Assistant.

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

Council has concerns regarding the implementation of Universal Credit Full Service (UCFS) in York and the possible impact on the city’s residents.

Council further notes the inquiry launched by the parliamentary Work and Pensions select committee, and recognises the ‘serious concerns’ identified by the committee, including:

- Claimants waiting 12 weeks or more for their first payment, resulting in hardship and distress.
- Vulnerable claimants struggling to adapt to receiving UC as a single monthly payment.
- The seven waiting days at the start of a claim, for which claimants receive no benefit, adding to claimants' financial difficulty.
- Rent arrears amongst UC claimants rising.
- Poor communications between landlords, support organisations and the Department for Work and Pensions where UC 'full service' is operating.
- UC inadequately supporting claimants in emergency temporary accommodation.

Council also regrets the fact that Citizens Advice York (CAY) is being forced to halve the number of days it is able to offer advice sessions to York residents due to funding difficulties at the same time as demand for help is expected to escalate.

Council has significant concerns that the implementation of UCFS will significantly impact on the level of rent arrears for the council's own housing stock.

Council resolves:

To request the relevant director to urgently produce **an assessment for presentation to the relevant Executive Member Decision Session. This assessment should set out practical measures that the council and its partners could quickly put in place to mitigate the risk of residents being adversely affected by the introduction of UCFS.**

This assessment should include, but not be limited to:

- **Options for the provision of additional financial or other assistance to CAY and/or other partners to support access to drop-in outreach sessions for clients encountering difficulties with UCFS.**
- **Options for an 'early warning system' to be put in place through which Housing Officers can quickly and easily signpost residents to sources of help and support where rent arrears as a result of the implementation of UCFS may lead to evictions**

- Options to increase the awareness and uptake of the York Financial Assistance Scheme – Including: the ability for third party advocacy groups to make applications on behalf of residents; and, the ability for individuals or advocates to make YFAS applications online.”

C. Agenda Item 12 – Report of the Chair of the Corporate & Scrutiny Management Policy & Scrutiny Committee (CSMC) and Recommendations of CSMC

Recommendation and Motion to be moved by Cllr Williams as follows:

“Council is recommended to:

- i. Note this report;
- ii. Approve/endorse the Annual Report attached at Annex 1, in line with the recommendation of CSMC from its meeting on 12 June, as shown in Annex 2.

Reason: To comply with the Council’s constitutional requirements.”

D. Agenda Item 13 - Allocation to Seats and Appointments to the Council Structure and Outside Bodies for 2017/18 and Revisions to Health & Wellbeing Board Terms of Reference

Recommendations and Motions to be moved by Cllr Carr as follows:

“Council are asked to:

- (i) Agree the revised allocation of seats in accordance with Annex A; and
- (ii) Approve appropriate revised appointments to Committees, as set out in Annex B, and
- (iii) Approve the further revisions to the Health & Wellbeing Board Terms of Reference attached at Annex C.

Reason: To fulfil the Council’s statutory and constitutional requirements.”

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