

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in The Citidal, Gillygate, York on Thursday, 25th October, 2018, starting at 6.30 pm

Present: The Lord Mayor (Cllr Keith Orrell) 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 Reid	D'Agorne D Taylor
Fulford and Heslington Ward	Guildhall Ward
Aspden	Looker
Haxby & Wigginton Ward	Heworth Ward
Cuthbertson Gates Richardson	Boyce Williams
Heworth Without Ward	Holgate Ward
Ayre	Cannon Derbyshire K Taylor

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
Waller

Wheldrake Ward

Mercer

Apologies for absence were received from Councillors Mason,
Craghill, Flinders, Funnell and Jackson

27. 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>
Hunter	8. Motions on Notice (iii) Boosting the supply of homes people can afford	Property adjoins the Lowfield Site
Cuthbertson	8. Motions on Notice (ii) Fracking	Member of Board of the North Yorkshire Pension Fund (not Management Committee)
	6. Report of Executive Leader and Executive Recommendations and Questions (Executive Recommendation, 18 October – Duncombe Barracks)	CYC representative Reserve Forces and Cadets Association

No **prejudicial or disclosable pecuniary** interests were declared.

28. Minutes

Resolved: That the minutes of the last meeting held on 19 July 2018 be approved and then signed by the Chair as a correct record, subject to Minute 21(Questions to the Leader or Executive Members) being amended to indicate that the supplementary question from

Councillor Kramm, which is recorded as being put to the Executive Member for Housing and Safer Neighbourhoods, should have been addressed to the Executive Member of Transport and was in fact answered by the Executive Member for Transport and Planning at the meeting.

29. Civic Announcements

The Lord Mayor reported that during a visit from the Mayor of Kristiansand on 1 October as part of the York Mediale, he was presented with the gift of a book, which was available to view on the table in the meeting room.

He advised Members that a number of visitors to York from Chinese cities including Nanjing, Suzhou and Shanghai had visited the Mansion House to meet the Lord Mayor and that they had brought gifts which he would bring to the next Council meeting.

In relation to China, he advised that the city had received an invitation to the UNESCO International Heritage Cities Conference Asia Pacific at Suzhou this coming week with flights and accommodation paid for by the Chinese and, at the request of the Chief Executive, Council Leader and Deputy Leader, he would be representing the City at the conference.

30. Public Participation

It was reported that five members of the public had registered to speak under the Council's Public Participation Scheme.

Mike Palmer, a local resident and taxi driver, spoke in relation to the taxi trade in York. He raised his concerns over the continued operation of UBER within the City, which he stated was a public safety issue. He stated that York was a forerunner for keeping taxi standards high and suggested that Members treat this issue as a matter of urgency.

Steve Nelson, another local resident and taxi driver, expressed concerns with regard to UBER. He stated that for 2 years drivers in York had studied case law and in their view UBER's continued

operation in York was illegal. He gave detail on the deregulation act and what this meant for cross boundary bookings.

Honorary Alderman Brian Watson spoke in relation to the report of the Executive Leader, at item 6 on the agenda. He stated that York City Knights should have permission for a permanent wall, as the football club did, so that that their fans may contribute to the stadium. He also asked if there was any update on his comments regarding selection of the Lord Mayor, and points for Independent Members, which made at the last full Council meeting.

Richard Clark, a local resident and retired housing professional, spoke in support of the Labour motion on affordable homes “Boosting the supply of homes people can afford” at item 8 (iii) on the agenda. He stated that York had some of the greatest inequality of any city in the North of England, was the least affordable city in the North of England in terms of housing and had historic low levels of social housing. He warned of the consequences of this situation, such as families living in poor quality rental homes and people leaving York due to the cost of living.

Tom Franklin, a local resident, spoke in support of the Liberal Democrat motion on fracking at item 8 (ii) on the agenda. He stated that he felt the motion was about not letting central government take away democracy and local decision making from Local Authorities. He went on to highlight the impact this may have on communities, and why he felt fracking should not be considered permitted development.

