

**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 **York Racecourse** to consider the business contained in this agenda on the following date and time

Thursday, 21 October 2021 at 6.30 pm

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. Minutes (Pages 3 - 26)

To approve and sign the minutes of the Council meeting held on 15 July 2021.

3. Civic Announcements

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

4. 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 Tuesday, 19 October 2021**.

To register to speak please visit

www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this public meeting will be webcast including any registered public speakers who have given their permission. The remote public meeting can be viewed live and on demand at

www.york.gov.uk/webcasts.

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates at www.york.gov.uk/COVIDDemocracy for more information on meetings and decisions.

5. 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 Douglas, on behalf of residents of Irwin and Malton Avenues, seeking the introduction of traffic calming measures to improve road safety in their area.
- Cllr Hook, on behalf of residents requesting measures to address road safety risks in Black Dike Lane.

6. Report of Executive Leader and Executive Recommendations and Questions (Pages 27 - 42)

To receive and consider a written report from the Leader, ask questions on the work of the Executive and consider the Executive recommendations for approval, as set out below:

Meeting	Date	Recommendations
Executive	26 August 2021	Minute 32: Capital Programme - Monitor 1 2021/22

7. Report of Deputy Leader and Questions (Pages 43 - 50)

To receive and consider a written report from the Deputy Leader, and to question the Deputy Leader thereon.

8. 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 Kilbane

Making York an Anti-Racist and Inclusive City

“Council notes that York and North Yorkshire has seen a 239% increase in race-related recorded hate crime since 2012, increasing from 152 to 515 incidents last year (*see appendix*)*.

It further notes that:

- York is the UK's first Human Rights City;
- race-related hate crimes tend to account for around 60% to 80% of all local hate crimes each year;
- systemic racism continues to affect the lives of those significantly and disproportionately from marginalised ethnic and refugee communities;
- marginalised ethnic groups continue to be under-represented in local governance structures;
- despite the efforts of many agencies, racism remains a problem in York.

Council believes that:

- racism is detrimental not just to those who suffer from it directly but to whole communities across our city;
- rising race-related hate crime highlights why tackling racism must be prioritised;
- taking urgent actions to make York an anti-racist and inclusive city will send an important message about how civic leaders want York to be seen locally, nationally and internationally;
- working collaboratively, by engaging representation from marginalised ethnic groups to formulate and implement a long-term anti-racism and inclusion strategy and action plan, is an important first step that this council can take to help tackle racism.

Council resolves to aspire to make York an Anti-Racist and Inclusive City, and requests that Executive:

- supports the setting up within three months of an independent, ethnically diverse and intersectional working group, to include people with lived experiences, that will: working to its own terms of reference, collaboratively develop and implement a long-term anti-racism and inclusion strategy and action plan for the city that:
 - identifies, acknowledges, and tackles structural barriers to understanding the impacts of racism and to implementing change in all public bodies in our city;
 - identifies, acknowledges, and works to tackle institutional racism wherever it exists in all public bodies in our city;
 - encourages the participation of marginalised ethnic

- groups in all aspects of civic and city life;
- works to ensure equitable representation from marginalised ethnic groups in local governance;
- ensures equal access for those same groups to health (including mental health) and social services;
- ensures that the narratives and visibility of York's history are acknowledged and that citizens from marginalised ethnic groups are promoted and celebrated for what they have to offer
- agrees to receive the strategy and action plan after 12 months and act swiftly to implement the latter;
- collaborates with the working group to assess what resource it will require to support it in producing the strategy and action plan before bringing a resourcing proposal back to Council.”

**appendix available to view online with this agenda*

[Endorsed by: Speak Up Diversity / York Racial Equality Network / York: Human Rights City / York Racecourse / York City of Sanctuary / York Disability Rights Forum / York Travellers Trust / York Fairtrade City / York LGBT Forum / York Mosque / York Mediale / York St John University / Quakers / Diversity Enterprises / York Museums Trust / Pilot / York Music Venue Network]

(ii) From Cllr Craghill

Government Must Work with Councils to Tackle Worsening Heatwaves and Extreme Weather

“Council notes:

- The work currently being done by City of York Council to progress towards our 2030 zero carbon ambition including the community woodland, new zero carbon housing and energy efficiency retrofit schemes as well as a draft city wide strategy.
- That progress in most areas is nonetheless held back by a lack of substantial and consistent Government investment and closer working with local councils.
- The signs in York over the last few years that climate change has already begun in earnest, with hotter drier summers, warmer wetter winters and increased frequency

of extreme weather and flooding.

- That in 2018 at COP24 the UK Government signed up to working with local communities to deliver the UK's 'Nationally Determined Contributions' in the 2015 Paris Climate Agreement;
- That, in May 2021, the Rt. Hon. Alok Sharma MP, President of COP26, said collaboration would be a key objective of the COP26 Climate Summit in November - "Governments, business and civic society need to work together to transform the ways we power our homes and businesses, grow our food, develop infrastructure and move ourselves and goods around".

Council believes:

- That despite these agreements and statements, there is still no formal relationship allowing joint partnership working between Local and National Government to take mitigation and adaptation actions against the climate emergency;
- That greater collaboration and action are required if we are to mitigate our greenhouse gas emissions and meet our commitments under the Paris Climate Agreement;
- That mitigation strategies should be accompanied by effective adaptation measures to ensure that we are equipped to deal with the changes in our climate that have already begun. These include the potential for heatwaves and extreme weather that will threaten the health and well being of our most vulnerable residents and may also impact on food security.

Council therefore resolves:

- To ask Executive to report on the City's climate resilience by assessing the risks from the eight priority risk areas of the UK Climate Change Risk Assessment (June 2021) <https://www.theccc.org.uk/publication/independent-assessment-of-uk-climate-risk/> , plan for enhancement of the city's climate resilience and management of the unavoidable impacts of climate change.
- To add this Council's voice to calls by the Local Government Association and the Association of Directors of Environment, Economy, Planning and Transport, and others, for a joint local and national government taskforce to plan action to reach 'net zero' emissions.
- To call for such a partnership to set appropriate regulations,

benchmarks and targets and create the much needed long-term funding to enable local council areas, communities and economies to decarbonise whilst remaining resilient and able to realise the benefits of decarbonisation in terms of new green jobs and a healthier environment.

- To therefore ask the Chief Operating Officer to write to Alok Sharma MP, President for COP26, the Prime Minister, and the Leadership Board of the LGA, informing them of our support for a joint Local/National Government Climate Change Partnership Taskforce and asking for one to be established as soon as possible.”

(iii) From Cllr Smalley

Signing up to the City of Sanctuary Local Authorities Network

“Council notes:

- City of Sanctuary UK is a movement working across the country to ensure the UK is a welcoming place of safety for all and is proud to offer sanctuary to people fleeing violence and persecution.
- Since 2016 York has been recognised as a City of Sanctuary; the Council alongside its partners work with refugee families who need accommodation and support, seeking to promote an environment of understanding and compassion within the city.
- City of York Council is working to implement the City of Sanctuary pledges through its actions and policies, and with its partners in the statutory and voluntary sectors.
- York City of Sanctuary team and other established charities are central in supporting Government-led refugee relocation programmes.
- Since the announcement that NATO military forces would withdraw from Afghanistan, the Council has worked alongside the Home Office, Ministry of Defence and MHCLG to support the national effort with regard to both the Afghan Relocations and Assistance Policy (ARAP) and the later Afghan Citizens' Resettlement Scheme (ACRS). The Council has committed to do its bit and has not set a limit on the number of individuals it is aiming to support.

The Council acknowledges:

The importance of being an active member within a network of local authorities that are working towards a vision of welcome for all, facilitate the sharing of innovative practices which promote the embedding of a culture and practice of welcome and speak with one voice on national matters which affect local communities and local authorities.

Consequently, the Council resolves to:

- Join the City of Sanctuary Local Authority Network committing the council to work towards the Council of Sanctuary Award and agreeing to endorse the City of Sanctuary Charter.
- Commit to working with York City of Sanctuary.
- Draw up an action plan, for approval by the Executive, showing how the council will: learn about what it means to be seeking sanctuary; take positive action to implement welcome, safety and inclusion; and share its experience of sanctuary and welcome with the wider community and local organisations, spreading the word about its welcoming efforts.
- Submit an application, within six months of joining the network, to go through the award appraisal process in order to gain accreditation as a Local Authority of Sanctuary.”

(iv) From Cllr Webb

York Residents’ Right to Food

“Council notes:

- Article 25 of the United Nations’ Universal Declaration of Human Rights states: *“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food..”*
- Trussell Trust research showing that three million children nationally are at risk of hunger during the school holidays, representing a public health crisis;
- That foodbank use has increased dramatically; according to the Trussell Trust, foodbank parcels have increased by 128% since 2015, and by 33% in the past 12 months;
- That in York, from 2020 to 2021, there was an almost 20%

increase in the number of food parcels provided through the local Trussell Trust foodbank network;

- That according to Food Justice Finder, in the City of York Council area only 51% of Healthy Start vouchers are claimed, meaning £2,167.50 per week does not reach intended recipients;
- That the main drivers of food bank use are:
 - Problems with the benefits system (delays, inadequacy and reductions)
 - Challenging life experiences or ill-health
 - Lack of informal or formal support
- The informal food support York residents themselves have provided both before and during the Covid19 pandemic;
- No meaningful response or improvement to numbers experiencing food poverty in York following the Council's approved July 2018 motion to tackle food poverty;
- That the UK Government has committed to the UN Sustainable Development Goals, which have an international and domestic commitment to ending hunger by 2030.

Council believes that:

- No one in the UK should go hungry, not least children, and that good, nutritious food is a right, not a privilege;
- Food justice is about taking action on the causes of hunger such as affordability and availability of good nutritious food;
- Local councils should continue to play a key role in tackling both the symptoms and the causes of food poverty post-pandemic, and that their actions be informed by listening to the local communities that they serve.

Council resolves to request that all Group Leaders write to the relevant Government Ministers to request that:

- the Universal Credit £20 uplift is reinstated;
- the Free School Meal voucher holiday scheme be permanently extended without strings attached;
- the recommendations of the National Food Strategy be implemented in full.

and requests that Executive:

- Agree to allocate individual responsibility for tackling food poverty to a named Executive Member;
- Designates Local Area Coordinators as food justice champions, who will lead on tackling food poverty locally;

- Supports the setting up of a food partnership to bring together local stakeholders, including members of the community who have provided informal food banks, to develop a local food action plan to help address the causes of food poverty, which will report back to the Health Policy and Scrutiny Committee;
- Increases promotion of Healthy Start vouchers amongst eligible families in the city and agrees a 100% target for their take-up;
- Building on work throughout the pandemic, makes the focus of the Community Hubs Strategy to facilitate the setting up of 'community kitchens' in buildings such as community centres, council-run centres and school kitchens that are out of use during school holidays, so they can be used by the community to provide good quality, nutritional food for residents in need;
- Surveys informal food bank providers to get a clear picture of the amount of informal food bank use in York;
- Works to ensure the council frequently promotes the city's food poverty support website through its corporate communications: <https://yorkfoodpoverty.org/whats-happening/>

9. 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.

10. Report of Executive Member (Pages 51 - 56)

To receive a written report from the Executive Member for Health & Adult Social Care, and to question the Executive Member thereon, in accordance with Standing Order 19.

11. Pay Policy 2021/2022 Update (Pages 57 - 82)

To receive for approval the Pay Policy Statement for 2021/2022, which has been updated since the report to Council on 22 March 2021 to reflect changes to the Chief Officer Structure.

Note: this item was deferred from the last Council meeting.

12. Adoption of the LGA Model Code of Conduct for Elected Members 2020 (Pages 83 - 108)

To consider a report requesting Council to adopt the LGA Model Code of Conduct for immediate implementation across City of York Councillors and recommend the adoption of the Model Code by Parish Councils.

Note: this item was deferred from the last Council meeting.

13. Amendment to the Council's Constitution (Pages 109 - 112)

To consider a report which seeks approval for an amendment to the Constitution in relation to the use of substitutes at meetings of the Council's Planning Committee, as recommended by Audit & Governance Committee.

14. Appointments and Changes to Membership (Pages 113 - 114)

To consider the appointments and changes to membership of committees and outside bodies set out on the list attached to this summons.

15. Urgent Business

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

Democracy Officer

Fiona Young

Contact details:

- Telephone – (01904) 552030
- Email fiona.young@york.gov.uk

For more information about any of the following please contact the Democracy 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**

This page is intentionally left blank

**Coronavirus protocols for attending Full Council at York
Racecourse (Ground Floor, Knavesmire Stand)**

If you are attending Full Council, you must observe the following protocol, which adheres to any risk assessment conducted by the external venue.

Good ventilation is a key control point, therefore, any windows and doors which have been opened must remain open within the meeting room to maintain good ventilation.

Furniture must not be moved from the designated layout.

If you're displaying possible coronavirus symptoms (or anyone in your household is displaying symptoms), you should follow government guidance. You are advised not to attend the meeting.

Testing

The Council encourages regular testing of all Officers and Members and also any members of the public in attendance at the meeting. Any members of the public attending Full Council are advised to take a test within 24 hours of attending a meeting, the result of the test should be negative, in order to attend. Test kits can be obtained by clicking on either link: [Find where to get rapid lateral flow tests - NHS \(test-and-trace.nhs.uk\)](https://www.nhs.uk/conditions/coronavirus/coronavirus-test-and-trace), or, [Order coronavirus \(COVID-19\) rapid lateral flow tests - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/order-coronavirus-covid-19-rapid-lateral-flow-tests). Alternatively, if you call 119 between the hours of 7am and 11pm, you can order a testing kit over the telephone.

Guidelines for attending Full Council

- Please do not arrive more than 30 minutes before the meeting is due to start.
- You may wish to wear a face covering to help protect those also attending.
- Regular handwashing is recommended.
- Use the hand sanitiser which will be situated on entry and exit to the Knavesmire Stand and in different areas within the room.
- Bring your own drink if required.

- Only use the designated toilets which are located on the Ground Floor of the Knavesmire Stand.

Developing symptoms whilst in external venues

If you develop coronavirus symptoms during Full Council, you should:

- make your way home immediately.
- avoid the use of public transport where possible.
- Follow government guidance in relation to self-isolation.

