

## Agenda Item 13 - Motions on Notice

### **Motions on Notice submitted under Council Procedure Rule B10:**

#### **i. From Cllr Steward**

##### **Planning Process Improvements**

“Council believes with York now having a Local Plan and set to deliver much needed homes it is more important than ever that the planning system works with residents for residents, and it does not believe this is how many residents currently feel it to be the case.

Council notes there are set to be changes nationally in planning process and elsewhere on the agenda likely to be changes to committee working in York.

Council calls for a cross-party group to be set up to look at improvements to the planning and specifically the S106 process including the following:

- A review of outstanding S106 money and the plans to spend it (and absolutely ensure any risk of it needing to return it to developers is minimised)
- Improving the process of ensuring all consultees respond to S106 enquiries (noting for example a notable number of large applications which have received no NHS response)
- Creating a system for ward members to be consulted on S106 agreements
- Ensuring the monitoring of S106 agreements is rigorous and breaches are swiftly acted upon.”

##### **Amendment from Cllr B Burton**

“Under ‘Council calls for’ to the first bullet point add ‘share details and discuss the existing and delete the word A.

To the third bullet point, after ‘ward members to’ add ‘identify their ward priorities in the different categories of s106 contributions (in

which there is discretion i.e. not education, early years places etc) to inform officers when drafting', delete 'be consulted upon'.

Add a fifth bullet point:

- 'Ensuring that the monies received are spent as promptly as possible to deliver the mitigations / benefits they are for, and that there is a clear monitoring system for this.'

For information, the effect of the amendment on the above motion, with changes highlighted in bold:

### **Planning Process Improvements**

"Council believes with York now having a Local Plan and set to deliver much needed homes it is more important than ever that the planning system works with residents for residents, and it does not believe this is how many residents currently feel it to be the case.

Council notes there are set to be changes nationally in planning process and elsewhere on the agenda likely to be changes to committee working in York.

Council calls for a cross-party group to be set up to look at improvements to the planning and specifically the S106 process including the following:

- **Share details and discuss the existing** review of outstanding S106 money and the plans to spend it (and absolutely ensure any risk of it needing to return it to developers is minimised)
- Improving the process of ensuring all consultees respond to S106 enquiries (noting for example a notable number of large applications which have received no NHS response)
- Creating a system for ward members **to identify their ward priorities in the different categories of s106 contributions (in which there is discretion i.e. not education, early years places etc) to inform officers when drafting** s106 agreements;
- Ensuring the monitoring of S106 agreements is rigorous and breaches are swiftly acted upon.
- **Ensuring that the monies received are spent as promptly as possible to deliver the mitigations /**

**benefits they are for, and that there is a clear monitoring system for this.”**

**ii. From Cllr Healey**

**Fair Funding for York**

“Council notes that:

- The Government’s Fair Funding 2.0 consultation proposed major changes to the way local government funding is distributed, including a proposal to fully include the impact of mandatory discounts and exemptions in the measure of taxbase, which has not been updated since 2013/14
- In the Council’s official response, it has warned that the new funding model could increase York’s existing three-year budget gap by an additional £15 million.
- The Council also raised concerns that the new model risks locking the city into a position at the bottom of the funding league table
- When asked at Full Council on 17 July about representations made on York’s behalf, the Leader said “It is really hard to see exactly where we can lobby to have a positive impact for the benefit of York.”