31. Petitions

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

- Cllr D’Agorne, calling for a Respark scheme on Farrar Street.
- Cllr Kramm, on green waste collection for East Mount Road.
- Cllr Cuthbertson on behalf of York Liberal Democrats on “Stop Fracking in York”

Action Required

1 Refer to Customer and Corporate Services LC
Scrutiny Management Committee for consideration

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

1. Executive Leader's Report

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

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

- Cllr Crawshaw - Would the Central Crown Post Office be protected.
Supplementary
Cllr Crawshaw - Consideration of co-location with other services, such as the Citizens Advice Bureau (CAB)
- Cllr Kramm – Impact of Brexit on York
- Cllr Fenton – The need to communicate York's concerns over Brexit to Westminster
Supplementary
Cllr Fenton – The benefits of a joint letter to the Brexit Secretary
Cllr Kramm – The support being offered to EU citizens trying to gain British citizenship
- Cllr Warters – Transfer of clubs to the Community Stadium and sale of Bootham Crescent

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

B. Executive Recommendations

The Proposed Purchase of Robinson Court and the Union Terrace Centre (formerly the Arc Light Centre)

Cllr Gillies moved and Cllr Waller seconded, the following recommendation contained in minute 35 of the Executive meeting held on 30 August 2018.

Recommended: That a capital budget of £1.924m be established, financed by prudential borrowing, to fund the two property transactions, including acquisition costs and repairs needed to the property, with the prudential borrowing funded from rental receipts on both properties.

Reasons: To facilitate these transactions, which will:

- provide the opportunity to maintain the level of hostel provision within the city;
- enable consistent decision making processes across the hostel provision, with City of York Council acting as landlord / owner of each property; and
- ensure strategic priority is maintained through allocation decisions, with No Second Night Out, Severe Weather procedure and use of shared rooms where appropriate.

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

Resolved: That the above recommendation in respect of the proposed purchase of Robinson Court and the Union Terrace Centre be approved.¹

Capital Programme – Monitor 1 2018-19

Cllr Gillies moved, and Cllr Waller seconded, the following recommendation contained in minute 36 of the Executive meeting held on 30 August 2018.

Recommended: That Council approve the adjustments resulting in a decrease in the 2018/19 budget of £33.329m, 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 Capital Programme – Monitor 1 2018-19 be approved.²

Establishing an Investment Budget for a Strategic Commercial Property Acquisition

Cllr Gillies moved, and Cllr Waller seconded, the following recommendation contained in minute 51 of the Executive meeting held on 27 September 2018.

Recommended: That a capital budget of £2.52 million be established to fund the acquisition of the freehold interest in the commercial property assets in the Swinegate area identified in exempt Annex A to the report.

Reason: To ensure the ongoing economic vibrancy of the city centre while increasing the income from the council's commercial property portfolio in line with budget targets.

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

Resolved: That the above recommendation in respect of establishing an investment budget for a strategic commercial property acquisition be approved.³

Duncombe Barracks, Burton Stone Lane

Cllr Gillies moved, and Cllr Waller seconded, the following recommendation contained in minute 61 of the Executive meeting held on 18 October 2018.

Recommended: That Council approve a capital budget of £2.55m to fund the purchase of Duncombe Barracks and the detailed survey and design work necessary to

bring forward the site to a full planning application.

Reason: In order to develop a mixed tenure housing development, including 40% affordable housing, and a future income for the council from rents and sale receipts.

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

Resolved: That the above recommendation in respect of the purchase of Duncombe Barracks be approved.⁴

Action Required

1 To note the resolution in relation to The Proposed Purchase of Robinson Court and the Union Terrace Centre (formerly the Arc Light Centre)	NF
2 To note the resolution in relation to the Capital Programme	IF
3 To note the resolution in relation to Establishing an Investment Budget for a Strategic Commercial Property Acquisition	TC, NF
4 To note the resolution in relation to Duncombe Barracks	MM, TB

33. Report of Deputy Leader and Questions

A written report was received from Cllr Waller, the 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 Warters – Recycling system and co-mingling
- Supplementary
Cllr Warters - East Riding Council system for waste collection and containers offered
Cllr Kramm – Using profit from recycling to subsidise less profitable recycling schemes

- Cllr D Myers – Affordable Housing on York Central and sustainability of the site
Supplementary
Cllr D Myers – How had the Festival of York Central influenced the York Central Partnership Scheme

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

34. Motions on Notice

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

(i) York's Northern Ring Road

(Proposed by Cllr Doughty, seconded by Cllr Dew)

In moving his motion, Cllr Doughty indicated that he was minded to accept the amendment to be proposed by Cllr Fenton, which was as follows:

To insert a third paragraph under 'Council therefore resolves':
'To ask officers to identify opportunities for future sustainable transport initiatives which could complement works to dual the ring road, recognising the balance between future expansion of road space and the ambition to make York an exemplar sustainable city.'

