

## City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in the Guildhall, York on Thursday, 17th December, 2015, starting at 6.30 pm

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

Acomb Ward	Bishopthorpe Ward
S Barnes K Myers	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 Crisp Derbyshire

Hull Road Ward

N Barnes  
Levene  
Shepherd

Huntington and New Earswick  
Ward

Cullwick  
Orrell  
Runciman

Micklegate Ward

Gunnell  
Hayes  
Kramm

Osbalwick and Derwent Ward

Brooks  
Warters

Rawcliffe and Clifton Without Ward

Dew  
Lisle  
Rawlings

Rural West York Ward

Gillies  
Steward

Strensall Ward

Douglas

Westfield Ward

Hunter  
Jackson  
Waller

Wheldrake Ward

Mercer

Apologies for absence were received from Councillor Doughty

#### **44. 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 additional interests were declared.

#### **45. Minutes**

Resolved: That the minutes of the Special and the Ordinary meetings of Council held on 8 October 2015 be approved and signed by the Chair as correct records.

#### **46. Civic Announcements**

The Lord Mayor reported that this was the first meeting of Council, since the death of Dennis Martin, a well known Dunnington Parish Councillor and Vice Chair of the Council's Joint Standards Committee.

Members stood for a moment's silence in memory of Mr Martin.

The Lord Mayor reported receipt of a silver award in the 2015 Defence Employer Recognition Scheme in national recognition of the Council's commitment to the Armed Forces and a signed picture commemorating the 70<sup>th</sup> Anniversary of two French heavy bomber squadrons presented to her at a recent civic reception for the French Veterans Association. Both gifts were on display at the meeting.

The Lord Mayor then invited Cllr D'Agorne to nominate the Lord Mayor Elect for the 2016/17 Municipal Year. Cllr D'Agorne nominated Cllr Dave Taylor as the Lord Mayor Elect and this nomination was unanimously agreed.

Cllr Taylor confirmed that he would be honoured to accept this office for the 2016/17 Municipal Year with the assistance of his Consort Susan Ridley. He also announced Jonathan and Brenda Tyler as his Sheriff and Sheriff's Lady for the 2016/17 Municipal Year.

#### **47. Public Participation**

Richard Bridge spoke in relation to Councillor Carr's motion, due for debate later in the meeting, on the Broad Rental Market Area (BRMA). He expressed concern that he had been informed in November that the Council had no plans to seek a review of the BRMA. However a Council motion for a review of the Market Area had now been put forward for consideration at this meeting.

Rebecca Jeffrey, from Advice York, spoke to thank Members for recommending an increase in the Council Tax Support cap however she indicated that a 7.5% increase would provide insufficient support for customers and requested the Council to support additional increases in future years.

Andrew Dickinson spoke in relation to the recommendations of the Independent Remuneration Panel to increase the allowances paid to Members. He expressed concern at the reports recommendation, particularly in light of Government cuts to public services.

#### **48. Petitions**

Under Standing Order 15, a petition was presented by the following Member for reference to the Corporate and Scrutiny Management Policy and Scrutiny Committee, in accordance with the Council's new petition arrangements:

- Cllr Shepherd, on behalf of local residents, requesting the Council to implement a ban on letting boards in the Hull Road Ward.<sup>1</sup>

##### Action Required

1. Add to petitions schedule and update CSMC on progress with request.

MS, MD

#### **49. Independent Remuneration Panel**

Council received the written report of the Council's Monitoring Officer which annexed the final report and recommendations of the Independent Remuneration Panel in relation to allowances which should be payable to Members, at pages 27 to 49 of the agenda papers.

Councillor Steward moved and Councillor Aspden seconded the recommendations and it was

Resolved: That Council:

- (i) Thank the members of the Independent Remuneration Panel for their work. <sup>1.</sup>
- (ii) Adopt the scheme of allowances now recommended by the Panel.
- (iii) Authorise the Director of Customer and Business Support Services to implement the changes with effect from 1<sup>st</sup> January 2016. <sup>2.</sup>
- (iv) Ask the Monitoring Officer to make any consequential constitutional changes. <sup>3.</sup>

Reason: To enable the Council to adopt a revised scheme of allowances having regard to its statutory obligations to receive and consider a report on allowances from an independent panel.

