

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in The Citidal, Gillygate, York on Thursday, 26th October, 2017, starting at 6.30 pm

Present: The Lord Mayor (Cllr Barbara Boyce) in the Chair, and the following Councillors:

| | |
|------------------------------------|--------------------------------|
| Acomb Ward | Bishopthorpe Ward |
| K Myers S Barnes | Galvin |
| Clifton Ward | Copmanthorpe Ward |
| D Myers Wells | D 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 Williams |
| Heworth Without Ward | Holgate Ward |
| Ayre | Cannon Crisp Derbyshire |

Hull Road Ward

N Barnes
Pavlovic
Shepherd

Huntington and New Earswick
Ward

Cullwick
Orrell
Runciman

Micklegate Ward

Crawshaw
Hayes
Kramm

Osbalwick and Derwent Ward

Brooks
Warters

Rawcliffe and Clifton Without Ward

Dew
Lisle
Rawlings

Rural West York Ward

Gillies
Steward

Strensall Ward

Doughty
Douglas

Westfield Ward

Hunter
Jackson
Waller

Wheldrake Ward

Mercer

Apologies for absence were received from Councillor Funnell

30. Declarations of Interest

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

The following **personal** interests were declared:

| <u>Councillor</u> | <u>Agenda Item</u> | <u>Description of Interest</u> |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| Flinders | References to York Central project in following 3 items: 6 Report of Executive Leader 7. Report of Interim Deputy Leader 10. Report of Executive Member | Employed by Network Rail |
| Brooks | 8 – Motions on Notice (ii) Library Services in York (from Cllr Cuthbertson) | Friend of Dunnington Library |
| Cannon | 8 – Motions on Notice (ii) Library Services in York (from Cllr Cuthbertson) | Community member of Explore York |
| Cuthbertson | 8 – Motions on Notice (ii) Library Services in York (from Cllr Cuthbertson) | Community member of Explore York |

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

| <u>Councillor</u> | <u>Agenda Item</u> | <u>Description of Interest</u> |
|-------------------|---------------------------------------------------------------|-------------------------------------------------------------------------|
| Cullwick | 8 – Motions on Notice (iii)HMO Standards (from Cllr Pavlovic) | Manages some shared houses in the city (disclosable pecuniary interest) |

31. Minutes

Resolved: That the minutes of the last meeting of Council held on 20 July 2017 be approved and then signed by the Lord Mayor as a correct record.

32. Civic Announcements

The Lord Mayor announced that she had recently received three gifts during the course of her civic duties; a book from Münster, a scroll from Nanjing and a teapot from Chansa. The book and the scroll were available to view in the meeting room.

She went on to announce the launch of a calendar, called 'York, a Different View', which would shortly be on sale for £5 in outlets across the city, with all proceeds going to the Lord Mayor's Charities.

33. Public Participation

Nine members of the public had registered to speak under public participation.

Gwen Swinburn, a local resident, spoke in relation to issues around governance and transparency and in particular regarding circumstances arising from an Audit & Governance Committee meeting, as well as the process for lodging complaints in line with the Standards Board procedures.

Michael Palmer, a hackney carriage driver, spoke in relation to Uber cabs in the city and expressed concerns about the operation of the company in York.

Keith Hatfield addressed the Council, also in relation to the Uber licence. He raised concerns about the way he believed the company had been operating.

Mick Robertson-Moss also spoke in relation to Uber. He reminded Members of the importance for taxi drivers to have a good knowledge of the local area and asked Members to note that drivers were often required to carry vulnerable passengers.

Wendy Loveday, a local resident, spoke in relation to the report of the Executive Member for Transport and Planning with specific regard to the comments he had made on taxis. At this point, Cllr Gillies made a personal statement to Council in response to comments the speaker had made about him personally.