Upon being formally asked, Council then agreed to accept the motion as altered above for debate so that it now read.

"Council notes:

The Secretary of State for Transport's announcement that dualling a significant portion of York's Northern Ring Road will be one of the first schemes under the Government's new Major Road Network programme;

Discussions are underway between stakeholders and Highways England regarding the dualling of the A64 from the Hopgrove roundabout to Barton Hill, a development of interest to all of York but particularly to residents on the east side of the city who bear the greatest brunt of tailbacks and delays;

That discussions regarding the A64 upgrade require sustained local support from the public and private sectors to put the project on the Highways England priority list and both schemes together represent an opportunity to promote projects which are best developed to complement each other for the maximum benefit to local residents and businesses.

Council therefore resolves:

To ask officers to engage with the business community and York's LEPs to encourage active, supportive representations in favour of the A64 scheme and to work with neighbouring local authorities along the A64 corridor to organise business support throughout the area;

To ask the Chief Executive to write to both York MPs to ask for their public support of the Northern Ring Road and A64 upgrades and to seek support from other MPs with constituencies impacted by the proposed improvements.

To ask officers to identify opportunities for future sustainable transport initiatives which could complement works to dual the ring road, recognising the balance between future expansion of road space and the ambition to make York an exemplar sustainable city.”

Cllr Williams then moved, and Cllr Crawshaw seconded, an amendment to the motion (as now altered by Cllr Fenton's original amendment), as follows:

- Insert two further paragraphs after ‘Council notes:’

‘The problems besetting the Government's road building programme which is almost £3bn over budget, with major slippage to planned schemes;

The need to consider not only new road capacity but also public transport improvements and the urgent need to deliver modal shift, a key objective of the city's third Local Transport Plan, by giving people alternatives when travelling across the city;’

- Insert a final paragraph after ‘Council therefore resolves:

'To request that officers consider how dualling might ease congestion throughout the city, provide an opportunity for a transshipment centre to deliver goods into the city centre and how each of these can contribute to an improvement in air quality across York.'

On being put to the vote this amendment was CARRIED.

A vote was then taken on the original motion, as altered by the incorporation of Cllr Fenton's original amendment and subsequently by Cllr Williams' further amendment, which was CARRIED and it was:

Resolved: That the original motion, as altered above, be approved as set out below. ¹

"Council notes:

The Secretary of State for Transport's announcement that dualling a significant portion of York's Northern Ring Road will be one of the first schemes under the Government's new Major Road Network programme;

The problems besetting the Government's road building programme which is almost £3bn over budget, with major slippage to planned schemes;

The need to consider not only new road capacity but also public transport improvements and the urgent need to deliver modal shift, a key objective of the city's third Local Transport Plan, by giving people alternatives when travelling across the city;
Discussions are underway between stakeholders and Highways England regarding the dualling of the A64 from the Hopgrove roundabout to Barton Hill, a development of interest to all of York but particularly to residents on the east side of the city who bear the greatest brunt of tailbacks and delays;

That discussions regarding the A64 upgrade require sustained local support from the public and private sectors to put the project on the Highways England priority list and both schemes together represent an opportunity to promote projects which are best developed to complement each other for the maximum benefit to local residents and businesses.

Council therefore resolves:

To ask officers to engage with the business community and York's LEPs to encourage active, supportive representations in favour of the A64 scheme and to work with neighbouring local authorities along the A64 corridor to organise business support throughout the area;

To ask the Chief Executive to write to both York MPs to ask for their public support of the Northern Ring Road and A64 upgrades and to seek support from other MPs with constituencies impacted by the proposed improvements.