Action Required

- |  |        |
|--|--------|
| 1. Convey the Council's thanks to the IRP.                                       | JC     |
| 2. Adopt the new scheme of allowances and implement changes from 1 January 2016. | DS     |
| 3. Update Council's Constitution accordingly.                                    | AD, JC |

**50. Report of Executive Leader and Executive Recommendations and Questions**

**A Executive Leaders Report**

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

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

- Cllr S Barnes – Letter from Cuadrilla regarding the exploration of fracking in the area and reference to the greater protection of communities as requested by the Local Plan Working Group

- Cllr Kramm – minimum distance to drill sites from human settlements not being specified in the Council’s Joint Minerals and Waste Plan
- Cllr Levene – changes in Council Tax benefits
- Cllr Kramm – the allocation of sites in the Green Belt as starter homes for young families and whether this was possible in York
- Cllr Lisle – development of small scale sites in the Green Belt
- Cllr Levene – changes to Universal Credit
- Cllr S Barnes – inclusion of Whinthorpe site in Local Plan

Cllr Steward responded directly to all the questions put to him.

## **B Executive Recommendations**

### **Capital Programme – Monitor 2 2015/16**

Cllr Steward moved, and Cllr Aspden seconded the following recommendation contained in Minute 83 of the Executive meeting held on 26 November 2015:

Recommended: That Council agree a decrease in the 2015/16 capital programme of £901k 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 Council agree the above recommendation in respect of a decrease in the 2015/16 capital programme.<sup>1</sup>

### **York Central and Access Project**

Cllr Steward moved, and Cllr Aspden seconded the following recommendation contained in Minute 95 of the Executive meeting held on 15 December 2015, details of which were circulated at the meeting:

Recommended: That Council delegate the Executive the agreement of all future expenditure against the

£10m capital budget allocated to the delivery of the York Central capital budget.

Reason: To enable timely progress on delivery of the York Central site.

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

Resolved: That Council agree the above recommendation in respect of delegation of expenditure in relation to York Central.<sup>2</sup>

### **Council Tax Support – Consultation Decision Report**

Cllr Steward moved, and Cllr Aspden seconded the following recommendation contained in Minute 96 of the Executive meeting held on 15 December 2015, details of which were circulated at the meeting:

Recommended: That Council agree to increase the Council Tax Support (CTS) cap by 7.5% to 77.5% cap at a cost of approximately £300k pa, which following changes to welfare benefit will deliver an average annual benefit to CTS customers of approximately £55 pa.

Reason: To support financial inclusion and protect financially vulnerable customers from planned Welfare Benefit changes.

Cllr N Barnes then moved, and Cllr Cannon seconded, an amendment to the above motion, as follows:

In the second line of the recommendation **delete** the figures '7.5% to 77.5% cap' replace with '13% to an 83% cap' followed by the **additional** words 'in line with the recommendations of Advice York',

In the third line of the recommendation **delete** '£300k pa' and **replace** with ' £487k pa'

In the fifth line **delete** 'customers' and **replace** with 'recipients'  
Also in the fifth line **delete** '£55 pa' and **replace** with '£94 pa'

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

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

Resolved: That the original Executive recommendation in respect of an increase to the Council Tax Support cap be approved. <sup>3</sup>

#### Action Required

- |   |        |
|---|--------|
| 1. Amend the Council's 2015/16 capital programme accordingly. | DM     |
| 2. Note delegation to Executive.                              | TC     |
| 3. Increase the CTS cap as agreed.                            | PS, DW |

### **51. Report of the Deputy Leader and Questions**

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

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

- Cllr Kramm – steps to become the Greenest City in the North
- Cllr Galvin – whether any unspent ward funding would be clawed back if unused at the end of the financial year
- Cllr Galvin – purpose of the Deputy Leader's report
- Cllr Gates – additional information on work undertaken to increase apprenticeships
- Cllr Kramm – Ward budgets for the city centre wards and their use for the upkeep of bowling greens, flower displays at the railway station/West Offices, war memorials etc
- Cllr Ayre – possible partnership assistance/BID funding for upkeep of above ward areas

Cllr Aspden responded directly to all the questions put to him.



