

## AGENDA SUPPLEMENT

### Council

**To:** All Members of City of York Council

**Date:** Thursday, 15 December 2022

**Time:** 6.30 pm

**Venue:** The Guildhall, York

The Agenda for the above meeting was published on **7 December 2022**.  
The attached additional document is now available:

- A List of Recommendations, Motions and Amendments to be considered at the meeting.

This agenda supplement was published on **13 December 2022**.

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**Council – 15 December 2022****Recommendations, Motions and Amendments**Agenda Item 6 – Report of Executive Leader and Executive Recommendations**Executive 22 November 2022****57. 10 Year Strategies**

“Recommended: That Council adopt the 10 year Strategy and Policy framework, which comprises the Climate Change, Economic and Health and Wellbeing 10 year strategies and the emerging 10 year City Plan.

Reason: To engage partners, city leaders, businesses, stakeholders and residents to work together on key agreed priority areas that aim to actively improve the quality of life for all York’s residents.”

**58. Pavement Café Licence Update**

- “Recommended: (i) That the following changes be made to local guidance used in the determining of pavement café licenses under the Business and Planning Act 2020:
- a) Cafés only allowed on footways if 1.5m width remains for people to get past (width increased to 2m in high footfall areas, for example busy junctions, near bus stops, etc). In footstreets with access level between footways and carriageway (for example Coney Street), licences may be issued for pavement cafes to cover the full width of the footway. If a licence is refused under the Business and Planning Act it would be possible for the applicant to use the planning permission process (and licensing under Highways Act Part 7A) to seek permission for a pavement café area. If a permission and a licence were to be granted under this process, adequate access mitigations would be conditioned through the planning permission on a case-by-case basis and all costs associated with required highway improvements would need to be borne by the applicant.
  - b) Café areas can be allowed in on-street parking bays, where sufficient parking and loading

capacity remains (including for Blue Badge holders) and the café area can be protected from passing traffic (if required). The licence holder will be required to cover all associated costs (changes to the permanent TRO, changes to the kerb line/protection measures).

- c) To require the named licence holder to have completed the ACT Awareness E-learning course and provide additional information to licence holders on the Protect Duty.
- d) To adopt the updated guidance document (Annex B) and proposals for additional information to be provided. Key changes are: updated barriers requirements and specifications, updated access width requirements, strengthened enforcement process, reintroduction of a £100 charge per licence. Additional information to be provided includes: design and set up guidance for licence holders, advice and support on 'How to set-up your pavement cafe area', and information on hospitality venues' duties under the Equality Act. Pavement café licence holders will be written to – to notify them of the changes.

Reason: To clarify the criteria against which pavement café applications will be assessed and mitigate the impact of some pavement cafes on accessibility and to clarify the criteria against which pavement café applications will be assessed and the standards licence holders will be expected to meet and provide additional support and guidance to licence holders.

(ii) That the Policy for Pavement Cafes under the Business and Planning Act 2020 be reviewed by the Licensing & Regulatory Committee and be added to the list of functions of that committee. Officers will continue to determine applications made under that policy.

Reason: So that the Licensing & Regulatory Committee can review the policy.”

**59. Capital Programme - Monitor 2 2022/23**

“Recommended: That Council approve the adjustments resulting in a decrease in the 2022/23 budget of £38.193m, as detailed in the report and contained in Annex A.

Reason: To enable the effective management and monitoring of the Council’s capital programme.”

**Executive 15 December 2022**

**71. York 2032: The 10-Year Plan**

*Recommendations to follow*

Agenda Item 8 – Motions on Notice

Motions on Notice submitted under Council Procedure Rule B13.

(i) From Cllr Webb

**Delivering Effective Customer Services to York Residents**

“This Council believes that an effective council is one that appropriately supports its staff and is responsive to the needs of all its residents.

Council notes:

- that at least one in ten people are not digitally connected, rising to more than four in ten for the over 75s;
- older residents are less likely to wait for long periods to have their calls answered, and are more likely to have difficulty navigating numbered option-based customer service phone lines;
- that the welcome 4 Cs council policy for comments, concerns, complaints and compliments is tempered by the Local Govt Ombudsman’s reported concerns about the way some council departments are responding to complaints;
- the 2,500% increase in average call wait times for residents when calling the council for help over the past two years, from 42 seconds to 18 minutes, not accounting for those calls abandoned altogether;
- the value and importance of calling residents back if their calls are not answered;
- that the complexity and sometimes difficult experience of customer calls, as well as understaffing of the customer services team, are exacerbating the problem of poor staff retention.

Council believes quality of customer service reflects the importance the council attaches to residents' issues, whether online, over the phone or in person.