To ask officers to identify opportunities for future sustainable transport initiatives which could complement works to dual the ring road, recognising the balance between future expansion of road space and the ambition to make York an exemplar sustainable city.

To request that officers consider how dualling might ease congestion throughout the city, provide an opportunity for a transshipment centre to deliver goods into the city centre and how each of these can contribute to an improvement in air quality across York.”

(ii) Fracking

(Proposed by Cllr Cuthbertson and seconded by Cllr Kramm)

“Council believes that climate change poses a real threat to the future and environment of York and more widely, the UK.

Council notes:

- That fracking (hydraulic fracturing for shale gas), contributes to the threat of climate change;
- The recent IPCC report into climate change;
- That over a thousand residents have added their names to ‘Ban Fracking Now’ petition;
- That the Public Attitudes Tracker Survey showed that only 19% of the British public support fracking, while 81% support renewable energy;
- If widespread fracking is allowed to take place across York and North Yorkshire, it will mean the irreversible industrialisation of our rural areas; areas which currently provide sustainable jobs in key local industries such as tourism and agriculture;

- That Conservative Government policy to allow fracking as 'permitted development' will bypass local decision making and accelerate fracking in our region;
- That if the 500m buffer/zone policy is achieved in the North Yorkshire Minerals & Waste plan through inspection, this will help to protect residents and the local environment from fracking development, should Government persist.

The UK has a vast potential for clean energy. Investment in renewable energy, public transport and energy efficiency will create far more jobs than fracking, deliver energy security, boost York's local economy and allow us to play our part in avoiding dangerous climate change.

Therefore, Council resolves:

- That Council lobby against the Conservative Government's fracking proposals.
- That Council contact the Secretary of State for BEIS, Julian Sturdy MP and Rachael Maskell MP to outline the Council's objections to 'permitted development' and fracking and ask them to reconsider the Government's proposals."

Cllr Stuart Barnes moved, and Cllr Looker seconded an amendment to the above motion as follows:

- Insert the following bullet points after 'Council notes:'

- 'The contradiction of this council's continued investment in companies that explore for and extract fossil fuels;
- The many councils up and down the country seeking ways to divest from fossil fuels due to their impact on climate change, including Oxford, Brighton and Hove, Bristol, Cambridge, Norwich, Sheffield and many others;'

- After the paragraph ending 'avoiding dangerous climate change' to insert a further paragraph:

'Council reaffirms its agreed motion of October 2014 on fracking, recognising the contribution fracking makes to climate change, as well as local public feeling against fracking.'

- Insert the following bullet points after 'Therefore, Council resolves:'

- ‘To put its words into action on fossil fuels, by preparing for a programme of divestment from fossil fuels, beginning with a review of its investment strategy, including a review of its pension fund investments within the broader North Yorkshire Pension Fund,
- Writes to fellow North Yorkshire Pension Fund partner organisations to ask them to join with City of York Council in taking direct action by committing to divestment from fossil fuels, just as other public sector and private sector organisations are committing to doing, both nationally and internationally.’

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

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

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

“Council believes that climate change poses a real threat to the future and environment of York and more widely, the UK.

Council notes:

- That fracking (hydraulic fracturing for shale gas), contributes to the threat of climate change;
- The contradiction of this council’s continued investment in companies that explore for and extract fossil fuels;
- The recent IPCC report into climate change;
- The many councils up and down the country seeking ways to divest from fossil fuels due to their impact on climate change, including Oxford, Brighton and Hove, Bristol, Cambridge, Norwich, Sheffield and many others;
- That over a thousand residents have added their names to ‘Ban Fracking Now’ petition;
- That the Public Attitudes Tracker Survey showed that only 19% of the British public support fracking, while 81% support renewable energy;
- If widespread fracking is allowed to take place across York and North Yorkshire, it will mean the irreversible industrialisation of our rural areas; areas which currently

provide sustainable jobs in key local industries such as tourism and agriculture;

- That Conservative Government policy to allow fracking as 'permitted development' will bypass local decision making and accelerate fracking in our region;
- That if the 500m buffer/zone policy is achieved in the North Yorkshire Minerals & Waste plan through inspection, this will help to protect residents and the local environment from fracking development, should Government persist.