You should also:

- Advise the Meeting organiser so they can arrange to assess and carry out additional cleaning.
- Do not remain in the building any longer than necessary.
- Do not visit any other areas of the building before you leave.

If you receive a positive test result, or if you develop any symptoms before Full Council is due to take place, **you should not attend the meeting.**

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in The Citidal, Gillygate, York on Thursday, 15 July 2021, starting at 6.30 pm

Present: The Lord Mayor (Cllr Chris Cullwick) in the Chair, and the following Councillors:

Acomb Ward	Bishopthorpe Ward
S Barnes Lomas	Galvin
Clifton Ward	Copmanthorpe Ward
D Myers Wells	Carr
Dringhouses & Woodthorpe Ward	Fishergate Ward
Fenton Mason Widdowson	D'Agorne
Fulford and Heslington Ward	Guildhall Ward
Aspden	Craghill Fitzpatrick Looker
Haxby & Wigginton Ward	Heworth Ward
Cuthbertson Hollyer Pearson	Douglas Perrett Webb
Heworth Without Ward	Holgate Ward
Ayre	Melly K Taylor

Hull Road Ward

Musson
Norman
Pavlovic*

Huntington and New Earswick
Ward

Orrell
Runciman

Micklegate Ward

Crawshaw
Kilbane

Osbalwick and Derwent Ward

Rowley
Warters

Rawcliffe and Clifton Without Ward

Smalley
Wann
Waudby

Rural West York Ward

Barker
Hook

Strensall Ward

Doughty
Fisher

Westfield Ward

Daubeney
Hunter
Waller

Wheldrake Ward

Vassie

Apologies for absence were received from Councillors Baker, Heaton and D Taylor.

*Cllr Pavlovic left the meeting at 7:30 pm.

12. 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.

Cllr Mason declared a personal and prejudicial interest in Agenda Item 8(iv) (the motion on Ensuring Access for All), as the holder of a Blue Badge.

Cllr Lomas declared a personal interest in Agenda Item 8(iv), as the holder of a Blue Badge, stating that she had been advised by the Monitoring Officer that the interest was prejudicial but that she believed this advice to be discriminatory.

Note: at a later stage in the meeting, prior to consideration of Item 8(iv), the Lord Mayor, after consultation with the Chair of Joint Standards Committee, granted a dispensation to allow both the above Members to participate in the discussion and decisions relating to this item.

Cllr Norman declared a pecuniary interest in Agenda Item 8(iv), as an employee of NHS Healthcare. He left the room during consideration of that motion and took no part in the discussion or decision thereon.

13. Minutes

Resolved: (i) That the minutes of the Ordinary Council meeting held on 22 March 2021 be approved, and signed by the Chair as a correct record.

(ii) That the minutes of the Extraordinary Council meeting held on 5 May 2021 be approved, and signed by the Chair as a correct record, subject to the following amendments:

- Minute 109 (Declarations of Interest) - remove the description of Cllr Aspden's interest (*as this was not stated at the meeting*);
- Minute 111 (Public Interest Report) – amend the voting list under Recommendation (ii) to remove Cllr Wells from the list of those in favour and add Cllr Fitpatrick to the list of those against.

(iii) That the minutes of the Annual Council meeting held on 27 May 2021 be approved, and signed by the Chair as a correct record, subject to amendments to correct errors in the attendance list.

14. Civic Announcements

The Lord Mayor announced:

- The receipt of a plaque from Commander Giles Parkin to mark the affiliation of HMS Dragon with the city of York, which was available to view in the meeting room;
- The first Lord Mayor's Charities event of the mayoral year, which would take place on Monday 19 July in the Sky Bar at Malmaison in York.

15. Public Participation

It was reported that there had been 9 registrations to speak at the meeting under the Council's Public Participation Scheme.

Gwen Swinburn spoke on matters within the remit of Council. She raised concerns regarding governance, Joint Standards Committee, FOI requests, resource allocation to wards and staff costs, and recommended a return to the committee system.

Hon Alderman Ann Reid spoke in support of the motion at Agenda Item 8(i) (A Planning System that works for Residents), stating that government planning reforms provided no opportunity for local input and would not prevent developers from delaying work on sites for which planning permission had been granted.

Lars Kramm spoke on the motion at Agenda Item 8(ii) (Working Towards Improving Democracy and Services), commenting that a move to a committee system could be part of the solution to deficiencies in the current 'strong leader' model.

Andrew Mortimer spoke in support of the motion at Agenda Item (iii) (Fixing Social Care), as a carer for a family member, highlighting the need for a clear government plan to deal with a broad range of issues in relation to social care.

Jane Burton spoke in support of the motion at Agenda Item 8(iv) (Ensuring Access for All) on behalf of York Disability Rights Forum, highlighting the importance of Blue Badge parking close to the city centre to protect the rights and freedoms of disabled people.

Iain Mitchell also spoke on Item 8(iv), on behalf of York Sight Loss Council. He drew attention to the council's duty under the Equalities Act and the social model of disability and urged Members not to vote for the amendment to the motion.

Kataya Mckeever-Willis also spoke on Item 8 (iv), stating that the council should find more innovative solutions to increasing access to the city centre and should work with disabled groups on this, rather than taking a 'one size fits all' approach.

Diane Roworth also spoke on Item 8 (iv), asking why Blue Badge holders could not resume access to the city centre now that the pandemic was ending and suggesting that a reduced speed limit would be a more appropriate way to improve safety.

Alison Hume also spoke on Item 8 (iv), on behalf of York Accessibility Action and as a carer for a young adult with disabilities. She contrasted York's approach to that of other cities and asked Members to accept that York's disabled parking spaces were now too far from the city centre to provide accessibility.

16. Petitions

It was reported that notice had not been received of any petitions to present under Standing Order 15.

17. Report of Executive Leader, Questions, and Executive Recommendations

A – Executive Leader's Report

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

Members were then invited to question the Leader on his report. Questions were received from the floor from the following Members in relation to the subjects listed, and replied to as indicated:

Local Government Reorganisation

From Cllr Pavlovic: Should the government decide that York will have less independence to run its own affairs, would this be the result of a lack of confidence in this administration? If so, how

would you judge the part that your leadership and behaviour has played in this?

Response: No, I don't agree that it would. However, I agree with your comment about the importance of retaining decisions about York in York, and this reflects the work done by the council and others in putting that case as strongly as possible. I have heard today that there may be a slight change in the government's aspirations on devolution but very much hope that York will remain as it is; should it not, officers and councillors would want to come together and work on this very quickly.

From Cllr Fenton: Can you set out what you expect the next steps to be once a decision has been received on this?

Response: The MHCLG has confirmed today that we will receive an answer before Parliament goes into recess. Work will then begin with civil servants around what is on offer. There's an indication that county deals are also being discussed, and if an East-West amalgamation is decided the matter will be brought back to Council to consider, although we hope that will not happen.

Local Plan

From Cllr Warters: Will you apologise to Dunnington residents for a recent leaflet showing the wrong boundaries for their village? And will the council have the capacity to deal with the Local Plan process, when the interim director is set to leave at the end of October?

Response: Our aim is to get the consultation results to the Planning Inspector by August so that hearings can be held in October as agreed with the Inspectorate. I understand there was a printing error on a small number of leaflets, and residents have received a letter of apology.

York Central and Great British Railways

From Cllr Pearson: Have you had a response from the Minister of State for Rail about locating the Great British Railways HQ in York?

Response: Yes, a quick reply was received from Chris Heaton and I have responded with a letter and a slide pack compiled by the LEP and a subsequent conversation with Mr Heaton and the Chair of Network Rail.

SEND Inclusion Review

From Cllr Webb: Can you expand on what you mean by 'deliver provision differently'? **[Supplementary]** *Is it a euphemism for cuts to services?*

Response: Officers are looking at the results of the consultation and will bring a detailed report to Executive, to which we can respond and make improvements. I am happy to talk with you in advance about that. I agree that there is a chronic underfunding of children's services by government, and this review is looking at efficiency, ensuring delivery of baseline services and if they can improve.

B – Executive Recommendations

Capital Programme Outturn 2020/21 and Revisions to the 2021/22-2025/26 Programme

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendation contained in Minute 13 of the Executive meeting held on 24 June 2021:

Recommended: That the re-stated 2021/22 to 2025/26 programme of £600.778m, as summarised in Table 3 at paragraph 104 of the report and detailed in Annex A, be approved.

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

18. Report of Deputy Leader and Questions

A written report was received from the Deputy Leader, Cllr D'Agorne.

Members were then invited to question the Deputy Leader on his report. Questions were received from the floor from the following Members in relation to the subjects listed, and replied to as indicated:

Cycle lanes

From Cllr Douglas: Why do you pretend it is still possible to put in cycle lanes on Piccadilly? **[Supplementary]** Will we get segregated cycle lanes or not?

Response: Piccadilly is adjacent to the Castle Gateway re-development project; the project design is due to come forward for formal adoption this autumn, and we are willing to look at any changes that will effectively address the concerns raised.

Smart Transport Evolution Programme (STEP)

From Cllr Waudby: Can you provide an update on this scheme?

[Supplementary from Cllr Crawshaw: *What work is being done to develop policies to sit behind this?*]

Response: DfT funding has been obtained to look at modelling in preparation for changes with the advent of connected vehicles. Work will now feed into our real time modelling system, so that we can anticipate traffic flow and make adjustments in real time. One of the key benefits of the system is that it provides a basis for development of the Local Transport Plan and the opportunity to model the impact of various options on traffic flow.

19. Motions on Notice

(i) A Planning System that Works for Residents

Cllr Daubeney sought consent to alter his motion to incorporate the amendment submitted by Cllr D'Agorne.

Council having granted consent, the altered motion was moved by Cllr Daubeney and seconded by Cllr Hollyer, as follows:

“Proposed changes to existing planning legislation risk further reducing the democratic oversight and deregulating the planning process, failing to address the need for a balance in the planning system to maintain heritage and accountability.

Council notes:

- The significant concerns expressed by residents, Housing, Communities and Local Government Select Committee, CPRE and many professional planning bodies and local government representatives over the Conservative Government's Planning Reforms.
- Local resident concerns about their reduced ability to object to building works under Permitted Development Rights which have been extended under this Government.
- Widespread concerns and condemnation of the Planning White Paper proposals across Local Government, The Planning and Architecture Sector, and organisations concerned with protecting green open spaces and heritage.
- Government proposals to deregulate planning will remove the rights of residents to influence or object to inappropriate development where they live.

- Local councils, in consultation with their businesses and residents are best placed to understand the issues in their area and respond with a spatial strategy tailored to that area.
- The further weakening of the ability of local councils to secure and enforce necessary planning conditions and compliance with environmental and building regulations.

Consequently, Council resolves to call on the Government to scrap its Planning White Paper and instead:

- Undertake a wholesale review of Permitted Development Rights.
- Make the Planning Inspectorate more accountable to local people.
- Ensure a simpler system with adequate funding to enable planning authorities such as York to ensure that planning conditions (including construction management plans) are complied with, protecting the quality of life of nearby residents or businesses both during and after the construction period.
- Ensure that local resident engagement is at the heart of planning and any reforms do not threaten the accountability and engagement process and Councillors are able to play their democratic role.
- Implement reforms that would help local authorities build more social housing, including cheaper loans, access to low-priced public land and the right to keep 100 per cent of the sale price of council homes sold off under Right to Buy scheme to reinvest in new homes.”

Cllr Galvin then sought consent to withdraw his submitted amendment. Council having granted consent, that amendment was withdrawn.

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

Resolved: That the above motion be approved.¹

(ii) Working Towards Improving Democracy and Services

Moved by Cllr Doughty and seconded by Cllr Rowley.

“Council acknowledges the challenges Covid-19 has brought to everyday life of our citizens. Many millions have worked tirelessly and shown resilience without complaint in order to help keep the

city and country running. This applies to within the Council organisation and we give grateful thanks to them.

Council is pleased the UK vaccination programme has been amongst the most advanced, with a sizeable majority of adults having received their first vaccination and a majority (almost two thirds at time of print) of adults now having had their second jobs.

Data shows that despite further new Covid cases, the vaccination programme is breaking the link between cases and the levels of serious hospital admissions previously seen.

Now, Council believes more ambition is needed by the Council leadership in restoring basic democracy which has been sidelined and improving basic services our residents expect. The administration has shown no urgency to properly restore the Committee Calendar so elected Councillors (not just the Executive) can have oversight and scrutinise decisions being taken. It remains unacceptable for many meetings taking place 'informally' with no minutes publicly available for accountability.

Concerning for residents is the continued deterioration in basic services, recently including repeatedly late and in many cases completely uncollected green waste, overgrown vegetation which is once again becoming a problem and deteriorating roads and paths throughout the city.

Therefore, Council asks that the current administration commits to:

- Return to work at West Offices of all Directors and Senior management. While working at home might be possible for some tasks sometimes, after 16+ months, a focus on leadership is needed to address some of the service issues experienced here in York.
- A report to Customer and Corporate Services Scrutiny Management Committee on actions and mitigations taken to save taxpayer money in York. This in light of claims of a £6M funding shortfall in York due to Covid despite record national spending by Government. The report should detail how savings have, are and will be made and also indicate how the Council ensures the upto 20 likely redundancies indicated in local media recently are not amongst frontline key workers directly providing the services that residents value.
- A commitment to review the Council Committee Calendar in the coming weeks to enable a return to as normal as possible a Calendar.
- A commitment that Council meetings are held at West Offices where possible, or similar prominent city buildings

(ensuring sensible cost) if they have a greater capacity. It would be hoped that educational establishments such as the universities and Community stadium management etc. would be cognisant that their institutions have already received huge financial assistance (and otherwise) from the taxpayer, directly or via the Council.

- Risk assessments for possible meeting venues to be shared with all Councillors especially in light of concern that a large City venue, which despite being open to the general public (in large numbers at times) appeared to be discounted for meetings by CYC, on health grounds for CYC staff and Councillors.”

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

Resolved: That the above motion not be approved.

(iii) Fixing Social Care

Moved by Cllr Runciman and seconded by Cllr Barker.

“The past year has further underlined the vital role that our social care services play in supporting our communities. The pandemic has exposed the fragility of those services and amplified the workforce, funding and sustainability challenges.