Louise Ennis spoke raising concerns regarding the legitimacy of the Planning Committee decision on 18 October to approve the demolition of the Carlton Tavern. In her opinion, the tavern was an important landmark of worth to the people of York and to the community which had been listed as an asset of community value earlier in the year. As a result, she urged the Council to allow a fuller debate on the future of the Carlton Tavern.

Although, Mr Chris Barrett had registered to speak at the meeting he had had to give his apologies and was not in attendance.

Honorary Alderman Brian Watson spoke in relation to the report of the interim Deputy Leader and in relation to the community stadium. He welcomed the Deputy Leader's comments on the consultation of the local plan and inclusion of Castle Gateway area but reiterated his concerns, raised at the previous meeting, that only Guildhall Ward, and not other wards in the city, had received a presentation on this by the project team.

Norbert Lawrie addressed the Council on behalf of NFA (No Fixed Abode) in relation to Cllr Craghill's motion on homelessness in York. He stressed the importance of raising awareness of homelessness and expressed his thanks to councillors for supporting a recent rally. He urged the Council to look at options and the need for longer term plans to be put into action.

34. Petitions

Under Standing Order 15, the following petition was presented by Cllr Flinders, for reference to the Customer and Corporate

Marjorie Waite Court extension and the community facilities are added to the Capital Programme with the costs to be funded from the Housing Revenue Account (HRA) investment reserve, recycled right to buy receipts, other Housing Capital Receipts and capital held by the Older Persons' Accommodation Programme for the purpose of expanding the provision of accommodation with care with the receipts received from the sale of Older People's Shared Ownership properties being used to reduce the gross cost of the scheme.

Reason: In order to deliver a more cost-effective community facility service and increase the supply of Extra Care accommodation with care to address the changing needs and aspirations amongst York's older population and ensure that more can choose to live independently at home."

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

Resolved: That the above recommendation in respect of funding new Extra Care accommodation at Marjorie Waite Court be approved. ¹

Quarter 1 Capital Programme Monitor

Cllr Carr moved, and Cllr Waller seconded, the following recommendation contained in Minute 52 of the Executive meeting held on 31 August 2017:

"Recommended: That Executive recommend to Full Council the adjustments resulting in a decrease in the 2017/18 budget of £14.065m, as detailed in the report and contained in Annex A.

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

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

Resolved: That the above recommendation in respect of the Quarter 1 Capital Programme be approved.²

Minerals and Waste Joint Plan – Submission

Cllr Carr moved, and Cllr Waller seconded, the following recommendations contained in Minute 74 of the Executive meeting held on 19 October 2017:

“Recommended:

1. That Full Council approve the Submission Draft of the Minerals and Waste Joint Plan for York, North Yorkshire and North York Moors National Park (comprising the Publication draft Plan (2016) accompanied by the Addendum of Proposed Changes (2017) for submission for examination;
2. The Director of Economy and Place in consultation with the Executive Member for Transport and Planning and Interim Deputy Leader & Executive Member for Environment , be authorised to make non-substantive editorial changes to the Submission Draft and other supporting documents proposed to be submitted alongside the Plan; and
3. The Director of Economy and Place in consultation with the Executive Member for Transport and Planning and Interim Deputy Leader & Executive Member for Environment , be authorised to agree any further or revised responses or proposed changes during the Examination period.

Reason: So that a National Planning Policy Framework compliant Joint Waste and Minerals Plan can be progressed.”

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

Resolved: That the above recommendations in respect of the Minerals and Joint Waste Plan be approved.³

Action Required

1. To note Council approval for investment into new RW extra care accommodation for older people at

Marjorie Waite Court

2. To note Council approval of the adjustments resulting in a decrease in 2017-18 budget of £14,065m in relation to capital programme. DM

3. To note Council approval of submission draft of Minerals and Waste Joint Plan and associated recommendations MS

36. Report of Interim Deputy Leader and Questions

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

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

- Cllr Taylor –York Central consultation – concern over lack of transparency and query about making it a car free development
- Cllr Mason – Update on work on Foss Barrier
- Cllr Danny Myers – update on discussion with defence infrastructure organisation
- Cllr Warters – levels of proposed development in the city