Council believes that:

- The Government’s proposed changes, if implemented unamended, would leave York taxpayers paying more while getting less in return
- Local government finance must be based on fairness and need, not a system which unfairly punishes York
- It would have been desirable for the council’s response to the Fair Funding consultation to have been informed by input from Scrutiny
- Students deserve access to high-quality public services and should continue to benefit from the Class N Council Tax exemption. Local authorities with large student populations, however, should not have to disproportionately bear the cost of this exemption and any new or revised funding arrangements arising from the Fair Funding consultation must reflect this
- York’s funding settlement from Government must include granular detail demonstrating how the value of the Class N exemption has been accounted for

- Although the Council has no unilateral power to impose one, a Council Tax increase above the current 4.99% ceiling would hit residents hard at a time when many are already struggling with the cost-of-living crisis
- The council administration must do more to lobby Government on York's behalf, in light of the devastating assessment of the Council's Finance Officer
- All political parties should unite in defending York from these flawed and damaging proposals

Council resolves to Call on the Council Leader to:

- make a formal representation to the Secretary of State for Housing, Communities and Local Government and the Chancellor of the Exchequer demanding that York is not left with a £15m shortfall under the new model
- rule out seeking powers to impose a Council Tax rise above the current 4.99% ceiling in any event
- engage with other local authorities with large student populations to make the case for funding allocations to fully take into account the impact of the Class N exemption
- re-engage with the F20 group of the least well-funded Councils to lobby the Government to introduce a truly fair funding system.

### **Amendment from Cllr Whitcroft**

Under 'Council notes', to the fourth bullet point, after 'benefit of York', add 'but rest assured that work is taking place.'

Under 'Council believes', to the first bullet point, after 'would leave York' add 'with tough challenges to balance its budget but before confirmation of our future funding settlement, such an assumption is premature; delete 'taxpayers paying more while getting less in return.'

To the third bullet point, after 'input from Scrutiny' add 'but unfortunately tight Government timescales prevented it;

To the fourth bullet point, after 'must reflect this' add 'something the Government is currently proposing to do;'

To the seventh bullet point, after 'administration' add 'should outline how it is', delete 'must do more to', amend 'lobby' to

'lobbying', change the word 'devastating' to 'challenging' and after 'Council's' add 'Chief'.

To the eighth bullet point, after 'from these' delete 'flawed and', replace with 'potentially'. After 'proposals', add 'rather than taking the 'party first' position, as some parties did when austerity was inflicted upon York.'

Under 'Council resolves', before 'formal representation' amend the first bullet point to add 'outline any', delete 'make a' and, after 'representation', add 'she or other political leaders have made'.

For information, the effect of the amendment on the above motion, with changes highlighted in bold:

### **Fair Funding for York**

"Council notes that:

- The Government's Fair Funding 2.0 consultation proposed major changes to the way local government funding is distributed, including a proposal to fully include the impact of mandatory discounts and exemptions in the measure of taxbase, which has not been updated since 2013/14
- In the Council's official response, it has warned that the new funding model could increase York's existing three-year budget gap by an additional £15 million.
- The Council also raised concerns that the new model risks locking the city into a position at the bottom of the funding league table
- When asked at Full Council on 17 July about representations made on York's behalf, the Leader said "It is really hard to see exactly where we can lobby to have a positive impact for the benefit of York, **but rest assured that work is taking place.**"

Council believes that:

- The Government's proposed changes, if implemented unamended, would leave York (ADD) **with tough challenges to balance its budget but before confirmation of our future funding settlement, such an assumption is premature;**
- Local government finance must be based on fairness and need, not a system which unfairly punishes York

- It would have been desirable for the council's response to the Fair Funding consultation to have been informed by input from Scrutiny, **but unfortunately tight Government timescales prevented it;**
- Students deserve access to high-quality public services and should continue to benefit from the Class N Council Tax exemption. Local authorities with large student populations, however, should not have to disproportionately bear the cost of this exemption and any new or revised funding arrangements arising from the Fair Funding consultation must reflect this, **something the Government is currently proposing to do;**
- York's funding settlement from Government must include granular detail demonstrating how the value of the Class N exemption has been accounted for
- Although the Council has no unilateral power to impose one, a Council Tax increase above the current 4.99% ceiling would hit residents hard at a time when many are already struggling with the cost-of-living crisis,
- The council administration **should outline how it is lobbying** Government on York's behalf, in light of the **challenging** assessment of the Council's (ADD) Chief Finance Officer
- All political parties should unite in defending York from these **potentially** damaging proposals, **rather than taking the 'party first' position, as some parties did when austerity was inflicted upon York.**