Council notes:

- Our thanks to all those who work in social care systems, from carers to cleaners and caterers, to those working in care homes and domiciliary care, and those who provide so much care for friends and family, expecting nothing in return.
- Despite years of promises, the Government has failed to outline a feasible plan which would fix the long term funding issues in social care.
- Social care must be a full and equal partner with the NHS in enabling more people to remain independent, living in their own home or in their community.
- Using adult social care precept to fund social care is unsustainable; depending on unfair council tax is not the solution.
- Social care costs for over-65s have increased in recent years in York as well as the rest of the UK.

Consequently, Council resolves:

- To have all Group leaders jointly call on the new Health and Social Care Secretary to urgently begin cross-party discussions to enable Ministers to bring forward comprehensive plans that would address short and long term funding needs of the care sector.
- Such proposals should set out:
 - Funding for short-term stabilisation, addressing short-term funding challenges, which have been worsened by Covid, to prevent further deterioration in the access to and quality of care.
 - A long-term plan for social care that sets the priorities for investment and transformation of services and systematically addresses the workforce challenges;
 - A funding settlement that provides local government with the necessary finance to implement the long-term plan over the next five years; and
 - Arrangements to protect people from incurring catastrophic care costs by pooling the risk and making the current means-test more comprehensive.”

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

Resolved: That the above motion be approved.²

(iv) Ensuring Access for All

Cllr Melly sought consent to alter her motion to incorporate the amendment submitted by Cllr Rowley.

Council having granted consent, the altered motion was moved by Cllr Melly and seconded by Cllr Crawshaw, as follows:

“Council notes:

- that York is a Human Rights City;
- that every local authority has a duty under the Equalities Act to enable people to get as close as reasonably possible to where they need to get to;
- that disabled people are not a single homogenous group and therefore a raft of measures may be required in order to make the city centre fully accessible and to appropriately mitigate any reduced vehicular access;
- that having alternative provision of services - eg online services - is not a substitute for access;

- the significant numbers of complaints made by Blue Badge holders who feel excluded from the city centre following recent extensions to the pedestrianised footstreets area;
- that even before the Covid19 access changes, accessibility to York city centre was poor for many residents;
- the 'Healthier, Greener York' motion passed by Council in December 2019 calling for a city-wide approach to reducing car-dependency, which drew a clear distinction between essential and non-essential journeys and which specifically requested that the Executive Member for Transport 'works closely with disability advocacy groups and Blue Badge Holders to ensure that access to the city centre is maintained and improved for people with mobility difficulties or who are otherwise unable to use public transport'.

Council believes:

- that there are many benefits to extending the pedestrianised footstreets area for residents, businesses and visitors, including disabled and non-disabled people;
- that increasing city centre access for some should not come at the cost of creating barriers for others;
- that accessibility is about meeting the needs of all residents visiting the city centre as opposed to merely ensuring access to the edge of the city's historic core;
- that ensuring accessibility includes ensuring sufficient provision of appropriately located seating, toilets, changing places, baby change facilities, cycle racks and Blue Badge parking;
- that whilst at times the different needs of different disability groups may conflict with one another, City of York Council must not privilege one group over another, nor pit the needs of one group against another;
- that City of York Council has not yet done enough to ensure the city centre is accessible to all residents.

Council resolves to request that the Executive and relevant Executive Member:

- undertake a review of city centre seating, working closely with older adult and disability advocacy groups, to ensure sufficient 'rest-stops' are available throughout the pedestrianised footstreets area;
- ensure that all new benches installed across York are age and disability friendly, with appropriate backs and arm rests;

- ensure sufficient provision of fully accessible toilets, baby-changing facilities and changing places that are open at appropriate times and that are well-signposted;
- undertake a review of cycle rack provision to ensure secure parking is available for the full range of cycles, including mobility aids and trailers;
- explore options for a frequent shuttle 'train'/bus that is fully accessible, not limited to Blue Badge Holders, not stigmatising and that enables people to get to and from a range of places within the pedestrianised footstreets area that they need access to;
- review the provision of charging points for mobility aids such that those who wish to access the city centre via this method can be confident that they will not get stuck and be forced into embarrassing or stressful situations;
- direct council officers to work with partners, through the Quality Bus Partnership, to work collaboratively with local disability representative groups to review how drivers prioritise wheelchair users' access and makes Class 3 access training available in York;
- in conjunction with Age Friendly York, local disability representative groups and Quality Bus Partnership, develop agreed criteria for accessible bus stops;
- review the policy around choice of road and pavement surfaces city-wide, to ensure that aesthetic and financial considerations are not prioritised over ergonomics or accessibility, and that a consistent approach is taken to tactile paving city-wide;
- ensure that an easily accessible, up-to-date map of Blue Badge parking is available to residents online and in hard copy upon request;
- review and consider national best practice examples for pedestrian core accessibility such as Chester and Leicester, and implement measures that improve pre-existing access such that City of York Council meets its obligation to ensure equality of city centre access for all York residents;
- build on the promotion of flags like the Armed Forces flag, the LGBT flag and Trans flag by committing to fly the Disabled Pride flag at least once a year (for example a day in July, Disabled Pride month) from the Mansion House and other appropriate flag poles;
- to further the aim of raising awareness of Disabled Pride and the issues faced by disabled people, that the logo of the Disabled Pride flag be used by CYC where possible – for

example on notices, posters and email signatures if people wish.”

Cllr D’Agorne then moved, and Cllr Ayre seconded, an amendment to the above motion, as follows:

In the first paragraph, after ‘Council notes’:

- In the 2nd bullet point, delete all after ‘Equalities Act to’ and insert *‘consider the impact of any changes they make and make reasonable adjustments to ensure that the impacts on those with protected characteristics are minimised’*.
- In the 4th bullet point, delete all after ‘online services -’ and insert *‘is being improved as a part of Council’s digital inclusion work’*.
- In the 5th bullet point, delete all before ‘extensions’ and insert *‘Through an ongoing consultation of disability group representatives, some residents who are blue badge holders have voiced their objections to’*.
- Delete the 6th bullet point and substitute:
 - *Recognising that York is a compact city with street patterns that go back to medieval times, full accessibility is a concern that is currently being addressed*
- In the 7th bullet point, insert *‘following’* at the start, delete all up to ‘Executive Member for Transport’, delete all after ‘Executive Member for Transport and insert *‘has authorised an unprecedented level of engagement with disability advocacy groups to address their concerns and improve access for people with mobility difficulties.’*

“In the second paragraph, after ‘Council believes’:

- In the 3rd bullet point, delete all after ‘city centre’.
- In the 5th bullet point, insert at the start *‘Through the ongoing consultation officers and members are acknowledging that’*, delete *‘whilst’*, delete all after ‘one another’, and insert *‘and the Council needs to mediate between these’*.
- In the 6th bullet point, delete *‘has not yet done enough’* and insert *‘is facilitating an extensive engagement with local disability groups and residents with restricted mobility as it works’*.

In the third paragraph:

- To the end of the first sentence, beginning ‘Council resolves’, add *‘continue addressing the following suggestions through the ongoing accessibility arrangement review’*.

- In the 9th bullet point, after 'review the policy' insert '*as a part of the Council's review of parking and routes to and through the city centre*', after 'ensure that' delete '*aesthetic and financial considerations are not prioritised over*', after 'ergonomics' delete 'or' and insert '*and*', and after 'accessibility' insert '*are taken into account*'.
- In the final bullet point, after 'review' delete 'and consider', and after 'Leicester and', delete 'implements' and insert '*whilst recognising that every city has different issues and challenges, consider*'."

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

The motion, as amended, now read as follows:

"Council notes:

- that York is a Human Rights City;
- that every local authority has a duty under the Equalities Act to *consider the impact of any changes they make and make reasonable adjustments to ensure that the impacts on those with protected characteristics are minimised*
- that disabled people are not a single homogenous group and therefore a raft of measures may be required in order to make the city centre fully accessible and to appropriately mitigate any reduced vehicular access;
- that alternative provision of services - eg online services - *is being improved as a part of Council's digital inclusion work.*
- *through an ongoing consultation of disability group representatives, some residents who are blue badge holders have voiced their objections to extensions to the pedestrianised footstreets area;*
- *recognising that York is a compact city with street patterns that go back to medieval times, full accessibility is a concern that is currently being addressed;*
- *following the "Healthier, Greener York" motion passed by Council in December 2019 calling for a city-wide approach to reducing car-dependency, the Executive Member for Transport has authorised an unprecedented level of engagement with disability advocacy groups to address their concerns and improve access for people with mobility difficulties.*

Council believes:

- that there are many benefits to extending the pedestrianised footstreets area for residents, businesses and visitors, including disabled and non-disabled people;
- that increasing city centre access for some should not come at the cost of creating barriers for others;
- that accessibility is about meeting the needs of all residents visiting the city centre;
- that ensuring accessibility includes ensuring sufficient provision of appropriately located seating, toilets, changing places, baby change facilities, cycle racks and Blue Badge parking;
- *through the ongoing consultation officers and members are acknowledging that at times the different needs of different disability groups may conflict with one another and the Council needs to mediate between these;*
- that City of York Council *is facilitating an extensive engagement with local disability groups and residents with restricted mobility as it works to ensure the city centre is accessible to all residents.*

Council resolves to request that the Executive and relevant Executive Member *continue addressing the following suggestions through the ongoing accessibility arrangement review:*

- undertake a review of city centre seating, working closely with older adult and disability advocacy groups, to ensure sufficient 'rest-stops' are available throughout the pedestrianised footstreets area;
- ensure that all new benches installed across York are age and disability friendly, with appropriate backs and arm rests;
- ensure sufficient provision of fully accessible toilets, baby-changing facilities and changing places that are open at appropriate times and that are well-signposted;
- undertake a review of cycle rack provision to ensure secure parking is available for the full range of cycles, including mobility aids and trailers;
- explore options for a frequent shuttle 'train'/bus that is fully accessible, not limited to Blue Badge Holders, not stigmatising and that enables people to get to and from a range of places within the pedestrianised footstreets area that they need access to;
- review the provision of charging points for mobility aids such that those who wish to access the city centre via this method can be confident that they will not get stuck and be forced into embarrassing or stressful situations;

- direct council officers to work with partners, through the Quality Bus Partnership, to work collaboratively with local disability representative groups to review how drivers prioritise wheelchair users' access and makes Class 3 access training available in York;
- in conjunction with Age Friendly York, local disability representative groups and Quality Bus Partnership, develop agreed criteria for accessible bus stops;
- review the policy, *as a part of the Council's review of parking and routes to and through the city centre*, around choice of road and pavement surfaces city-wide, to ensure that ergonomics *and accessibility are taken into account* and that a consistent approach is taken to tactile paving city-wide;
- ensure that an easily accessible, up-to-date map of Blue Badge parking is available to residents online and in hard copy upon request;
- review national best practice examples for pedestrian core accessibility such as Chester and Leicester, and, *whilst recognising that every city has different issues and challenges*, consider measures that improve pre-existing access such that City of York Council meets its obligation to ensure equality of city centre access for all York residents."

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

Resolved: That the above motion, as amended, be approved.³

Action Required

1. To note the contents of the motion on A Planning System that Works for Residents and take appropriate action. NF
2. To note the contents of the motion on Fixing Social Care and take appropriate action. IF
3. To note the contents of the motion on Ensuring Access for All and take appropriate action. NF

20. **Questions to the Leader or Executive Members**

Question to Cllr Ayre, Executive Member for Finance & Performance

From Cllr Fenton: With regard to recent press reports about significant changes to the Coney Street area, including a riverside walkway and bridge, can you share more information about this?

Response: We secured funding from the LEP for a feasibility study to look at options for 3 sections of the riverside, including a new bridge to connect to York Central; 2 of these options cannot be progressed within available resources, but we're submitting a bid to the Levelling Up fund to enable us to work with commercial partners to extend the walkway up to Ouse Bridge, and are optimistic about its success.

Questions to Cllr Smalley, Executive Member for Culture, Leisure & Communities

From Cllr Webb: With regard to statements about filling in a '5 minute form' to apply for play area funding and in view of officer guidance that some play areas would qualify for funding on the basis of need, do you understand why your decision to change the rules part way through the process has left parents and kids feeling abandoned?

[Supplementary from Cllr K Taylor: What would you say to community groups and ward members who have worked hard on their bids, having told them that it was just about filling in a 5 minute form?]

[Supplementary from Cllr Musson: Are you still convinced that a competitive process was the best choice]

Response: I am proud of the play area improvement project. The original plan to invest £150k in a survey of play areas was put on hold due to the pandemic and a £100k community pot was launched. The response was incredible, and it was decided to re-direct £75k from the survey fund to the community pot. With the addition of community contributions a total of £400k is set to be invested in play areas. I accept with hindsight that each bid would have taken up a lot of time. it was a competitive process and 4 bids were not accepted because they did not meet the criteria, but officer have worked with those bidders to find other sources of funding and I will lobby for more investment in the future.

21. Report of Executive Member

A written report was received from Cllr Widdowson, the Executive Member for Environment and Climate Change.

Members were then invited to question Cllr Widdowson on her report. The following question was received from the floor and responded to as indicated:

From Cllr Kilbane: Do you accept that your opening statement under Waste Services is wide of the mark, given residents' experience of waste collections?

Response: There are issues with waste collection across the country in all local authority areas due to a shortage of HGV drivers resulting from the pandemic and Brexit, which has had a major impact on recruitment and retention. We are talking with Work With York and secondary recruiters about this, and are doing all we can with regard to green waste collections.

22. Scrutiny - Report of the Chair of the Customer & Corporate Services Scrutiny Management Committee

A written report was received from Cllr Crawshaw, Chair of the Customer and Corporate Services Scrutiny Management Committee, on the work of the Committee since the last report to Council, on 22 March 2021.

[The guillotine fell at 10:28 pm]

23. Pay Policy 2021/2022 Update

Council received a report which presented an amended version of the Pay Policy Statement for 2021/22 approved by Council on 22 March 2021, updated to reflect changes to the Chief Officer structure.

The following recommendation was contained in paragraph 16 of the report:

“That Council approves the updated Pay Policy Statement for 2019/20 relating to the pay of the Council's senior staff.

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.”

Note: No vote was taken on the above item, and the Lord Mayor subsequently requested that it be brought back to the next Full Council meeting.