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

37. Motions on Notice

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

(i) Devolution for York

(Proposed by Cllr Rawlings and seconded by Cllr Carr)

“Council notes:

- That York has been closely involved with the ongoing negotiations seeking a resolution regarding devolution arrangements for Yorkshire;

- The council's position at these meetings has been to ensure that York plays a central role in the outcome of whatever 'devolution deal' eventually emerges from these talks and has at all times kept the interests of York residents and business at the heart of its discussions with the other Yorkshire authorities.

Council therefore endorses continuing negotiations with other Yorkshire authorities, and recognising that a separate South Yorkshire deal is now highly likely, would therefore prefer a Greater Yorkshire solution incorporating as much of Yorkshire's historic North, East and West Ridings as possible which will benefit York Residents and the county as a whole.

The Council will therefore support the continuing efforts of the Council Leader in his negotiations."

Notice had been received of two amendments, the first from Cllr Aspden and the second from Cllr S Barnes.

Amendment from Cllr Aspden

"After the 2nd paragraph, **insert:**

'Council recognises:

- 1. The requirement for cross party support in York and across the region for a meaningful and long-lasting devolution of decision making from central Government.*
- 2. The need to continue negotiations with other Yorkshire authorities in an open and transparent nature.*
- 3. The positive input recently from the debate in the House of Commons called by John Grogan MP (Keighley but formerly Selby) on 10th October 2017 seeking an all party solution.*
- 4. The need to clarify York's position given recent misrepresentations in the media.*

In the third paragraph, after 'Yorkshire authorities' **insert:** *'to enable the maximum geographic coverage of the historic boundaries to be included in a long lasting solution'* and then **delete** the rest of the paragraph.

Delete the final paragraph and **insert:**

‘Council requests that a report to the Executive establishes a clear means for proper negotiations with other authorities and meaningful consultation with York residents.’

Amendment from Cllr S Barnes:

“At the end of the second paragraph, **insert:**

- *‘That the devolution landscape in Yorkshire is such that no one outcome is currently certain.’*
- *‘The strong support of the CBI for a devolution deal for Yorkshire on the largest scale possible’*

Make the following **deletions** and **additions** to the 3rd paragraph:

- In the first line, **delete** ‘*continuing*’, **delete** ‘*other*’ and **insert** ‘*all*’
- In the second and third lines, **delete** all from ‘*and recognising*’ to ‘*prefer*’, **insert** a full stop after ‘*authorities*’ and then **insert** ‘*Council further recognises that while*’
- In the fifth line, **delete** ‘*as*’ and **insert** ‘*remains*’ and after ‘*possible*’ **insert** ‘*a One Yorkshire deal*’
- At the end, after ‘*whole*’, **delete** the full stop and **insert** ‘*and which residents can better identify with, should be actively pursued as York’s first priority*’.

In the final paragraph, **delete** ‘*continuing*’, and **delete** ‘*his*’ and **insert** ‘*such*’.”

Cllr Aspden sought Council’s consent to alter his amendment so that the original motion, if amended, would read as follows:

“Council notes:

- The strong support of the CBI for a devolution deal for Yorkshire on the largest scale possible;
- That York has been closely involved with the ongoing negotiations seeking a resolution regarding devolution arrangements for Yorkshire.
- The council’s position at these meetings has been to ensure that York plays a central role in the outcome of whatever ‘devolution deal’ eventually emerges from these talks and has at all times kept the interests of York residents and business at the heart

of its discussions with the other Yorkshire authorities.

Council recognises:

1. The need to continue negotiations with other Yorkshire authorities in an open and transparent nature.
2. The need for cross-party working at both a local and regional level to achieve a meaningful and long-lasting devolution settlement from Government.

Council therefore endorses continuing negotiations with all other Yorkshire authorities to enable the maximum geographic coverage, within existing Yorkshire boundaries, to be included in a long lasting solution.