Council resolves to call on the Council Leader to:

- **outline any** formal representation **she or other political leaders** have made to the Secretary of State for Housing, Communities and Local Government and the Chancellor of the Exchequer demanding that York is not left with a £15m shortfall under the new model
- rule out seeking powers to impose a Council Tax rise above the current 4.99% ceiling in any event
- engage with other local authorities with large student populations to make the case for funding allocations to fully take into account the impact of the Class N exemption

- re-engage with the F20 group of the least well-funded Councils to lobby the Government to introduce a truly fair funding system.

### iii. **From Cllr Baxter**

#### **Tackling Pavement Parking to Promote Safe, Accessible Streets for All**

“Council notes:

- that pavement parking can obstruct pedestrian paths, endangering older people, those who’re visually impaired, wheelchair users, parents and carers with pushchairs and others using mobility aids, and at its worst, forces people onto roads, creating serious safety risks;
- the law is confusing and unevenly enforced - with criminal and civil rules varying significantly across England, often leading to weak enforcement, while only 5% of drivers are fully aware of the laws around pavement parking;
- in 2025, Hansard reported that 80% of blind or partially sighted people face pavement parking difficulties at least weekly, with some injured through being forced onto roads;
- that pavement parking damages surfaces, creating trip hazards and repair costs that councils and Council taxpayers can ill afford;
- Scotland has introduced a nationwide ban on pavement parking, supported by strong enforcement;
- that parking on pavements, with certain exceptions, has been prohibited in Greater London since 1974;
- Living Streets and its supporters have repeatedly called on the Government to respond to the 2020 consultation on pavement parking and to legislate for a clear nationwide ban, but progress has stalled.

Council believes:

- Pavements are for pedestrians, not vehicles, and should be safe, accessible, and free of obstructions;
- Current laws are both inadequate and poorly understood, undermining enforcement and public confidence in what is and isn’t permitted;

- The Council and the national Labour Government have a duty to lead on this issue, learning from good practice and legislation elsewhere;
- Stronger local and national measures, combined with public awareness-raising, are urgently needed.

Council resolves:

- to request the Executive Member for Transport writes to the Government, seeking publication of the long-overdue response to the 2020 pavement-parking consultation, undertaken by the previous Government, without delay and rapid subsequent action and/or legislation to include:
  - national prohibition on pavement parking with sensible local exemptions only where genuinely necessary; and
  - streamlining Traffic Regulation Order (TRO) procedures, making it easier, quicker, and less costly for local authorities to impose pavement parking restrictions where necessary; and
  - sufficient funding and resources for local authorities to implement and enforce the changes, given the significant initial resource burden;
- to empower council officers to explore the use of TROs on key streets suffering from excessive pavement parking, while noting the TRO process is currently lengthy and expensive;
- to support Living Streets' recommendation to accompany any new pavement parking law with a targeted national awareness campaign explaining the dangers and legal changes to the public;
- to work collaboratively with local organisations such as Living Streets, Walk York, York Civic Trust, York Disability Rights Forum and other walking and disability advocacy groups to co-produce accessible guidance and communications on pavement parking rights and responsibilities, to raise greater awareness of the challenges pavement parking can cause;

**Proposed amended wording by Cllr Baxter, subject to Council agreement under Rule B15.2:**

Under Council resolves, to the final bullet point, remove 'York Disability Rights Forum'.



The final bullet point to read as follows:

- to work collaboratively with local organisations such as Living Streets, Walk York, York Civic Trust, and other walking and disability advocacy groups to co-produce accessible guidance and communications on pavement parking rights and responsibilities, to raise greater awareness of the challenges pavement parking can cause;