24. Adoption of the LGA Model Code of Conduct for Elected Members 2020

Council received a report which presented proposals for the adoption of the Local Government Authority's Model Code of Conduct, following consideration of the Model Code by Joint Standards Committee.

The following recommendations were contained in paragraph 17 of the report:

“Full Council is requested to:

- Adopt the LGA Model Code of Conduct as recommended by the Joint Standards Committee for immediate implementation;
- The Model Code of Conduct will be incorporated into the Council's Constitution and will replace the existing Code;
- The Joint Standards Committee will, in consultation with the Monitoring Officer, develop and promote a Member and Officer Development programme to support the implementation of the Model Code;
- Support the adoption of the Model Code of Conduct as adopted by City of York Council by Parish Councils and ensure recognition of the same is included within the Parish Charter.”

Note: No vote was taken on the above item, and the Lord Mayor subsequently requested that it be brought back to the next Full Council meeting.

25. Update on Allocation of Seats and Appointments to the Council Structure for 2021/22

Council received a report which sought decisions in respect of the allocation of seats and appointments deferred from the Annual Council meeting on 27 May 2021.

The following recommendations were set out in paragraph 6 of the report:

“Full Council is asked to:

- (i) Decide whether to make an appointment on Audit and Governance Committee.
- (ii) Approve or not approve the allocation of the seat to Councillor D Taylor on Economy and Place Policy and Scrutiny Committee.
- (iii) Make any other appointments which may arise from the vote relating to the seat on Audit and Governance Committee.

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

In respect of Recommendations (i) and (iii), The Lord Mayor announced that two nominations had been received for appointment to the vacant seat on Audit and Governance Committee; namely, Cllr Rowley and Cllr Carr. At this point, Cllr Rowley withdrew his nomination and it was therefore

Resolved: That Cllr Carr be appointed to the Audit and Governance Committee.¹

In respect of Recommendation (ii), the Lord Mayor announced that Cllr D Taylor had confirmed his intention to take up the seat offered to him on Economy and Place Policy and Scrutiny Committee. The Monitoring Officer advised that external legal advice had been sought which had confirmed that the rules of proportionality did not apply in this case. Cllr Crawshaw stated that, as Chair of the Customer & Corporate Services Scrutiny Management Committee he wished to place on record his objection to the constitution of the committee, having himself sought legal advice which had reached the opposite conclusion.

On being put to the vote, the proposal to appoint Cllr D Taylor to the committee was declared CARRIED and it was

Resolved: That Cllr D Taylor be appointed to the Economy and Place Policy and Scrutiny Committee.²

The Lord Mayor further announced that the Liberal Democrat nomination to the Housing Appeals Committee, marked as 'tbc' on the Annual Council papers, had been confirmed as Cllr Hunter, and that this appointment did not require a vote.

Action Required

1 & 2: Make the agreed changes to the appointments on the system. JB

Note: The above item was brought forward on the agenda by the Lord Mayor and was therefore dealt with before the guillotine fell.

26. Appointments and Changes to Membership

Resolved: That the appointments set out on page 117 of the Agenda papers be approved.¹

Action Required

1. Make the agreed changes to the appointments on the system. JB

Note: The above item was brought forward on the agenda by the Lord Mayor and was therefore dealt with before the guillotine fell.

Cllr Chris Cullwick
LORD MAYOR OF YORK

[The meeting started at 6.35 pm and concluded at 10.33 pm]

This page is intentionally left blank

Report to Full Council from the Leader of the Council

Since my last report to Full Council, a great deal of work has taken place to drive forward the aspirations detailed within the Council Plan, as well as continue our efforts to recover from the pandemic. However, over the past few months, we have seen some national issues have an impact on the city, including some interruptions to supply chains, to staff shortages in HGV drivers and social care workers.

With these challenges to overcome, we are now entering what will be a difficult winter period for many, and therefore, it is likely to remain a busy period for the Council. Nonetheless, I know that despite any difficulties, our staff, key workers, city partners, volunteers and local residents will once again overcome these challenges. Therefore, whilst there is much to be done, here in York, there is always good reason to be hopeful.

Devolution in York and North Yorkshire:

The Council is continuing to work with Councils across York and North Yorkshire, alongside the LEP, to make progress on securing a devolution deal. In recent weeks, Government Ministers have confirmed that they see a Mayoral Combined Authority as the appropriate model of devolution for York and North Yorkshire. In response, we have written to confirm our desire to work with Government to move forward on devolution, examining all options and we continue to work with officials to identify what will be the best deal for York, which would then be widely consulted upon.

We expect a Levelling Up White Paper to be published around the time of the Autumn Budget (27 October), which hopefully will give greater clarity on the Government's future policy framework for devolution. We have no reason to expect that devolution (particularly through elected mayors) will cease to be an element of this and a way in which regions can bring greater local control to decision-making and certainty of funding.

Once we receive further detail and clarity from the Government, we will ensure all Councillors and partners are briefed on the available options moving forward.

Covid-19:

With regards to the current Covid-19 situation in York, the latest official validated rate of new cases per 100,000 people, for the period from 30.9.21 to 06.10.21 in York, was 229.4 (484 cases). From this, we can see that case numbers have started to rise in the city, but this is happening nationally. When compared to the regional and national rates, York's local 60+ rate is lower and amounts to around 10% of the total cases.

The NHS 111 service frequency had reduced as well, which has been attributed to people becoming less sick when they have contracted Covid. A similar picture is also being reported by York Hospital, with 45 patients in general beds and another 3 in the intensive care unit at the time of writing this report. Some winter respiratory issues can be seen to be happening earlier this year, which has impacted on our rates.

We can see from the data that the bulk of cases were amongst children, especially since they returned to school in September. With this in mind, the majority of household cases have therefore been triggered by school aged children. There is a risk that infection could be passed on to family members who were, or worked with, the clinically vulnerable. Therefore, the Council is continuing to work closely with schools to achieve a balance between proportionate measures to allow children to attend school, while also mitigating the risk of transmission.

In response to this, the Council has recently commissioned a letter, to be sent to all households across the city, directly from the Director of Public Health and Clinical Chair of the CCG to provide helpful advice on how to limit the spread of Coronavirus and other respiratory infections this winter. The Council is also in regular communication with local businesses to offer support, whether it be interpreting the latest national

guidance, or simply providing advice on how best to reduce the spread of infection, for example, ensuring that hand sanitiser stations are in a prominent position in stores.

Integration of Health and Social Care:

July's Executive shared information about the Government's proposals to integrate health, social care and community support through Integrated Care System partnerships. For York, it is hoped that this will build on the excellent health and care partnerships which have worked so well together throughout the pandemic.

Regionally, the Humber, Coast and Vale Health and Care Partnership (HCV) became an Integrated Care System (ICS), after its application for ICS status was ratified by NHS England and NHS Improvement. HCV has just appointed their chair designate Sue Symington, Chair of York Hospital NHS Teaching Trust and we are looking forward to working with her in this new role. HCV has already confirmed they would work with local communities through the formation of six local place based partnerships, of which York is one and Sue's new appointment is hugely helpful with her detailed understanding of York's unique health needs.

In response to the Government's announcement, the Shadow York Health and Care Alliance was established and has been meeting regularly to determine how we can best support a more joined up health and social care system. The Alliance has been supporting the hospital and social care prepare for winter pressures and, as a Council, we are fully committed to working closely with partners to shape a joined up system that puts residents at its heart. More information will be shared with colleagues once available, and I look forward to discussing this important issue with members of scrutiny when we are able to.

Providing sanctuary to Afghan Refugees:

As colleagues will know, York has a proud record of providing sanctuary to those in need. Our city has previously given a new home to 81

refugees under the Vulnerable Persons Resettlement Scheme for refugees of the conflict in Syria, and now arrangements have been put in place to welcome those escaping the Taliban.

Since the announcement that NATO military forces would withdraw from Afghanistan, the Council has been working alongside the Home Office, Ministry of Defence and MHCLG to support the national effort with regard to the Locally Employed Staff (LES) scheme, which is part of the wider Afghan Relocations and Assistance Policy (ARAP).

Council staff have been working to ensure that we are ready to give refugees the sanctuary they need. Alongside other local authorities in the region, we are working closely with Government and Migration Yorkshire who will allocate Councils a proportion of refugee families. Once we know the families' specific needs, alongside our local key partners, we will work to provide the all the necessary support to ensure they can settle safely in the city.

Fuel Supplies:

With the recent disruption to fuel supply across the country, the Council continues to monitor the situation locally, and in doing so, mitigate any impact on services and ensure we do not inadvertently contribute to the rise in demand at the pumps. To date, there has been no noticeable impact on our services and our own fuel deliveries for waste vehicles, and the rest of the fleet, have not been affected. We have checked with our suppliers and they have confirmed that we do not need to plan for any interruptions. As colleagues would expect in this situation, we have explored both supplier and our own business continuity plans as a precautionary measure.

We have also identified those services for residents which rely on staff in private vehicles, like care visitors working in residents' homes. We have proactively contacted key services and care sector providers to understand the level of impact, and subsequently, we have offered

assistance in reorganising any essential care. Thankfully, we have had very few requests for support and the situation appears to be stabilising.

While North Yorkshire Local Resilience Forum has not called a formal incident, the Council has been attending multi-agency meetings to represent the city. We will continue to monitor the situation, working with partners across the region to understand the current picture, and Councillors will be kept informed of any significant changes should they occur.

Great British Railways:

I am sure colleagues will join me in welcoming the recently announced competition regarding the future locations of the newly established Great British Railways (GBR). Before the competition was announced, City of York Council has been working jointly with North Yorkshire County Council and the LEP to make the case for York and express our interest in locating the HQ of GBR on the York Central site.

As part of this work, we have written to the DfT and Network rail to formally express our interest and to offer our assistance in identifying a suitable location in the city. As part of this early contact with the DfT and Network Rail, we have also sent evidence and detailed information about the rail industry in York and North Yorkshire, including information regarding connectivity.

We are still awaiting further detail from the Government, particularly regarding the 'rules' of the competition, but we will be sending another letter to the DfT to express our interest in the competition and to seek further information and support from yourselves. Once we have secured that detail, we will be in touch with colleagues and partners to outline the next steps.

Responding to the Government's Spending Review:

The Council has formally responded to the Government's Spending Review, which has concluded earlier this month. There is no doubt that the Autumn Budget comes at a critical time for local government. Throughout the last 2 years, Councils, including City of York, have shown their flexibility and unique positioning to support local communities through the toughest of times. But in doing so, this has taken its toll across all aspects of Council resources.

To continue to rise to the significant challenges we face, Councils now need as much certainty as possible. To genuinely facilitate recovery, we must avoid funding directed through short-term streams or one-off awards at the national level. In order to move forward, and level up our communities, we must be provided clarity through consolidated multi-year settlements which reflect the challenges being faced in our areas.

As a key funding stream for Councils, the Government's review of Business Rates is of significant interest. When the final report is published, we hope it recognises that the existing system is no longer fit for purpose, based around a model of commerce which is increasingly out of step with business. Putting in place a system which reflects 21st century business and incentivises local authorities to support business growth in new and innovative forms is critical to build back better.

At the same time, pressures within the Health and Care Sectors are already severe. Many partners, particularly within Vale of York CCG, describe the levels of activity and the challenges in sourcing care packages for hospital discharge like a severe winter. The LGA calculates that Councils across the country face annual cost pressures of £2.5 billion to maintain services at their current level of access and quality. Of this, £1.1 billion per year relates to adult social care.

The Autumn Budget must recognise all of the above and address these funding shortfalls immediately, particularly given that these challenges have been exacerbated by staffing shortages and market instability,

which remain unresolved in current Government policy. We must also receive considerable investment to ensure our residents can access good quality jobs, relevant to the recovery, or otherwise lose the opportunity to truly level up our region.

York Outer Ring Road:

Our latest plans to improve the York Outer Ring Road were recently approved in September. The York Outer Ring Road scheme is designed to improve the city's highway network, reduce congestion, move car journeys out of the city centre and enhance the pedestrian and cycle experience with improvements to sustainable transport along the network.

Extensive public consultation on the scheme was held in autumn 2020. Over 3,500 comments from residents and stakeholders were received, the evaluation of which was presented to the Executive. Within the consultation feedback, there was widespread support for the scheme's proposals, though some minor specific issues were raised around facilities at some locations for pedestrians and cyclists, which will be addressed in the subsequent design work to follow.

In response to the feedback received during the consultation, a number of changes to the scheme have now been improved, including:

- The provision of a pedestrian and cycle crossing facilities at the junction of Wigginton Road with the A1237 to improve safety and access for active travel around the roundabout
- The provision of a safeguarded route for a future orbital pedestrian/cycle route from Strensall Road junction to Monks Cross
- Diversion of Bridleway no. 4 at Huntington and provision of a Pegasus Crossing at Monks Cross junction

Haxby Station:

Significant progress continues to be made on delivering a new railway station in Haxby. Last week, the Executive agreed to purchase a plot of land as part of the project. In doing so, the additional purchase of land will help reduce the risks to the delivery of the project and put the strongest possible case forward to the Government to secure funding for a new railway station in Haxby. To support this, we have agreed that a budget of £250K to fund the purchase and associated acquisition costs.

The ambition for a new station at Haxby has been held for many years by this administration and therefore, we have been considering every step needed to make that ambition a reality. Last year, following consultation with communities, the Council submitted a bid for funding to Government to build a new railway station. In November 2020, the Government announced that £400k had been made available to fund further development work. Since then, working closely with Network Rail, the Council has been working on a strategic and business case which will help unlock the additional funding that will be necessary to deliver the railway station, with the hope that a new station could be built in 2024.

York Community Woodland:

Colleagues will be pleased to know that the future of York's new community woodland has been secured for many years to come, following the Council appointing Forestry England as our preferred delivery partner. The partnership involves Forestry England taking responsibility for woodland creation on the 194-acre site west of the city and ongoing management to a specification agreed with the Council through a long-term lease of up to 120 years, for which the Council would receive rental income.

The woodland schedule aims to plant 50,000 trees by spring 2023, eventually increasing to 80,000 to develop the natural landscape, and this incredible asset will be free for residents and visitors to enjoy. There

is mounting evidence that links green spaces with improved health and wellbeing. With paths and open spaces, the site will provide areas for walking, play and reflection. The project will boast health and wellbeing benefits, as well as promote green jobs and increase local biodiversity, creating a lasting legacy for our city.