Council recognises the potential advantages of a 'One Yorkshire' devolution deal and requests the Executive work with partners regionally and in national government to ensure that this option and its deliverability is fully explored.

Council further requests that the Executive establishes publicly a clear means for proper negotiations with other authorities and meaningful consultation with York residents.”

Following Council's agreement to his alteration, Cllr Aspden then moved his amendment, as altered and detailed above.

Cllr S Barnes then sought Council's consent to withdraw the original amendment in his name.

Following Council's agreement to the withdrawal of his original amendment, Cllr S Barnes then seconded Cllr Aspden's amendment, as altered above.

On being put to the vote the amendment, as altered, was declared CARRIED.

The motion, as amended (by the altered amendment), was then put to the vote and declared CARRIED and it was

Resolved: That the motion, as amended (by the altered amendment), be approved as set out below.¹

“Council notes:

- The strong support of the CBI for a devolution deal for Yorkshire on the largest scale possible;
- That York has been closely involved with the ongoing negotiations seeking a resolution regarding devolution arrangements for Yorkshire.
- The council’s position at these meetings has been to ensure that York plays a central role in the outcome of whatever ‘devolution deal’ eventually emerges from these talks and has at all times kept the interests of York residents and business at the heart of its discussions with the other Yorkshire authorities.

Council recognises:

1. The need to continue negotiations with other Yorkshire authorities in an open and transparent nature.
2. The need for cross-party working at both a local and regional level to achieve a meaningful and long-lasting devolution settlement from Government.

Council therefore endorses continuing negotiations with all other Yorkshire authorities to enable the maximum geographic coverage, within existing Yorkshire boundaries, to be included in a long lasting solution.

Council recognises the potential advantages of a 'One Yorkshire' devolution deal and requests the Executive work with partners regionally and in national government to ensure that this option and its deliverability is fully explored.

Council further requests that the Executive establishes publicly a clear means for proper negotiations with other authorities and meaningful consultation with York residents.”

(ii) Library Services in York

(Proposed by Cllr Cuthbertson and seconded by Cllr Fenton)

“Council notes:

The importance of library services to the residents of York in supporting lifelong learning and development and providing access to information and advice, regardless of personal circumstance.

The vital role that libraries fulfil in providing a focal point for people of all ages and backgrounds to meet and share ideas and experience.

The important contribution made by volunteers and friends groups in supporting the provision of library services across the city.

The beneficial effect that volunteering can have on personal wellbeing.

The intention of City of York Council to consult residents on a potential 'vision' for the future of York's library service, to inform a specification for the next contract period.

Council resolves:

To urge the Executive to consult on a proposed vision for the future that includes the provision of locally-based and sustainable library services that meet residents' needs and a commitment that there will be no reduction in the total number of staffed libraries across the city."

Cllr Wells moved, and Cllr Crisp seconded, an amendment to the above motion, as follows:

"After the first paragraph **insert**:

- *The successful transfer of the libraries service in 2014 to an independent mutual model that ensured every library in the city was protected.*

In the third paragraph, **delete** the second word, '*important*', and **insert** '*essential*'; **insert** '*sustainable*' before '*library*' and at the end, after '*city*', **insert** '*following huge cuts to local government funding since 2010*'.

In the paragraph after 'Council Resolves' **insert**, after '*library services*', '*under a community benefit ownership model*'."

On being put to the vote, the amendment was declared CARRIED.

Cllr Mercer then moved, and Cllr Brooks seconded, a further amendment, as follows:

“In the last paragraph after ‘Council Resolves’ **insert** a full stop after ‘needs’ and **delete** the rest of the sentence.

On being put to the vote, this amendment was declared LOST.

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

Resolved: That the original motion, as altered by Cllr Wells’ amendment, be approved as set out below. ²

“Council notes:

The importance of library services to the residents of York in supporting lifelong learning and development and providing access to information and advice, regardless of personal circumstance.