## 52. Motions on Notice

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

- (i) Broad Rental Market Area  
(moved by Cllr Carr and seconded by Cllr Boyce)

“Council notes that

Local Housing Allowance rates set the maximum amount of Housing Benefit for private tenants and are set by the Valuations Office Agency (‘VOA’) and determined by the region in which tenants make their claim, called the Broad Rental Market Area (‘BRMA’);

The ‘York BRMA’ was once roughly the size of the City of York Council, but in recent years has been expanded in all directions to include Easingwold, Malton, Pocklington, Selby and beyond;

Because York’s BRMA now includes rental markets markedly different from those in York, including less expensive rural and market towns, York residents are at a disadvantage in the maximum benefit they can receive, which is not in line with York’s higher housing costs; therefore

In order to redress this disadvantage to York residents, for whom access to the private rental sector in York has become more challenging as the rate of rent rises in York continues to exceed Local Housing Allowance rates as set for the BRMA, Council instructs officers to seek a review of the BRMA by the VOA as permitted under statute and pledges all-party support for the Council’s application.”

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

Resolved: That the motion be approved. <sup>1</sup>.

(ii) Public Health Cuts

(moved by Cllr Runciman and seconded by Cllr Cullwick)

“Council Notes:

The Conservative Government has confirmed it will apply a flat rate cut of 6.2% to all local authority public health grant allocations to be applied in the 4th quarter of this financial year. The impact for City of York Council is an in-year budget cut of £508,830.

Services affected by the cuts could include school nursing and children’s health services, suicide prevention and domestic violence prevention, drug and alcohol work, sexual health, weight loss support, smoking cessation services and wider mental health provision including befriending services for older people.

In taking this decision, the Government has ignored opposition from organisations representing 220,000 doctors, 300,000 nurses, health service leaders, public health specialists and local authority leaders.

The Government has further ignored analysis by the Faculty of Public Health saying that the cut to the preventative work funded by the grant could have a knock-on cost to the NHS in excess of £1bn.

The Royal College of Nursing’s Regional Director for Yorkshire and the Humber has said “The NHS will end up paying for these savings many times over.....these plans will also disproportionately hit poorer communities in harder to reach areas and will make health inequalities worse”.

Last month’s Comprehensive Spending Review confirmed that the Government will make further cuts in local authority public health spending, as well as consult on options to transfer funding responsibility to local authorities as part of the move towards 100% business rate retention.

Council Believes:

The in-year cut to public health funding puts at risk crucial support and services for residents and risks significantly increasing pressure on NHS services in York.

By cutting the budget in the middle of the financial year it means it will be particularly difficult to make the necessary savings.

It is imperative to maintain access to essential service provision, but stark choices will need to be made from January.

Council Resolves:

- (i) To write to the Government to further outline this Council's opposition to the in-year cuts and the plan for further cuts in 2016/17 and 17/18.
- (ii) To request that the Public Health Grant Spending Task Group set-up by the Health and Adult Social Care Policy and Scrutiny Committee considers the impact of this cut on current and future spending as part of its work."

An amendment was proposed by Cllr Craghill as follows:

"The **addition** of the following resolutions at the end of 'Council Resolves:'

- iii) To ensure that the Public Health Grant Spending Task group has sufficient resources to complete its work as quickly as possible.
- iv) To encourage the group and the wider council to engage pro-actively with voluntary and community sector groups as well as health service partners and the general public in order to find ways of responding to these cuts, whilst also highlighting the damage that they will do."