Housing Delivery Programme:

During the course of 2021, the first residents of Lowfield Green moved into their new homes, with 30 homes now occupied and a further 53 homes to be completed this autumn/winter. The homes are highly energy efficient, giving new residents improved comfort and lower energy bills, whilst also helping to tackle climate change.

The next phase of the programme will see the Council start work on building the city's first carbon zero neighbourhoods in 2022, with new developments at Burnholme (83 homes, including five self-build properties) and Duncombe Barracks (34 homes and one commercial unit).

To build on this, Executive Members will soon be asked to consider the submission of a planning application to deliver more homes, community facilities and flexible commercial spaces at the Ordnance Lane and Hospital Fields Road site. A draft application has been prepared for 85 homes, 10 non-residential spaces including two communal spaces, two retail spaces, and six flexible spaces to be used as office, co-working, studio or maker spaces.

The Executive will also be asked to consider accepting funding of over £2.6m, following a successful grant application under the Brownfield Land Release Fund. If agreed, this grant funding will be used for the Ordnance Lane project, as well as supporting self and community build groups interested in developing the former Tang Hall Library and Chaloners Road garage court sites.

It has been encouraging to see the positive impact these new homes have had on the lives of the residents who have recently moved in and furthermore, to know that more homes will be completed in the coming weeks and months.

Community Welfare Support:

A total £228,000 has been put forward to further fund Free School Meals and provide additional support to help York residents through the coming winter months.

Following agreement at Executive last month, the Council will invest £150,000 in its Free School Meal voucher scheme to beat hunger during school holidays, and a further additional £78,000 to fund three community support schemes. Both funds are designed to help alleviate some of the financial pressures which many are expected to experience after the furlough scheme and the £20 Universal Credit uplift end this autumn.

The three schemes designed to help communities and residents to access financial and digital support will run for 12 months, and will be paid for by existing emergency funding from York Financial Assistance Scheme (YFAS). They include:

- An additional £20,000 Early Support Fund will be added to £40,000 of existing funding for small grants available in communities, which will be a flexible and rapid source of support for people and families facing financial crisis or who can't get the support they need. Following a pilot run over the past 18 months, the fund will be administered by the city's Local Area Coordinators;
- £35,000 Early Intervention Project will support residents to break the cycle of debt. Advisers and Council Tax, Housing and Benefits services will take a holistic view across all debts with the Council to address debt and ensure access support
- £23,220 100% Digital York Project. With 13% of York residents not online, a co-ordinator will ensure people do not suffer social

isolation or miss out the financial benefits of being online, and that they develop digital skills and tackling social isolation.

We know how worried many people are about the impending end of the £20 Universal Credit uplift and of course, the end of the furlough scheme. That is exactly why these proposals have been forward, to help alleviate that pressure. In the meantime, recognising that we simply do not have the resources to support all residents alone, we will continue to lobby the Government to request these resources and I welcome colleagues support in making that case.

ARG Business Support Funding:

At the end of August, an additional £500k was invested to create a package of support for York's independent businesses, so they could bounce back from the impact of the pandemic. £500k of York's final £1.4m instalment of the Additional restrictions Grant (ARG) was used to create a business support scheme, enabling small and micro businesses in York to relaunch and refresh with help from within the city's business community.

The voucher scheme was designed to ensure that local businesses could get up to £1000 of expertise and support from other businesses across the city – not only helping those in receipt of the vouchers, but also generating income for other local businesses.

The delivery of a York-based business support voucher scheme would continue the Council's innovative approach to business support, building on the success of the Council's Micro Business Grants Scheme which saw grants of up to £1,000 provided to 1,114 small, micro and one-person businesses during the early stages of the pandemic.

Although national Covid restrictions have lifted, this remains a very challenging time for many of our local businesses as they adjust to new economic conditions. We hope that this funding will support businesses through the transitions that companies are working through to adjust to

the new economic climate and foster a period of renewed inclusive economic stability and opportunity.

New Mural at the Community Stadium:

LNER has officially unveiled the installation of an impressive 100ft mural, inspired by different aspects of the city, at the Community Stadium. Adorning the West Stand, the mural was designed by the University of York, and captures sights from around the city including Clifford's Tower, the city walls and York Minster, as well as an Azuma train departing York station.

On visiting the stadium, the mural does indeed look fantastic and perfectly captures the spirit of the stadium and wider complex as an incredible community facility for the local community and the whole of York.

New Centre of Excellence in Smart Transport:

I was pleased to join car software pioneer ETAS to officially launch their new Centre of Excellence. The new site for ETAS Centre of Excellence for Embedded Software, on Hospital Fields Road, is the centrepiece of a £1.6 million expansion of the Bosch subsidiary's long-established presence in York.

The £1.6 million investment and expansion will bring a wide range of new highly skilled jobs to the area, and more than 60 positions will potentially be created over the coming months. This expansion is clearly a strong sign of confidence in York and we very much welcome this substantial investment from Bosch in the city.

Looking forward, this is an important and growing industry – and York will continue to be at the heart of developments that can shape the future of transport across the globe. By securing this investment, there is potential to make York a centre for the development of software for connected and autonomous vehicles in the future and along with this,

provide a boost to our local job market and create more opportunities for our residents.

The HMS York Funnel Badge:

Colleagues will be pleased to know that the Royal Navy has kindly gifted the City of York both funnel badges from HMS York. The funnel badges are an oversized version of HMS York's ships badge, survived when HMS York (D98), a Type 42 Destroyer, was decommissioned in 2012 and then later scrapped in 2015, following 30 years of service in the Royal Navy.

This pieces of naval history will be formally gifted to the city by Royal Navy Commodore and Naval Regional Commander for Northern England and Isle of Man, Phil Waterhouse ADC, at West Offices this month, where colleagues will be able to see the funnel badge mounted in the King Richard III Room.

This page is intentionally left blank

Meeting	Executive
Date	26 August 2021
Present	Councillors Aspden (Chair), Ayre, Craghill, Cuthbertson, D'Agorne, Runciman, Smalley, Waller and Widdowson
In Attendance	Councillor Douglas (on behalf of the Opposition Group Leader)

PART B - MATTERS REFERRED TO COUNCIL

32. Capital Programme - Monitor 1 2021/22

The Chief Finance Officer presented a report which set out the projected out-turn position of the council's capital programme for the 2021/22 financial year, along with requests to re-profile budgets to or from current and future years.

A decrease of £62.138m was reported on the programme approved in February 2021, resulting in a revised programme for 2022/22 of £158.404m. Variances against each portfolio area were set out in Table 1 at paragraph 6 of the report and detailed in paragraphs 7-48. The revised 5-year programme was summarised in Table 2 at paragraph 49. Officers reported that the slippage was due mainly to the re-profiling of major schemes, as was to be expected with such complex projects.

In commending the recommendations to Members, the Executive Member for Finance & Performance welcomed the progress on a number of schemes, including the Guildhall, the Community Stadium and the completion of Marjorie Waite Court.

Recommended: That Council approve the adjustments resulting in a decrease in the 2021/22 budget of £62.138m, as detailed in the report and contained in Annex A.

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

Cllr K Aspden, Chair

[The meeting started at 5.35 pm and finished at 7.27 pm].

Council - 21 October 2021

Report to Full Council from the Deputy Leader of the Council

It is an extremely busy time for the council with progress in safely returning to face to face meetings and provision for hybrid working to suit operational needs and greater efficiencies of working from home for at least a proportion of staff for some of the time. Below is a summary of some recent developments in Transport and Council priorities.

Bus Service Improvement Plan

As a key element of covid recovery and enhancing our public transport infrastructure, the draft bid to the government for funding for future years was due to be approved at Executive Member for Transport Decision Session on Oct 19th prior to submission by the end of this month. This provides a vital basis for rebuilding patronage on a modern clean efficient 21st century integrated bus service which can take full account of changed behaviours such as contactless payments, increased home working, multi modal travel etc. Cut price ticketless travel for young people, interchangeable between operators is clearly important to help establish sustainable travel habits, and a range of other changes are intended to complement our renewed Local Transport Plan and Climate Change Strategy.

Great British Railways:

I am pleased that City of York will be entering into the competition to secure the future location of the newly established Great British Railways (GBR) (to take over responsibility for railway operations) I know that the Leader has already written to the DfT and Network Rail, jointly with North Yorkshire County Council and the Local Enterprise Partnership, to formally express our interest and to offer our assistance in identifying a suitable location in the city.

We still await further detail from the Government, particularly regarding how the competition will be run and what the criteria for success will be.

Once we have secured that detail, we will be in touch with partners to outline the next steps.

Haxby Station:

I welcome the continued progress being made to deliver a new railway station in Haxby. The executive has already agreed to purchase a plot of land as part of the project, putting the strongest possible case forward to the Government to secure further funding to make this happen.

Such a facility would make a significant contribution to the city's sustainable transport network, enabling many residents in the area to walk or cycle to catch the train for direct travel to Malton, Scarborough and York or for connections to the rest of the country and beyond. Others may travel by bus or car to the station, reducing the need for longer car journeys.

We will continue to work with partners to keep making progress on this project, with further updates to come in due course.

Highways Infrastructure Asset Management Plan:

Last month, Executive approved the introduction of a highways management framework that includes a Highways Infrastructure Asset Management Plan (HIAMP), designed to help us better manage the city's infrastructure, based on recommendations from the UK Road Liaison Group, a group endorsed by the Department for Transport.

Through the new framework, we can better guide the long term maintenance of the highways network in the city, including how the council prioritises and manages all its infrastructure including street lights, gully cleaning, footpaths and cycle routes.

It is worth reminding colleagues that the council is responsible for around: 500miles of roads, 550miles of footway, 44,000 road gullies, 23,000 street lights, 3.5 miles of bar walls and 1,500 signposts.

Introducing the new framework aims to secure the most efficient and effective approach to managing our highway infrastructure, with significant benefits achieved through longer-term planning. The plan will ensure the council can determine the most cost effective point to make repairs to keep our roads and paths in a safe and serviceable condition.

Annual Carbon Emissions Report:

The Council has published our Annual Carbon Emissions Report to provide a base line and kick-start the next phase of reducing our carbon emissions to net zero.

The report, which has initially been published for the Climate Scrutiny Committee, will then be updated and considered by the Executive Member for the Environment and Climate Change on the 10th November 2021.

As part of this work, annual reporting will now take place every year to monitor the council's corporate progress to reduce its carbon emissions to net zero by 2030. The report identifies priority areas for decarbonisation, as well as some of the key steps already taken by the council to reduce its carbon footprint – such as purchasing 100% renewably sourced electricity since April 2020.

The report currently focuses on scope 1 and 2 emissions (ie those which are created within the city, but excluding scope 3 which is the emissions from international travel/ freight and the emissions caused by the creation elsewhere of the products we consume.)

The publishing of council corporate emissions will form part of the evidence base that will support the city's first Climate Change Strategy, which is due to be published early next year. The councils own emission reductions while setting an important example will not be enough on their own which is why we are working with other major organisations

such as the Universities and big corporations through the York Climate Commission to ensure a coherent strategy for the whole city.

Shaping My Castle Gateway:

Design options for the space around the Eye of York were recently presented to local residents as part of the My Castle Gateway project, to continuing the engagement of residents in shaping the future of the area.

Following on from public feedback on these designs, local residents were strongly in favour of retaining the existing oak tree, and this option will now be developed in detail as part of the planning application that will be submitted in the autumn.

This public engagement was carried out during August and feedback collected from social media responses and online comments. 4 design options for the Eye of York space were presented to the public, 2 of which retained the existing oak tree, whilst the 2 other options envisaged the space without the existing tree.

The My Castle Gateway blog shares more information about the proposals and I would encourage colleagues to visit <https://mycastlegateway.org/blog/> to look in more detail.

Bike to School Week:

We have been encouraging students of all ages to cycle, as part of Bike to School week, which took place at the end of September.

Every weekday in York, over 23,000 students from Reception to Year 11 make their way to and from school, that's around 230,000 journeys a week in term time. In the recent 'Our Big Conversation' survey, 28% told us that they would prefer to cycle to their place of study. That is why during Bike to School week, we have been working with schools and

families to encourage them to leave the car at home and instead, take their bicycle, tricycle or scooter for the school run.

Bikeability training is offered to all primary and secondary schools in York, with 98% uptake from the schools and over 2,000 training places delivered annually. The training offers children and young people the confidence and skills to make their journey to school by bicycle and they are encouraged to continue cycling on a regular basis once the training is completed. The training also means parents are happier for their children to cycle independently, for leisure as well as a mode of transport. We also offer urban cycling skills one to one sessions for adults who are either taking up cycling or want to boost their confidence on the road.

Active Travel Programme

As reported to my Decision Session in September, a timetable has now been compiled for implementation of a number of active travel infrastructure schemes across the city to a total value of more than £3m. This underlines our commitment to delivering the programme of walking and cycling measures funded through the government Active Travel Fund. This programme includes measures which are funded through West Yorkshire Combined Authority - £1.4m Transforming Cities Fund programme for Tadcaster Rd is to be implemented in 2022 alongside the major drainage and highway maintenance works funded through the Dept for Transport.

Navigation Road Low Traffic Neighbourhood:

Following consultation with residents and businesses earlier this year, a short section of Navigation Road is now one way except for cyclists, removing through traffic taking a short cut from Piccadilly and Walmgate to rejoin the inner ring road at Foss Islands Rd. Traffic leaving the city centre must exit via Walmgate Bar, rather than through the residential area, a diversion of only 60 metres. However access to the area from the Inner Ring road is maintained. The reduced traffic levels will help to improve safety for residents walking to and from Walmgate and the

centre of York and is a good example of how we can reduce through traffic within the city centre while maintaining essential access for all.

The changes also result in improved safety and visibility for pedestrians and cyclists at either end of Hungate Bridge and around Rowntree Wharf car park and safer connections for the city's north-south cycle route avoiding the pedestrianised area. Work is planned for early in 2022 to develop this as a clearly identified route and enhance the cycle connection from Navigation Rd to Morrisons and the Foss Islands cycle route.