The successful transfer of the libraries service in 2014 to an independent mutual model that ensured every library in the city was protected.

The vital role that libraries fulfil in providing a focal point for people of all ages and backgrounds to meet and share ideas and experience.

The essential contribution made by volunteers and friends groups in supporting the provision of sustainable library services across the city following huge cuts to local government funding since 2010

The beneficial effect that volunteering can have on personal wellbeing.

The intention of City of York Council to consult residents on a potential ‘vision’ for the future of York’s library service, to inform a specification for the next contract period.

Council resolves:

To urge the Executive to consult on a proposed vision for the future that includes the provision of locally-based and sustainable library services, **under a community benefit ownership model**, that meet residents' needs and a commitment that there will be no reduction in the total number of staffed libraries across the city."

(i) HMO Standards

(Proposed by Cllr Pavolvic and seconded by Cllr Derbyshire)

"Council believes all housing should meet a basic minimum standard that provides safe living accommodation for those that occupy it, and that there is currently a significant requirement for the private rented sector (PRS) to meet local housing need.

Council notes:

- previous steps taken to improve housing standards in York and to create balanced communities through the introduction of mandatory licensing for large 'Houses in Multiple Occupation' (HMOs);
- the significant rise in recent years in the number of smaller HMOs that do not currently require licensing;
- an estimated 23% of PRS properties in York containing category 1 hazards (posing a serious and immediate risk to a person's health and safety);
- cross-party support on City of York Council for extended licensing of HMOs at the May 2016 call-in meeting on the Private Sector Housing Strategy.

Council believes that, to ensure clear standards are maintained within the PRS, licensing should be extended as a valuable step towards achieving this goal.

Council resolves:

To request that the Executive undertakes a review of the evidence supporting the case for extended licensing across a proportion of the city (where the density of HMOs is the

greatest) to assess the case for the introduction of additional discretionary HMO licensing.”

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

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

(ii) Homelessness in York

(proposed by Cllr Craghill, seconded by Cllr Kramm)

“Council is appalled by the growing homeless crisis nationally and here in York and notes with regret the following:

- The recent sudden death on the streets of York of one of our long term rough sleepers;
- A report published in August this year by ‘Crisis’, the national charity for homeless people, which shows that almost a quarter of a million people are experiencing the worst forms of homelessness across Britain, with rough sleeping set to rise by 76% in the next 10 years unless policies are changed;
- The fact that the official number of street homeless in York rose from 2 in Nov. 2011 to 18 in 2015 and has stayed at that level for the last two years;
- The lack of sufficient temporary accommodation in York and the lack of sufficient affordable one bedroom homes for people to move into.

Council acknowledges the achievement of the Council’s Housing Options team in being awarded a ‘Gold Award’ for their work and the large number of people inside and outside the Council in the voluntary and community sector striving to support people who are homeless.

However, Council is concerned that clearly something isn’t working and more needs to be done. Council therefore resolves to call for an urgent report to Executive to consider options on the following:

- Immediate measures to provide additional temporary accommodation and avoid if at all possible any further deaths on our streets this winter;
- Any further measures that can be actioned in a short/medium timescale to prevent this crisis from spiralling out of control in York. These might include an extension of the Housing First model; the provision of daytime facilities in the city centre to improve the health of people who find themselves on the streets; and the options for closer working with partners across the region to improve outcomes for homeless people.
- Plans for engagement with people living on the streets, in temporary accommodation and other homeless people to learn from their views and ideas.”