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

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

Resolved: That the original motion, as amended by Cllr Craghill's amendment, be approved. <sup>2</sup>.

(iii) Bootham Park Hospital

(moved by Cllr Cannon and seconded by Cllr Funnell)

“Council notes the challenges faced by the NHS and the ongoing impact on patient care for people in York.

It further notes:

- The detrimental impact on patients, carers and clinical staff caused by the closure of Bootham Park Hospital and the subsequent lack of accountability;
- The recent impact on physiotherapy patients from across York caused by the CCG’s failed procurement of MSK (Muscular Skeletal) services;
- The operational challenge presented by a fragmented NHS landscape, with a multitude of different organisations involved in both the Bootham Park closure and the failed MSK services procurement;
- The spate of recent CQC reports, all with ‘requiring improvement’ judgments:
  - Yorkshire Ambulance Service
  - York Teaching Hospital NHS Foundation Trust
  - Leeds and York Partnership Foundation Trust
- The inability of York Teaching Hospital NHS Foundation Trust to meet targets for A&E waiting times and for cancer treatment;
- The recent announcement that NHS Vale of York CCG is now classed as an organisation which is in ‘turnaround’ due to the ongoing deterioration of its financial position, leaving it categorised as ‘not assured’;
- The unprecedented £1.6bn mid-year deficit facing NHS Trusts across the country.

Council believes the Government has no credible plan for improving NHS services for people in York.

Council resolves:

- (i) To endorse the request made to the Health Secretary, Jeremy Hunt MP, by the Health and Adult Social Care Policy and Scrutiny Committee, in support of a call by the MP for York Central for an Inquiry/urgent investigation into the

circumstances surrounding the closure of Bootham Park Hospital; and

- (ii) To fully support the Council's Health and Adult Social Care Policy and Scrutiny Committee in its continuing efforts to scrutinise local NHS services to ensure they cater for, and are responsive to, the needs of local people and that lessons are learnt from the Bootham Hospital closure."

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

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

- (iii) Loneliness and Social Isolation  
(moved by Cllr Rawlings and seconded by Cllr Gates)

"Council notes that:

Loneliness and social isolation are public health and moral societal issues which as a result of changes in social patterns and increased longevity can adversely affect individuals of all backgrounds and income levels;

Although difficult to measure, the problem is worst amongst the elderly and it is estimated one in ten people of pensionable age living in York are likely to be classed as lonely or extremely lonely; Loneliness and social isolation is known to have a particularly negative impact on older peoples' mortality, morbidity and quality of life;

Department of Health figures show one in ten older people do not see their family even monthly and in just five years' time there will be a million more people in the U.K. over 70.

Whilst there are things Council does to support residents and local communities to engage with neighbours who may be at risk of social isolation, it should look in a more joined up way with partners at what more can be done.

Council therefore pledges to support the following initiatives and requests the Director of Adult Social Care to:

- work closely with York's Health and Wellbeing Board to imbed the prevention and reduction of loneliness as part of its Health and Wellbeing Strategy.

- set up a dedicated Steering Group to include organisations such as the Council, health partners, charities and support groups for the elderly in particular, to raise residents' awareness of both the issue of potential loneliness amongst their neighbours and of services currently available for anyone feeling lonely and isolated;
- Work with neighbourhood teams to set up a pilot scheme in Haxby and Wigginton Ward (which has the oldest age profile of the three member wards) to map local assets for and barriers to keeping connected in older age, involving residents, local businesses and other partners and to assess how such a scheme, if successful, could be rolled out city-wide; and
- ensure that the potential for suffering loneliness and social isolation is embedded as part of all strategic needs assessments or local surveys and that this information is made known and available to council officers and others who are involved in providing or assessing relevant council services as a matter of course.”