Digital Respark system

At the beginning of September we began the transition to a more cost effective 21st century system of residents' priority parking which will be phased in across the city as permits expire. Inevitably there have been some challenges given the complexity of a wide range of different permits and users of the system but I believe we are now close to resolving these. The new system provides users with the facility to secure permits online within a short time of applying. I have asked officers to investigate further options for direct debit monthly payment plans, and reaffirmed the importance we place on providing support for those experiencing difficulty with securing permits through the online service.

And a thank you...

"Finally I would just like to thank all council staff for their ongoing commitment. The past 18 months have been incredibly challenging with COVID and the impact that has had on all our lives but also the way we work. Staff have risen to that challenge. From the services within my portfolio, I would like to make special mention to the highways team who have supported waste services to minimise the impact of disruption to waste collections. I should also thank the Transport team who have responded to rapid changes in how our transport network is used with 'pop up' provision to enable social distancing and plans for a whole raft of changes to make sustainable travel safer and more attractive.



This page is intentionally left blank

Report of the Executive Member for Health and Adult Social Care to Full Council – 21 October 2021.

During the recent COVID 19 pandemic, both sides of my portfolio have been incredibly busy and although the majority of restrictions have eased, it remains a challenging period for both Public Health and Adult Social Care.

Both the city's Public Health team and all the various branches of the NHS have worked to capacity and very often beyond, to keep our residents safe and ensure they receive the help and support that they need. This has included setting up testing sites and more recently vaccination sites, undertaking community outreach work, as well as advising our schools and businesses as national legislation and guidance evolved.

I have been involved all through the pandemic in the ever-changing situation for universities and colleges. Meeting weekly at first, the University and College subgroup of the Outbreak Management Advisory Board, has interpreted Government guidance and ensured consistency of approach across the city. It is good to be able to report that there have been no outbreaks in teaching areas in the institutions and the numbers of students that have now been vaccinated are very high. Students are only too willing to be vaccinated, so that relatives and friends are safe and life can return to normal as much as possible.

The Public Health team has been involved in tracing the contacts of those notified to them by Public Health England that have tested positive, making every effort to reach them as quickly as possible.

Due to ongoing issues with the national system, in March 2021 York's Public Health team launched a local contact tracing service, undertaking the contact tracing of all contacts of positive cases. This saw more than 90% of contacts reached within 24 hours since the launch of the scheme, which played a key role in containing outbreaks and reducing the spread of infection in York.

Changes in the NHS Test & Trace system are now seeing local teams no longer able to undertake contact tracing in York and positive cases are no longer referred to the local team until after 4 hours. This is creating unwelcome delays in the follow up of positive cases and presents a risk locally of residents not being able to access the right level of local support soon enough. The Leader of the Council has

written to the Secretary of State on behalf of the Outbreak Management Board to raise this issue.

The success of the local contact tracing programme has been a testament to the excellent work of the Public Health team. They have also made particular efforts to reach those groups that were reluctant to be vaccinated and those in areas where vaccine take up was low. Their hard work has contributed to low levels of infection in the city, although I must emphasize that the virus is still around and I'd urge everyone to remember hands, face, space and in particular, getting plenty of fresh air and exercise when they can. The importance of remembering both physical and mental health has also been highlighted by CYC's PH Health Trainers Team to encourage people to get out and about.

In Adult Social Care, pressures due to the continuing rise in demand during the pandemic have been significant. Our hospital team based at York District Hospital has worked hard to ensure that as many beds are available as possible for those who have COVID-19 infections and other serious conditions. They also ensured that those who could be discharged, were discharged with the appropriate support. This put extra pressure on services in the community and on residential and nursing care, where issues with staffing became an issue as more staff contracted COVID-19 or were self-isolating. This also happened in the hospital and in primary care settings. I cannot speak too highly of the efforts made by every team in every setting, both in the hospital and in our communities and surgeries, to keep the services going, sometimes in new and different ways, despite all the pressures they were under.

There has been greater use of technology during the pandemic and this is an area I would like to see developed further in the coming months. I have attended several web based LGA training sessions for HWBB chairs, and some webinars, including one by Sir Michael Marmot. However, the use of technology extends well beyond training and has plenty of useful applications in the fields of health and adult social care. I expect this to develop in the next year.

During the pandemic, I have chaired meetings of the Health and Well-being Board where many issues of strategy and service delivery have been considered. I have also attended meetings of the Adult Safeguarding Board and the Mental Health Partnership where the effect of the pandemic soon became very apparent, especially on lonely and isolated people. We are still seeing a rise in mental health referrals and

this administration committed an additional £100k in the last budget to help alleviate some of that pressure.

In the light of a surge in demand for mental health support from residents of all ages and backgrounds, the city's leaders have come together to set in place an action plan that would ensure a joined up and coordinated response to the growing mental health challenge.

York's mental health summit was held on the 26th March involving the NHS, universities, police, MPs, council and charities – with a focus on emotional health education in schools and extra support for businesses to help their staff and suicide prevention services.

Recent research presented at the meeting suggests that almost 20% of the population will need either new or additional mental health support as a direct consequence of the Covid-19 crisis.

The short-term actions agreed by the city's leaders ranged from the introduction of special school recovery curriculum, additional support of suicide prevention programmes and proactive work with local businesses to the rolling out of Northern Quarter Project across the city and other measures.

In order to monitor this work, I have attended meetings of the Northern Quarter Partnership, which involves a number of partners working together to improve the mental health and well-being for residents in the city.

I have also discussed the increasing incidence of mental health issues with the Chair of the Tyne, Esk and Wear Mental Health Trust, as the trust are experiencing similar pressures on their services. I was pleased to be able to visit the newly opened Foss Park Hospital, an innovative, cutting-edge establishment that provides the highest quality of care for our local communities.

The Outbreak Management Board has met regularly and as its Vice Chair, I have attended all meetings. The strength of the partnerships that have developed across the city and beyond is well demonstrated at the OMAB meetings and has been a characteristic of the work across Health and Adult Social Care throughout the pandemic. The co-operation of all our partners is greatly appreciated.

As the Clinical Commissioning Group enters into its last six months of existence, the Integrated Care System is developing in its place. Not all

the necessary government guidance is yet available but I have been briefed as the ICS plans emerge and it has been discussed at meetings of the HWBB.

I particularly enjoyed my visit to the extended Marjorie Waite Court which now offers a very congenial independent living environment where residents can go in and out as they please and eat in the very modern cafe which offers excellent meals at reasonable prices. In the area of residential care, Haxby Hall has also been transferred to Yorkare who will invest in the improving and extending the building and so increase the number of beds available.

Budget discussions have taken much of my time throughout, as is the same with all members of the Executive. As a low funded authority, increasing pressures on our services make for difficult discussions about issues that must be resolved before the budget is set in February. It is planned to bring budget papers to Executive Member Decision Sessions in December. Unfortunately, recent government announcements about funding for adult social care have not brought clarity or relief to the ASC funding situation. We have contacted the Secretary of State to express our concerns, and also have raised the same issue in a submission to the Government's Spending Review.

I have been involved in discussions about the restructuring in ASC and have been on the appointment panel for several key posts. I would like to put on record my thanks to all officers in the directorate who have kept delivering services during the changes and unprecedented challenges that the past 18 months have brought - they have done a great job. I must also thank our corporate Director, Amanda Hatton, for all the work she has done during her time with us and wish her well in her new post in Edinburgh.

Finally, I cannot finish before putting on record my very grateful thanks all our partners in the voluntary and community sector who have played such a significant role during the pandemic. Their work throughout the city has helped and supported many residents who otherwise would have been in great difficulties. The CVS has played an important role throughout and they, as well as other organisations, tell us that even one supportive phone call a week can make a difference to the life of a lonely person.

As we come out of lockdown and as the effects of the pandemic subside, I hope that all the cafes, clubs, societies and other informal gatherings, often supported by ward committee funds, will start up again


and be able to give people the friendship and help that they need. Our Local Area Co-ordinators and Social Prescribers also deserve thanks for all they have done in our communities.

This last year and even longer than that have been the most difficult time and it is to everyone's credit that we have all pulled together, got through it and emerged even stronger than we were before.

Cllr Carol Runciman.

October 2021.

This page is intentionally left blank

	
Council	21 st October 2021
Report of the Director of Governance Portfolio of the Executive Member for Finance & Performance	

Pay Policy 2021/22 Update

Summary

1. The purpose of the report is to present the council's updated Pay Policy Statement for 2021/2022.
2. This has been updated since the March report to reflect the changes to the Chief Officer Structure as agreed through Staffing Matters and Urgency in December 2020.

Background

3. Section 38 – 43 of the Localism Act 2011 introduced a requirement 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.
4. The Pay Policy Statement has been produced following the requirements of the Act and guidance issued by the Secretary of State for Communities.

Consultation

5. Approval of the Policy Statement is by full council, consultation with other management bodies is not required.

Options

6. Option one - To endorse the updated Pay Policy Statement.

7. Option two - To reject / amend the Pay Policy Statement.

Analysis

8. There is no change in the councils pay policy since the annual March report. This update merely serves to show the information relating to the new Chief Officer structure.
9. The Council is a Living Wage employer and its minimum level of pay is the rate set by the Living Wage Foundation for 'Outside London'. For 2021/22 this rate is £9.50 per hour, equivalent to an annual salary of £18,328. For the majority of staff in the Council their basic pay will be at the Living Wage rate but the Council's Living Wage supplement is in place to bridge any gap between basic pay and the Living Wage rate.
10. The pay multiple (the ratio between the highest paid base salary in the council and the median salary) is reported as part of the Pay Policy Statement. The ratio is based on the salary of the highest paid permanent role; that of the Chief Operating Officer. The median average has been used for calculating the pay multiple. The ratio remains unchanged from that reported last year at 5.39:1.
11. Salary information is already published for certain senior staff under the requirements of The Accounts and Audit (England) Regulations (2011) and the Local Authorities Transparency Code. Information can also be found in the council's website at: <https://data.yorkopendata.org/dataset/senior-officers-salary> . The updated Pay Policy Statement and its Annexes will also be published in this section of the website.

Council Plan

12. The council's pay policy and production of this policy statement aligns with the core outcomes of 'an open and transparent council' and 'well paid jobs and an inclusive economy'.

Implications

(a) Financial

There are no financial implications for the report.

(b) Human Resources (HR)

There are no human resource implications for the report.

(c) Equalities (Contact – Equalities Officer)

There are no equalities implications for the report.

(d) Legal

The Pay Policy Statement meets the requirements of the Localism Act and also meets the requirements of guidance issued by the Secretary of State for Communities and Local Government to which the authority is required to have regard under Section 40 of the Act.

(e) Crime and Disorder

There are no implications for crime and disorder.

(f) Information Technology (IT)

There are no implications for IT.

(g) Property

There are no implications for property.

(h) Other

Other implications are covered in the body of the report.

Risk Management

15. There are no significant risks associated with production of the Policy.

Recommendations

16. That in order to fulfil the requirements of Sections 38 - 43 of the Localism Act 2011:
- (i) Council approves the updated Pay Policy Statement for 2019/20 relating to the pay of the Council's senior staff.

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.

Contact Details

Authors:	Chief Officer Responsible for the report:		
Judith Bennett Pay, Reward and Policy Manager Tel No. 01904 551716	Janie Berry, Director of Governance Tel no. 01904 555385		
	Report Approved	√	Date 7/7/21
Specialist Implications Officer(s)			
Wards Affected: None			All

For further information please contact the author of the report

Background Papers:

None

Annexes:

Pay Policy Statement and its Annexes:

Pay Policy Statement

Annex A - Chief Officer Pay Policy

Annex B - Chief Officer Remuneration Details

Annex C - Number of other (non- senior) employees with remuneration over £50,000

Annex D - Public Health Remuneration Details and Policies

Annex E - Publication Requirements

This page is intentionally left blank



**City of York Council – Pay Policy Statement for the period
1 April 2021 to 31 March 2022. Updated 1st July 2021**

Introduction

Under Sections 38 – 43 of the Localism Act 2011 the council is required to produce a Policy Statement that covers a number of matters concerning the pay of the council’s senior staff.

This Policy Statement meets the requirements of the Localism Act in this regard and also meets the requirements of guidance issued by the Secretary of State for Communities & Local Government to which the council is required to have regard under Section 40 of the Act.

This Policy Statement also relates to the data on pay and rewards for staff which the council publishes under the Local Authorities (Data Transparency) Code 2015 and the data which is published under The Accounts and Audit (England) Regulations (2011).

It should be noted that the requirements to publish data under the Secretary of State Guidance, the Code of Practice and the Regulations do differ and the respective requirements are summarised in Annex E to this Policy Statement.

This Policy Statement does not cover or include school staff and is not required to do so.

Publication of this Policy Statement

This Policy Statement was considered and approved by full Council at its meeting on 22nd March 2021 and was updated and approved by full council on 21st October 2021. The council has taken the following action to ensure that this Policy Statement is easily accessible to the public:

- it is publicised on the council website in a readily accessible place - Senior Salary information, under Governance and Transparency.
- it can also easily be found under global web searches.

Definition of officers covered by the Policy Statement

This Policy Statement covers the following posts:

1. Statutory Chief Officers (as at the date of this report 1 July 2021):

Statutory Officer Role	City Of York Council Post
Head of Paid Service & Returning Officer	Chief Operating Officer
Monitoring Officer	Director of Governance
Director of Children's Services Director of Adult Social Services	Corporate Director People
Chief Finance Officer (S151)	Chief Finance Officer
Director of Public Health	Director of Public Health

2. Non-statutory Chief Officers currently (at 1st July) are the posts of:

- Corporate Director Economy and Place
- Director Customer & Communities
- Director Safeguarding
- Director Commissioning & Prevention
- Director Economy, Regeneration & Housing
- Director Environment, Transport & Planning
- Assistant Director Adults and Social Care
- Assistant Director (Consultant) in Public Health
- Assistant Director Children's Specialist Services
- Assistant Director Education and Skills
- Assistant Director Communities and Equalities

Policy on remunerating Chief Officers

The policy for remunerating Chief Officers can be seen in Annex A .

In October 2020 a change was made to the senior structure which replaced the Chief Executive post with the new role of Chief Operating Officer.

The salary scale for this role was agreed as follows:

1	£141,765
2	£145,855
3	£147,899
4	£149,944

Progression through the salary scale is dependent upon performance and approval by the Leader of the Council. Any annual increase to the Chief Operating Officer salary scale is in accordance with awards negotiated nationally by the respective National Joint Council.