The UK has a vast potential for clean energy. Investment in renewable energy, public transport and energy efficiency will create far more jobs than fracking, deliver energy security, boost York's local economy and allow us to play our part in avoiding dangerous climate change.

Council reaffirms its agreed motion of October 2014 on fracking, recognising the contribution fracking makes to climate change, as well as local public feeling against fracking.

Therefore, Council resolves:

- That Council lobby against the Conservative Government's fracking proposals.
- That Council contact the Secretary of State for BEIS, Julian Sturdy MP and Rachael Maskell MP to outline the Council's objections to 'permitted development' and fracking and ask them to reconsider the Government's proposals.
- To put its words into action on fossil fuels, by preparing for a programme of divestment from fossil fuels, beginning with a review of its investment strategy, including a review of its pension fund investments within the broader North Yorkshire Pension Fund.
- Writes to fellow North Yorkshire Pension Fund partner organisations to ask them to join with City of York Council in taking direct action by committing to divestment from fossil fuels, just as other public sector and private sector organisations are committing to doing, both nationally and internationally."

(iii) Boosting the Supply of Homes People Can Afford

(Proposed by Cllr Wells, seconded by Cllr Pavlovic)

“Council notes:

- The Executive decision in July to proceed with developing homes on council owned land with a ratio of 6:4 in favour of market sale over tenures deemed ‘affordable’ under current government definitions;
- The Government’s desire to change the perception of social housing from a place of last resort to a housing type that accommodates a wide range of people, including key workers;
- The impact of York’s housing affordability problem on recruitment and retention of hospital staff, teachers and other key workers.

It further notes and welcomes the Prime Minister’s recent announcement of plans to remove the Housing Revenue Account (HRA) debt cap, meaning councils will be able to develop longer term business plans that deliver more homes that people can afford to rent or buy.

The Government has stated that local councils are not delivering enough social housing and are encouraging them to provide sufficient housing for the needs of their communities.

Council welcomes any decision that empowers local councils and enables them to better address housing need in their areas.

Council therefore resolves to request that Executive:

- reviews its decision to proceed on the above market/affordable split on all publicly owned sites other than Lowfield (given the extent to which it is already progressed);
- includes within such a review a range of options that seek to boost social rent and discounted sale tenures, that will still create settled, mixed tenure communities;
- commits to reviewing the council’s HRA Business Plan once full details of the HRA debt cap removal are known, with a view to boosting the supply of homes local people can afford;

to demonstrate to the residents that it will act where it can to tackle York's affordability crisis."

Cllr Reid moved, and Cllr Hunter seconded, an amendment to the above motion, as follows:

- To **remove** bullet points 1 and 2 after 'Council therefore resolves to request that Executive'

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

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

Resolved: That the original motion, as altered by Cllr Reid's amendment, be approved as set out below.³

"Council notes:

- The Executive decision in July to proceed with developing homes on council owned land with a ratio of 6:4 in favour of market sale over tenures deemed 'affordable' under current government definitions;
- The Government's desire to change the perception of social housing from a place of last resort to a housing type that accommodates a wide range of people, including key workers;
- The impact of York's housing affordability problem on recruitment and retention of hospital staff, teachers and other key workers.

It further notes and welcomes the Prime Minister's recent announcement of plans to remove the Housing Revenue Account (HRA) debt cap, meaning councils will be able to develop longer term business plans that deliver more homes that people can afford to rent or buy.

The Government has stated that local councils are not delivering enough social housing and are encouraging them to provide sufficient housing for the needs of their communities.

Council welcomes any decision that empowers local councils and enables them to better address housing need in their areas.

Council therefore resolves to request that Executive commits to reviewing the council's HRA Business Plan once full details of the HRA debt cap removal are known, with a view to boosting the supply of homes local people can afford; to demonstrate to the residents that it will act where it can to tackle York's affordability crisis."