Cllr Lisle moved, and Cllr Galvin seconded, an amendment to the motion, as follows:

“In the first paragraph:

delete *‘and here in York’* and *‘with regret’*

insert the following additional bullet points, in the order indicated:

- *‘The tragic statistic that the life expectancy of a rough sleeper is 30 years below average (2nd bullet point)*
- *That engagement with services is the best way for individuals to break the cycle of rough sleeping (4th bullet point)*
- *The successful ‘No Second Night Out’ policy operated in York (5th bullet point)*
- *The £10.5m investment into new temporary homeless accommodation by this administration with the purchase of James House to replace the outdated facilities at Ordinance Lane (7th bullet point)*
- *The severe weather scheme for the winter months already operated by the council’. (8th bullet point)*

Delete the last bullet point, beginning *'The lack of sufficient temporary accommodation in York'*.

In the second paragraph, after *'Council acknowledges the'*, insert *'significant'*.

In the 3rd paragraph, delete everything after *'Council'* and insert:

'recognises that more always needs to be done and therefore asks for a report to the Executive following up on its Homeless Review 16/17 which was reported to the Executive Member for Housing and Safer Neighbourhoods in July 2017 and the Homelessness Strategy set out in the multi-agency 'A City Partnership to Prevent Homelessness 2013-2018' regarding any further measures which could further assist homeless individuals in York'."

On being put to the vote, the amendment was declared LOST.

The original motion was then put to the vote and declared CARRIED and it was

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

"Council is appalled by the growing homeless crisis nationally and here in York and notes with regret the following:

- The recent sudden death on the streets of York of one of our long term rough sleepers;
- A report published in August this year by 'Crisis', the national charity for homeless people, which shows that almost a quarter of a million people are experiencing the worst forms of homelessness across Britain, with rough sleeping set to rise by 76% in the next 10 years unless policies are changed;
- The fact that the official number of street homeless in York rose from 2 in Nov. 2011 to 18 in 2015 and has stayed at that level for the last two years;
- The lack of sufficient temporary accommodation in York and the lack of sufficient affordable one bedroom homes for people to move into.

Council acknowledges the achievement of the Council's Housing Options team in being awarded a 'Gold Award' for their work and the large number of people inside and outside the Council in the voluntary and community sector striving to support people who are homeless.

However, Council is concerned that clearly something isn't working and more needs to be done. Council therefore resolves to call for an urgent report to Executive to consider options on the following:

- Immediate measures to provide additional temporary accommodation and avoid if at all possible any further deaths on our streets this winter;
- Any further measures that can be actioned in a short/medium timescale to prevent this crisis from spiralling out of control in York. These might include an extension of the Housing First model; the provision of daytime facilities in the city centre to improve the health of people who find themselves on the streets; and the options for closer working with partners across the region to improve outcomes for homeless people.
- Plans for engagement with people living on the streets, in temporary accommodation and other homeless people to learn from their views and ideas.”

Action Required

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------|----|
| 1. Deputy Chief Exec/Director of Customer and Corporate Services to take forward actions requested in motion (i) Devolution for York | IF |
| 2. Corporate Director of Children, Education and Communities to take forward actions requested in motion (ii) Library Services in York | JS |
| 3. Corporate Director of Economy and Place to take forward actions requested in motion (iii) HMO Standards | NF |
| 4. . Corporate Director of Economy and Place to take forward actions requested in motion (iv) Homelessness in York | NF |

38. Questions to the Leader or Executive Members

At this point in the meeting the guillotine fell, and remaining matters were deemed moved and seconded as required under the Constitution. No questions were therefore put to the Leader or Executive Members in respect of any matter within their portfolio responsibility in accordance with Standing Order 20.

39. Report of Executive Member

Council received a written report from Cllr Gillies, Executive Member for Transport and Planning.

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

Resolved: That the report be received and noted.

40. Scrutiny - Report of the Chair of the Customer and Corporate Services Scrutiny Management Committee

Council received the report of the Chair of the Customer and Corporate Services Scrutiny Management Committee on the work of the Committee since the last report to Council in July 2017 and it was:

Resolved: That the report be received and noted.

41. Appointments and Changes to Membership

Resolved: That the appointment of additional school admission/exclusion appeals panellists as set out in the council agenda papers, be approved.

Cllr Barbara Boyce
LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 9.55 pm]