Further details on the council's remuneration of Chief Officers and the Chief Operating Officer are set out in the schedule that is attached to this policy statement at Annex B.

Policy on remunerating the lowest paid in the workforce

The council applies terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of council decisions, these are then incorporated into contracts of employment.

The council is a Living Wage accredited employer which means its lowest pay point complies with the outside London Living Wage rate. From 1st April 2021 this rate of pay will be £9.50 per hour (£18,328 per annum). The Living Wage rate is either within basic salary or a consolidation of basic salary and a Living Wage supplement if required.

Increases to the council's salary scales are in line with annual salary awards negotiated nationally by the respective National Joint Councils.

Apprenticeship Pay

The council's pay rates for apprentices are:

- Year 1 (the first 12 months of their training) – the equivalent of the National Minimum Wage for 18 to 20 year olds.
- Year 2 and beyond (from 12 months in training) – the equivalent of the National Minimum Wage for 21 year olds.
- Apprentices aged 23 and above in their second year (or subsequent) of their apprenticeship are paid the National Living Wage.

Rates increase annually in April following any changes made to the National Minimum Wage rates.

Policy on the relationship between Chief Officer remuneration and that of other staff

The highest salary in this council is £145,855 which is paid to the Chief Operating Officer. The median salary in this council is £27,067. The ratio between the two salaries, the 'pay multiple' is 5.39:1. This council does not have a policy on maintaining or reaching a specific 'pay multiple', however the council is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the council as expressed in this Policy Statement.

The council's approach to the payment of other staff is based on locally or nationally negotiated terms and conditions of employment and to ensure that it meets any contractual requirements for staff including the application of these agreements, or council decisions regarding pay.

In addition to the separate arrangements for the Chief Operating Officer and Chief Officers, the council has staff employed under terms and conditions set for the following groups:

- Local Government Services Employees
- Soulbury Employees
- Educational Psychologists
- Workshop for the Blind

The council also employs staff who have separate terms and conditions subject to the Transfer of Undertaking and Protection of Employment (TUPE) Regulations.

Employees with remuneration over £50,000.

The council has 69 other employees with remuneration over £50,000. These employees are covered by the national pay arrangements for Educational Psychologists, Soulbury Officer and Local Government Service Employees. Details of the numbers within salary bands can be seen in Annex C.

Amendments to the policy

Amendments are to be made during the year and will be presented to full Council.

Public Health

Responsibilities for Public Health functions transferred to the council, together with staff on 1st April 2013. The staff transferred under TUPE principles and their Terms and Conditions of Employment are set out in the NHS Terms and Conditions – Consultants (England 2003)'.

The Public Health posts in this council are:

NHS Clinical Advisor

Details of Public Health remuneration details and policies can be found in Annex D.

Policy for future years

This Policy Statement will be reviewed each year and presented to full Council for consideration.

Annexes:

Annex A - Chief Officer Pay Policy

Annex B - Chief Officer Remuneration Details

Annex C - Number of Employees with remuneration over £50,000

Annex D - Public Health Remuneration Details and Policies

Annex E - Publication Requirements

Chief Officer Pay Policy

1.0 Scope

- 1.1 This policy applies to employees covered by the Joint Negotiating Committee for Local Authority Chief Officers. In City of York Council this is Assistant Directors, Directors and Corporate Directors. Separate arrangements exist for the Chief Operating Officer.

2.0 Role of the Unions in Chief Officer Terms and Conditions/Pay and Grading

- 2.1 At national level Unison and GMB are recognised for negotiation purposes on Chief Officer terms and conditions. Terms and conditions are set out in the Joint Negotiating Committee for Local Authority Chief Officers Conditions of Service Handbook.
- 2.2 Collective bargaining arrangements for the Chief Officer group at City of York Council are set out in the Trade Union Engagement Framework, (Recognition at City of York Council). The Framework can be viewed here: <http://colin.york.gov.uk/besupported/hr/trade-union-engagement/>

3.0 Policy on remunerating Chief Officers (from Pay Policy)

- 3.1 It is the policy of this council to establish a remuneration package for each Chief Officer post based on evaluation of the role to determine its size and consequently its position in the Chief Officer grading structure. The salaries attached to the structure originate from the historic national framework for Chief Officers.
- 3.2 Increases to the salary scales are based on nationally negotiated settlements by the Joint Negotiating Committee for Chief Officers of Local Government, and progression through a salary scale is incremental and based on performance.

4.0 Salary on Appointment of Chief Officers

- 4.1 The appointments sub-committee; subject to the Chief Officer Pay Policy and job evaluated range for the post determines the salary level and package offered to the successful candidate.
- 4.2 Chief Officer pay packages over £100k in value are subject to approval by the Council's Staffing Matters & Urgency Committee.

5.0 Termination payments of Chief Officers including redundancy and pension discretion

- 5.1 The council applies its normal redundancy payments arrangements to senior officers and does not have separate provisions for senior officers. The council also applies the appropriate Pensions regulations when they apply. The council

has agreed policies in place on how it will apply any discretionary powers it has under Pensions regulations. Any costs that are incurred by the council regarding senior officers are published in the authority accounts as required under the Accounts and Audit (England) Regulations 2015.

- 5.2 Approval of any pension discretions is made by the Staffing Matters and Urgency Committee.
- 5.3 Chief Officer Severance packages over £100k in value are subject to approval by the Council's staffing Matters & Urgency Committee.

6.0 Job Evaluation

- 6.1 Chief Officer's roles are evaluated using Hay Job Evaluation methodology. Trained Hay analysts are employed within HR and there will always be at least 3 analysts trained at any one time.
- 6.2 Where a Chief Officer post is being amended or new posts created two Hay analysts will analyse the job description and provide a Hay score. The analysts will inform the trade unions of the outcome to ensure consistency and transparency. The Hay score will be used to establish the grade for the role within the pay structure.
- 6.3 Where an initial job evaluation exercise is carried out on more than five Chief Officer roles then the unions will observe the evaluations.
- 6.4 If it is not possible for the analysts to determine a score then this will be referred to the Head of HR (who will be Hay trained) to make the final decision, observed by trade unions.

7.0 Pay Structure

- 7.1 There are 3 levels of Chief Officer Grades within CYC. These are shown below with the corresponding Hay scores:

Corporate Director	1401 - 2000
Director	1001- 1400
Assistant Director	800 - 1000

- 7.2 Directors and above are part of the Corporate Management team responsible for delivering the Council's Objectives.
- 7.3 Below shows the structure, incremental points for each of the Chief Officer pay grades:

Chief Officer Pay rates as at 1st April 2020

Corporate Directors	4	£112,067
	3	£108,473
	2	£105,015
	1	£101,661
Directors	4	£99,821
	3	£96,445
	2	£93,184
	1	£90,033
Assistant Directors	4	£81,644
	3	£78,698
	2	£76,097
	1	£73,488

8.0 Pay Awards

8.1 Any nationally negotiated annual pay settlement by the Joint Negotiating Committee for Chief Officers of Local Government will be applied to the salary scales. The National pay settlements are effective from 1st April of that year.

9.0 Incremental Progression

9.1 Incremental progression is not automatic and is based upon annual performance and achievement of objectives.

9.2 Incremental progression is agreed by the line manager i.e. the Chief Operating Officer, Corporate Director or Director.

9.3 Only one increment level can be made at a time

9.4 Progression through the levels will be either 1st April or 1st October each year, whichever comes first following the completion of 12 months' continuous service. This applies to both new starters and existing employees promoted to a higher Chief Officer grade.

10.0 Pension

10.1 Chief Officers have access to the LGPS.

11.0 Market Supplement

11.1 A [Market Supplement](#) Policy is in place for Chief Officers which allows, where there is objective justification and evidence for, a supplement to be paid to reflect a market premium for a specific role.

12.0 Stand By

12.1 A contractual standby requirement is in place for Chief Officers to participate in a Stand By rota to provide emergency cover out of hours. Payment for hours on Standby is at the agreed rate in force under the Council's standard Stand By Policy for Local Government Service Employees. The stand by rate can be viewed here:

<http://colin.york.gov.uk/besupported/hr/pay-pensions-reward/allowances/>

13.0 Call out

13.1 Time worked when called out from Stand By can either be claimed at normal hourly rate or taken as time off in lieu. Work is deemed to have commenced from the time of the call.

14.0 Expenses

14.1 Travel and other expenses are reimbursed through normal council [procedures](#).

15.0 Other allowances

15.1 There is no provision in the Chief Officer pay policy for:

- Bonus
- Earn Back
- Ex gratia payments
- Honoraria
- Or any other payments not specifically referenced.

16.0 Pay Protection

16.1 The council's standard Pay Protection Policy applies to Chief Officers. The policy can be viewed here: <http://colin.york.gov.uk/besupported/hr/supporting-transformation-managing-change/redeployment/>

Post (Job Title)	Base Salary (actual if not FTE)	Employer's Pension Contributions	Market Supplement	Stand by Payment	Election Fee	Expenses	Bonus	Benefits in Kind	Compensation for Loss of Office
Chief Operating Officer Ian Floyd	£145,855	£25,087		£213.96	The COO is the Returning Officer and receives payments for elections. For local elections fees are set locally. For national elections fees are set by the Cabinet Office.	Travel and other expenses are reimbursed through normal authority procedures.	The terms of the contract of employment do not provide for the payment of bonuses	There are no Benefits in Kind attributed to this employment	The authority's normal policies regarding redundancy and early retirement apply to the post holder.
Corporate Director of People Amanda Hatton	£112,067	£19,276		£213.96		The details above also apply to this and all jobs below.			
Corporate Director of Place Neil Ferris	£112,067	£19,276		£213.96					
Chief Finance Officer Debbie Mitchell	£76,097	£13,089		£213.96					
Director of Public Health Sharon Stoltz	£112,067	£19,276		£213.96					

Post (Job Title)	Base Salary (actual if not FTE)	Employer's Pension Contributions	Market Supplement	Stand by Payment	Election Fee	Expenses	Bonus	Benefits in Kind	Compensation for Loss of Office
Director of Governance Janie Berry	£96,445	£16,589		£213.96					
Director Customer & Communities Pauline Stuchfield	£90,033	£15,486		£213.96					
Director Economy, Regeneration & Housing Tracey Carter	£90,033	£14,043		£213.96					
Director Environment, Transport & Planning James Gilchrist	90,033	£15,486		£213.96					
Director Safeguarding Michael Melvin	90,033	£15,486		£213.96					
Director Commissioning & Prevention Vacant									

Post (Job Title)	Base Salary (actual if not FTE)	Employer's Pension Contributions	Market Supplement	Stand by Payment	Election Fee	Expenses	Bonus	Benefits in Kind	Compensation for Loss of Office
Assistant Director Communities & Culture (0.8 FTE) Charlie Croft	£81,644 (£65,315.20 actual)	£11,234		£213.96					
Assistant Director Place (Till end October 2021) Michael Slater	£81,644	£14,043		£213.96					
Assistant Director Education & Skills Maxine Squire	£81,644	£14,043		£213.96					
Assistant Director (Consultant) in Public Health (0.81 FTE) Fiona Phillips	£81,644 (£66,197.84 actual)	£11,386		£213.96					
Assistant Director Adult & Social Care	Vacant								

Post (Job Title)	Base Salary (actual if not FTE)	Employer's Pension Contributions	Market Supplement	Stand by Payment	Election Fee	Expenses	Bonus	Benefits in Kind	Compensation for Loss of Office
Assistant Director Joint Commissioning (Leaves 7 July 2021) Pippa Corner	£81,644	£14,043		£213.96					
Assistant Director Children's Specialist Services Sophie Wales	£81,644	£14,043		£213.96					

Notes:

The information provided is taken from data as at 1st July 2021 and shows the annual salary at that date. (National pay award has not been agreed at this date)

Excludes staff on public health terms and conditions

Employer pension contribution is calculated at 17.2 % of Base salary

Other Employees with Remuneration over £50,000

Salary Band	No of employees
50,000 - 54,999	15
55,000 - 59,999	39
60,000 - 64,999	2
65,000 - 69,999	4

Employees as at 1st February 2020

Post	Base Salary	Clinical Excellence Award Supplement	Supplement based on band of post and population of the post	Additional Programmed Activity	Expenses	Performance Related Pay (PRP)	Severance Arrangements
Clinical Advisor 0.3 Full time equivalent	£84,667.00 Pro rata £25,400.10	There are no payments made related to supplements	Not Applicable	Not Applicable	Travel and other expenses are reimbursed through normal authority procedures	Annual Progression through pay threshold on anniversary of appointment subject to meeting pay threshold criteria.	The NHS terms and conditions for consultants regarding redundancy and early retirement apply to the post holder.

Aspect of Public Health Remuneration	NHS Terms and Conditions – for Consultants
Clinical Excellence Award	Clinical Excellence Awards recognise and regard NHS consultants and academic GPs who perform 'over and above' the standard expected of their role. Awards are given for quality and excellence, acknowledging exceptional personal contributions.

Additional Programmed Activity	Additional payment for undertaking remunerated clinical work that falls under the definition of Private Professional Services that does not fall within their Job Plan.
Post and Population Supplement	Only payable to Director of Public Health – depending upon the band within which their posts fall and the weight of the post as assessed by their employing organisation.
Pay thresholds – Performance Related Pay PRP	The employee will progress to the next pay threshold provided they have met the pay threshold criteria, based upon length of service and performance.
Expenses	Expenses are paid in line with NHS nationally agreed rates.
Severance Arrangements	Redundancy, early retirement and retirement are managed in accordance with NHS terms and conditions of employment for consultants.

Note: the information provided is taken from data as at 1st February 2021

Publication Requirements - Pay Policy Statement – Annex E

In addition to the requirement Under Sections 38 – 43 of the Localism Act 2011 relating to the Pay Policy Statement the council has further obligations to publish information.