Action Required

1 Corporate Director Economy and Place to take forward actions requested in relation to motion (i) York's Northern Ring Road	NF, MW
2 Corporate Director of Economy and Place to take forward actions requested in relation to motion (ii) Fracking	NF
3 Corporate Director of Economy and Place to take forward actions requested in relation to motion (iii) Boosting the Supply of Homes People Can Afford	TB

35. Questions to the Leader or Executive Members

In accordance with Standing Order 20, Members were invited to question the Leader and/or the other 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 Gillies, Executive Leader:
 - Cllr Carr – Office for National Statistics revised forecast figures for household growth and the impact on housing numbers contained in the Draft Local Plan Supplementary
Cllr Carr – Accuracy of figures within the Draft Local Plan
Cllr Warters – Requesting a suspension of the Local Plan examination process to re draw based on the new ONS figures, in order to protect the Green Belt
- (ii) To Cllr Douglas, Executive Member for Housing and Safer Neighbourhoods:

- Cllr Williams – Implications of the removal of the debt cap for York’s Housing Revenue Account and levels of social housing
Supplementary
Cllr Williams – The Executive Member’s plans to promote affordable house building in the City
Cllr Myers – The Executive Member’s plan to take advantage of the removal of the debt cap on HRAs
Cllr S Barnes – Why had the Executive Member not been briefed on changes to the HRA and business plan

(iii) To Cllr Gillies, Executive Member for Finance and Performance

- Cllr N Barnes – Would there be a commitment to allowing opposition involvement in the budget process and adequate time to consult or develop an alternative budget
Supplementary
Cllr N Barnes – Should the budget process be opened up much earlier in the process

(iv) To Cllr Waller, Executive Member for Environment

- Cllr D’Agorne – Would there be an anti idling strategy and related signage before 2020 when the Clean Air Zone (CAZ) should be in place
Supplementary
Cllr D’Agorne – Why had the implementation of signs been delayed

The Executive Leader, Finance and Performance and the Executive Member for Environment responded directly to all the questions, including supplementary questions put to them. The Executive Member for Housing and Safer Neighbourhoods agreed to respond to the questions which were put to her in writing.

At this point in the meeting, the guillotine fell and remaining matters were deemed moved and seconded as required under the constitution.

36. Report of Executive Member

Council received a written report from Cllr Keith Myers, Executive Member for Education, Children and Young People.

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 of the Executive Member for Education, Children and Young People be received and noted.

37. Report of the Chair of the Customer & 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.

As the guillotine had already fallen, this was deemed moved and seconded as required under the Constitution and it was:

Resolved: That the report of the Customer and Corporate Services Scrutiny Management Committee be noted.

Reason: To update Members on the work of the committee.

38. Recommendations of the Gambling, Licensing & Regulatory Committee

Council received the following recommendation from the Gambling, Licensing and Regulatory Committee meeting held on 17 September 2018.

13. Council's Constitution - Licensing Appeals

Recommended: That, in accordance with Option 1, the Committee recommend to Full Council that the Council's Constitution is changed and a new 'single appeal' procedure for dealing with licensing appeals is approved. In line with the requirements of relevant legislation licence applicants and licence will be able to appeal a decision made by Officers

to refuse/suspend/revoke to the Magistrates Court, thereby no longer providing an internal appeals process.

Reason: In order to support the Council's plan of a being more responsive and flexible council that puts residents first and meets its statutory obligations.

As the guillotine had already fallen, this was deemed moved and seconded as required under the Constitution and it was:

Resolved: That the above recommendation of the Gambling, Licensing and Regulatory Committee meeting held on 17 September 2018 in relation to the Council's Constitution with regard to licensing appeals be approved.

Action Required

1To update the Constitution as approved by Council LC

39. Proportionality, Allocation to Seats and Appointments to the Council Structure and Outside Bodies for the remainder of 2018/19

Members received a report in relation to a review of proportionality arrangements and its appointments to committees following the resignation of two members of the Labour Group and the formation of a new group of two, the "Independent Socialists York".

As the guillotine had already fallen, this was deemed moved and seconded as required under the Constitution.

Resolved: (i) That the revised allocation of seats as set out in Annex A to the report be agreed; and
(ii) that the appropriate revised appointments to Committees as set out in Annex B to the report, and on the additional papers (circulated at council and appended to the published agenda as an agenda supplement) be approved.

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

Cllr Keith Orrell

Lord Mayor of York

[The meeting started at 6:30pm and concluded at 10:00pm]