An amendment was proposed by Cllr Craghill as follows:

“In the final paragraph, following the words ‘requests the Director of Adult Social Care to’ the **addition** of the words ‘ensure that the necessary funding and additional officer time is available to:’

In the third bullet point after ‘pilot scheme’ the **deletion** of the words ‘in Haxby and Wigginton Ward (which has the oldest age profile of the three member wards)’”.

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

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

Resolved: That the original motion, be approved. <sup>4</sup>.

#### Action Required

1. Officers to apply for a review of the BRMA by the VOA.

IF, JM, DW

2. Write to Government on the lines stated and ensure Task Group considers the impact of cuts and engage with partners and the general public as part of their work.

SE, DS, SS

3. Note Council motions support for inquiry/investigation regarding closure of hospital and for Committee's scrutiny of local NHS services. SE, DS
4. Implement the listed initiatives and requests outlined in the motion. SB, MM

### 53. Questions to the Leader or Executive Members

In accordance with Standing Order 20. Members were then invited to question Cllr Steward and/or the Executive Members in respect of any matters within their portfolio responsibility. Questions were received from the floor from the following Members in relation to the subjects listed:

- (i) To Cllr Aspden, Deputy Leader, Economic Development & Community Engagement:
- Cllr Williams – changes made to quarterly performance monitoring reporting
  - Cllr Williams – difficulties in checking performance against set monitoring targets
  - Cllr Levene – inclusion of key performance indicator (KPI) scorecards in future reports
  - Cllr Looker – inclusion of KPI's as an aid to identifying significant variations in performance for transparency purposes
  - Cllr N Barnes – the need to provide performance information in an easily accessible format
  - Cllr N Barnes – need for accountability against new Council Plan
  - Cllr Williams – why decision taken not to publish performance data against targets
  - Cllr Shepherd – comments made at the Local Plan Working Group meeting, that a 'couple of thousand homes were required to make a proper community'
- (ii) To Cllr Carr, Executive Member for Housing & Safer Neighbourhoods:
- Cllr Boyce – outcome of consultation in respect of possible changes in relation to Newbury Avenue housing scheme

- Cllr Williams – whether the cost of the delay in progressing the Newbury Avenue scheme would be published
- Cllr S Barnes – concern at suggestion that the original consultation on this housing scheme was not robust

(iii) To Cllr Gillies, Executive Member for Planning and Transport:

- Cllr Flinders – how did the Built Environment Fund differ from the Reinvigorate York Fund

The Executive Members responded directly to all the questions put to them.

#### **54. Report of Executive Member and Questions**

A written report was received from the Executive Member for Transport and Planning, Cllr Ian Gillies, on work in his portfolio area.

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

- Cllr Levene - the need for high priority to be given to a parking review

Cllr Gillies responded directly to the question put to him, however

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:

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

Council received the report of the Chair of the Corporate and Scrutiny Management Policy and Scrutiny Committee, at pages 69 to 72 of the agenda papers, on the work of the Committee, since the last report to Council in October.

Resolved: That the scrutiny report be received and noted.



**56. Recommendations of the Gambling, Licensing & Regulatory Committee**

Consideration was given to the following recommendation contained in Minute 18 of the meeting of the Gambling, Licensing & Regulatory Committee held on 16 November 2015:

**Statement of Licensing Policy – Gambling Act 2005**

Recommended: That Full Council adopt the policy.

Reason: In order that the Council meets legislative requirements.

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

Resolved: That the recommendation in relation to the Statement of Licensing Policy – Gambling Act 2005 from the Gambling, Licensing and Regulatory Committee meeting held on 16 November 2015 be approved. <sup>1</sup>.

Action Required

1. Implement revised policy.

LC

**57. Appointments and Changes to Membership**

Resolved: That the appointments and changes to membership of Committees and outside bodies, as set out in the list circulated with the agenda papers, be approved. <sup>1</sup>.

Action Required

1. Inform bodies and update membership lists.

JP

Cllr Sonja Crisp

LORD MAYOR OF YORK

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