The Local Government Transparency Code 2015 (current code) indicates that local authorities should publish the following data concerning staff:

- The number of employees whose remuneration in that year was at least £50,000 in bands of £5,000
- Details of remuneration and job title of certain senior employees whose salary is at least £50,000. Employees whose salaries are £150,000 or more must also be identified by name. At the council these roles are Chief Officers and the Chief Operating Officer.
- A list of responsibilities and details of bonuses and ‘benefits in kind’, for all senior employees whose salary exceeds £50,000. At the council these roles are Chief Officers and the Chief Operating Officer.
- The ‘pay multiple’ – the ratio between the highest paid salary and the median average salary of the whole authority workforce
- Publish an organisation chart covering staff in the top three levels of the organisation. The following information must be included for each member of staff included in the chart: grade, job title, local authority department and team whether permanent or temporary staff, contact details, salary in £5,000 bands, salary ceiling (the maximum salary for the grade).

The Accounts and Audit (England) Regulations 2015 require that the following data is included in the authority’s accounts:

- Numbers of employees with a salary above £50k per annum (pro-rata for part-time staff) in multiples of £5k
- Job title, remuneration and employer pension contributions for senior officers. Senior officers are defined as Head of Paid Service, Statutory Chief Officers and Non-Statutory Chief Officers by reference to Section 2 of the 1989 Local Government & Housing Act.
- Names of employees paid over £150k per annum

For the above remuneration is to include:

- Salary, fees or allowances for the current and previous year
- Bonuses paid or receivable for the current and previous year
- Expenses paid in the previous year
- Compensation for loss of employment paid to or receivable, or payments made in connection with loss of employment
- Total estimated value of non-cash benefits that are emoluments of the person

For the above pension contributions to include:

- The amount driven by the authority's set employer contribution rate
- Employer costs incurred relating to any increased membership or award of additional pension

This page is intentionally left blank



Full Council**21 October 2021**

Report of the Monitoring Officer

Adoption of the LGA Model Code of Conduct for Elected Members 2020**Summary**

1. In May 2021, The Local Government Association issued a Model Code of Conduct for Elected Members, and following consultation and review by the Joint Standards Committee, Council is requested to adopt the Model Code as drafted at Annex One of this report for immediate implementation across City of York Councillors and in turn recommend the adoption of the Model Code by Parish Councils.

Background

2. In response to the work undertaken by the Committee for Standards in Public Life relating to ethical governance, (findings published in January 2019), the Local Government Association (hereafter referred to as the "LGA") has consulted widely and has now published its Model Code for Elected Members for adoption by all tiers of Councils.
3. During the previous municipal year, the Council's Joint Standards Committee actively participated in the consultation process and more recently in June 2021, convened a workshop to discuss the final published version of the Model Code. As the Model Code is voluntary, Council's do have a discretion as to whether or not to adopt the Code in its entirety or to adopt elements of the Model Code to amend or update any existing arrangements.
4. On 23rd June 2021, Joint Standards Committee held a virtual meeting, attended by the Chair of Audit & Governance Committee [the Vice Chair is an existing member of the Joint Standards Committee], and proceeded to hold a workshop with Paul Hoey and Natalie Ainscough of Hoey Ainscough Associates. Hoey Ainscough Associates have been commissioned by the Council to support delivery of the Model Code of Conduct across City of York Council and also to work with the Parish Councils in their consideration of whether or not to adopt the Model

Code should the same be implemented by City of York Council as the principal council. The workshop was convened to assist Members with seeking clarity around the following issues:

- Whether the Model Code should be adopted in its entirety;
- Whether the Council's existing arrangements could be amended by including elements taken from the Model Code;
- Implications of the Model Code of Conduct on Parish Councils;
- Timeframes for both adoption of a new code;
- Requirements for Member training; and finally
- Would adoption of the Model Code of Conduct address or go a considerable way to, in the view of Joint Standards Committee and Audit & Governance Committee, of addressing some of the conflict issues highlighted in the Report in the Public Interest.

5. A further meeting of the Joint Standards Committee took place on 6th July 2021.

6. Following the short period of reflection from the workshop and after detailed consideration of the above issues arising from the workshop, the Joint Standards Committee has made the following recommendations:

- At para 10.2 of the Model Code, the estimated value of a gift or hospitality should be reduced from £50 to £25;
- That additional wording be added to para 10.3 as follows: "If I decline such a gift or hospitality, I will provide the details to the Monitoring Officer who will maintain an informal register."

Report in the Public Interest and associated Action Plan

7. On 4th May 2021, an Extraordinary Meeting of Council received a Report in the Public Interest and approved the supporting Action Plan prepared to address the five recommendations contained therein.

8. Recommendations 3 and 4 of the Report in the Public Interest states:

- (3) Review the design of its governance policies and procedures to manage conflicts of interest (including self-interest threats); this should include updating the Council's constitution and scheme of delegation.

- (4) Ensure all Members fully understand the requirements of the Code of Conduct in relation to declaration of interest.

9. Audit & Governance Committee has been asked by Council to monitor progress against the Action Plan. In respect of the conflict of interest issue, the Chair and Vice Chair of the Audit & Governance Committee have worked closely with the Joint Standards Committee in the work to consider the Model Code of Conduct.

Member and Officer Training

10. Joint Standards Committee is keen that a comprehensive programme of Member and Officer training is developed and promoted so as to ensure the Model Code is fully understood and embedded. Joint Standards Committee will work with Hoey Ainscough Associates and key Officers to develop and deliver this programme of training.

Impact on Parish Councils

11. As aforementioned, adoption of the Model Code is voluntary and therefore there is no requirement on Parish Council's to adopt the same. However to offer greater clarity and consistency to both Parish Councillors and City of York Councillors, work will be undertaken with the York Association of Local Council's to proactively promote the adoption of the Model Code as adopted by City of York in its capacity as the principal council. It is however noted that should the Parish Councils wish to adopt the Model Code, the Parish Charter would need to be updated.
12. By undertaking such action, the response to complaints received would be assisted as currently Parish Councils have differing local codes which makes adjudication of complaints against the Code complex and very often time consuming.

Options

13. Option 1: To adopt the LGA Model Code of Conduct as recommended by the Joint Standards Committee.
14. Option 2: To retain the existing Code of Conduct for Elected Members.
15. Reasons: It is suggested that Option 1 is the preferred option so as to ensure greater clarity to Elected Members in respect of conflict of

interests and will address concerns expressed by the External Auditor in the Report in the Public Interest.

Implications

16. The implications are:

Financial

The cost of the work undertaken is £7,900 plus expenses. This was commissioned as part of delivery of the action plan approved by Full Council on 4th May 2021 and is being funded from within existing budgets.

Human Resources (HR)

Not applicable to this report.

Equalities

The Equality Act 2010 places specific duties on Local Authorities. Having a clear and concise Code of Conduct which clearly prohibits unlawful discrimination gives the public confidence in Members and the Council as a whole.

Legal

The Council is required to establish, publish and promote a Code of Conduct for Elected Members. The adoption of the LGA Model Code of Conduct is voluntary but adoption of the same would substantially update the existing Code of Conduct which is based on the Model Code launched in July 2012. Adoption of the LGA Model Code will support City of York Council in meeting actions required to be delivered in response to the Report in the Public Interest issued on 19th April 2021, and formally received by Council on 4th May 2021.

Crime and Disorder, Information Technology and Property

Not applicable to this report.

Recommendations

17. Full Council is requested to:

- Adopt the LGA Model Code of Conduct as recommended by the Joint Standards Committee for immediate implementation;
- The Model Code of Conduct will be incorporated into the Council's Constitution and will replace the existing Code;
- The Joint Standards Committee will, in consultation with the Monitoring Officer, develop and promote a Member and Officer Development programme to support the implementation of the Model Code;
- Support the adoption of the Model Code of Conduct as adopted by City of York Council by Parish Councils and ensure recognition of the same is included within the Parish Charter.

**Author & Chief Officer
responsible for the report:**

Janie Berry
Director of Governance &
Monitoring Officer
01904 555385

Report **Date** 7 July 2021
Approved

Specialist Implications Officer(s):

Wards Affected: *List wards or tick box to indicate all* **All**

For further information please contact the author of the report

Background Papers:

- Committee for Standards in Public Life January 2019.
- City of York Council Code of Conduct for Elected Members dated 2012 contained within the Council's Constitution.
- Meeting of Joint Standards Committee dated 6th July 2021.
- Extraordinary Meeting of Full Council dated 4th May 2021
- Report in the Public Interest dated 19th April 2021.
- (Remote) Meeting of the Audit & Governance Committee dated 16th June 2021

Appendices

- Model Code of Conduct

This page is intentionally left blank



Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of Councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as Councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual Councillor affects the reputation of all Councillors. We want the role of Councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become Councillors.

As Councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a Councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and Councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “Councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who:

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

General principles of Councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of Councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor which may include when:

- you misuse your position as a Councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish Councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of Councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a Councillor:

1.1 I treat other Councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's Councillor-officer protocol.

2. Bullying, harassment and discrimination

As a Councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a Councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if

doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a Councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it;
 - ii. I am required by law to do so;
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure is:
 1. reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a Councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can

bring your local authority into disrepute.

You are able to hold the local authority and fellow Councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a Councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a Councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. **act in accordance with the local authority's requirements; and**
- b. **ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a Councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a Councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a Councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow Councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a Councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept. If I decline such a gift or hospitality, I will provide the details to the Monitoring Officer who will maintain an informal register.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner.

Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the Councillor, or a person connected with the Councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.
Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it].

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in

Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- your own financial interest or well-being;
 - a financial interest or well-being of a relative or close associate; or
 - a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the Councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the Councillor or his/her spouse or civil partner or the person with

	<p>llor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
<p>Land and Property</p>	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
<p>Licenses</p>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for</p>
<p>Corporate tenancies</p>	<p>Any tenancy where (to the Councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
<p>Securities</p>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the Councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the Councillor, or his/ her spouse or civil partner or the person with whom the Councillor is living as if they were</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
--	--

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

<p>You must register as an Other Registrable Interest :</p> <ul style="list-style-type: none">a) any unpaid directorships b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any body<ul style="list-style-type: none">(i) exercising functions of a public nature(ii) directed to charitable purposes or(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) <p>of which you are a member or in a position of general control or management</p>
--

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring Councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by Councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both Councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish Councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

This page is intentionally left blank



Full Council**21 October 2021**

Report of the Monitoring Officer

Amendment to the Council's Constitution**Summary**

Upon the recommendation of the Audit & Governance Committee, Full Council is invited to approve an amendment to the Constitution in so far as it relates to the use of substitutes at meetings of the Council's Planning Committee.

Background

In October 2020, Full Council approved a number of amendments to the Council's Constitution upon the recommendation of Audit and Governance Committee from 20th March 2020.

One of these amendments was to place a restriction on the number of Members who could act as substitutes on the Planning Committee as follows:

6.5.1 (a) For the Planning Committee up to four named substitutes shall be allowed for each of the political Groups. For other Member Bodies up to three named substitutes shall be allowed for each political Group. Independent Councillors may also be appointed to act as named substitutes for other Independent Councillors within this rule.

*6.5.1 (c) (i) "Where no named substitute is available a political group may instruct the Chief Operating Officer or the Monitoring Officer to replace for the duration of a particular meeting, an existing Member with another substitute identified by the political group **provided always that this provision 6.5.1 (c) (i) will not apply to Planning, Licensing and Regulatory or Joint Standards Committees or any sub committees thereof**".*

The wording above which appears in bold type is the amendment to the Constitution approved by Full Council in October 2020.

The direct implications of the Coronavirus Pandemic due to Councillor illness, the need to isolate and or caring responsibilities have resulted in a number of Members of the Planning Committee being unable to attend. This inability to attend has adversely affected the quoracy of the Planning Committee meetings and the restrictions placed on the number of substitutes by the October 2020 amendment has served to add further complications for the meetings to be held with full quoracy.

At its meeting on 8th September 2021, the Audit & Governance Committee unanimously approved to recommend the deletion to the reference to “Planning” in paragraph 6.5.1.(c) (i) as highlighted above. This deletion would serve to lift the restrictions on the use of substitutes and therefore the only restriction being in place would be that any appointed substitute would have to have received planning training.

Recommendations

Full Council is invited to approve the amendment of the Council’s constitution as follows:

Section 4: Rules of Procedure; 4B Standing Orders relating to Executive, the York Health and Wellbeing Board, Policy and Scrutiny committees and other Non-executive Committees and Sub-Committees and Groups Specified in the Council’s Constitution

Paragraph 6.5.1 (c) (i) shall be amended to read as follows:

“Where no named substitute is available a political group may instruct the Chief Operating Officer or the Monitoring Officer to replace for the duration of a particular meeting, an existing Member with another substitute identified by the political group provided always that this provision 6.5.1 (c) (i) will not apply to Licensing and Regulatory or Joint Standards Committees or any sub committees thereof”.

Reasons for the Recommendation

This amendment will allow the Planning Committee to operate at full quoracy. The quoracy of the Planning Committee has been challenging due to the restriction on the number of substitutes and the unforeseen implications of the wider Coronavirus Pandemic.

Options

The Council has the option to disregard the amendment in which case the restrictions to the number of substitutes for the Planning Committee will remain in place and there is a risk that some of the meetings may not be operated at the maximum quoracy of Members.

Implications

Financial

There are none directly arising from this report.

Human Resources (HR)

There are none directly arising from this report.

Equalities

There are none directly arising from this report.

Legal

The council is required to have a constitution setting out its governance framework for decision-making. The constitution is a public document. Amendments to the constitution are reserved to Full Council for approval. Any Member either appointed to sit on the Planning Committee or appointed as a substitute Member of the Planning Committee must first receive appropriate training prior to them attending the meeting.

Crime and Disorder, Information Technology and Property

There are none directly arising from this report

Author & Chief Officer responsible for the report:

Janie Berry

Director of Governance &
Monitoring Officer

Report
Approved

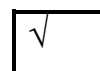


Date 13/09/2021

Specialist Implications Officer(s):

Wards Affected: *List wards or tick box to indicate all*

All



For further information please contact the author of the report

Background Papers:

The Council's Constitution

Agenda and Minutes of the Audit & Governance Committee held on 8th September 2021:

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=437&MId=13015&Ver=4>

**Appointments and Changes to Membership of Committees,
Working Groups and Outside Bodies 2021-22**

Health and Wellbeing Board

To appoint Jamaila Hussain to the Board as 2nd substitute for the Corporate Director of People, in place of Pippa Corner.

This page is intentionally left blank