It further believes:

- that cuts to staffing and policy decisions taken by the current administration are a significant component in current poor response times;
- that we do not currently know the extent of resident calls abandoned due to non-responses by the council;
- that helping residents in the right way at the first opportunity saves time and money for the council;
- suspending the call-back service to residents whose calls go unanswered sends the message that their issues are unimportant;
- new approaches must be considered to operating the council's customer services number to arrest the decline in responsiveness to residents;
- the effect of the removal of staff from the customer services phone line is to make services far more difficult to access for some York residents;
- current and former call-centre staff have been avoidably exposed to increased abuse and a deterioration in their working conditions due to poor political decision making both in policy and budgetary (staff) cutbacks.

Council resolves to request that the Executive, including as part of its current budget preparations:

- publicly acknowledges the hard work of customer services staff and the impact of cuts on their ability to meet resident expectations, and apologises for the council's ongoing inability to effectively respond to residents' issues in a timely way;
- urgently reinstates the customer services call-back service to residents;
- commits to reviewing the functioning of the relevant council services as a priority, with a focus to include:
  - staffing and operating hours of the customer call centre;
  - ensuring access to non-digital council services is an easy, straightforward process;
  - categorisation of services on, and user-friendliness of, a council website a significant number of residents struggle to navigate;

- monitoring and recording of abusive calls to staff, including a clear structure for escalation, response and staff well-being support.”

Amendment from Cllr Ayre:

“In the second paragraph, under ‘Council notes:

- after the 4<sup>th</sup> bullet point, insert:

- *‘That the issue is exacerbated by challenge in recruiting to vacancies, as has been experienced by other council services and employers across all sectors;*
- *that prior to covid, service levels and performance were good within the current level of resources;*
- *That recruitment has been ongoing since summer 2021 and there are still 6 vacancies with 2.5 vacancies recruited to but not yet occupied;*
- *That the service has an improving recruitment position and hence improving performance, with average wait times going from 5.5 mins in October to 3.3 mins in November;’*

- in the last bullet point, delete ‘understaffing of the customer services team’ and substitute ‘increased workload since the pandemic’.

- after the last bullet point, insert:

- *‘That a policy is in place for staff dealing with abusive customers / distressing conversations and weekly training and support sessions have been implemented to further support staff and staff were also paid a retention payment for the April to September period this year.’*

In the fourth paragraph, under ‘It further believes’:

- delete the first two bullet points and substitute:

- *‘That service levels would not have been affected to the extent they are, if the service had been able to fill vacancies and had the level of additional workload not increased through administration of additional support schemes*
- *That data is available on total number of calls answered, how many are answered within 20 seconds and the number of abandoned calls. Abandoned calls do not mean the customer did not get their query resolved’.*

- delete the 4<sup>th</sup> bullet point and substitute:

- *‘That whilst the call-back service was suspended following the increase in workload in September 2021, it will, as planned, be reimplemented when current vacancies are filled and new staff*

*have been trained. This is not an issue of extra funding, as vacancies are still present due to market competitiveness.'*

- in the 5<sup>th</sup> bullet point, delete '*arrest the decline in*' and substitute '*improve*'
- delete the 6<sup>th</sup> bullet point and substitute:
  - '*that had the service been able to fully resource its vacancies then normal service level would have been delivered.*'

In the fifth paragraph, under 'Council resolves to request that the Executive...'

- in the 1<sup>st</sup> bullet point, delete '*cuts*' and substitute '*increased workloads*'
- in the 2<sup>nd</sup> bullet point, delete '*urgently reinstates*' and substitute '*commits to reinstate*'; and add to the end of the bullet point '*once current vacant positions are filled and new staff have been trained*'
- in the 3<sup>rd</sup> bullet point, before '*monitoring and recording*' in the final sub-bullet point, insert '*a more effective and simpler system for*'."

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

"This Council believes that an effective council is one that appropriately supports its staff and is responsive to the needs of all its residents.

Council notes:

- that at least one in ten people are not digitally connected, rising to more than four in ten for the over 75s;
- older residents are less likely to wait for long periods to have their calls answered, and are more likely to have difficulty navigating numbered option-based customer service phone lines;
- that the welcome 4 Cs council policy for comments, concerns, complaints and compliments is tempered by the Local Govt Ombudsman's reported concerns about the way some council departments are responding to complaints;
- the 2,500% increase in average call wait times for residents when calling the council for help over the past two years, from 42 seconds to 18 minutes, not accounting for those calls abandoned altogether;
- **that the issue is exacerbated by challenge in recruiting to vacancies, as has been experienced by other council services and employers across all sectors;**
- **that prior to covid, service levels and performance were good within the current level of resources;**
- **that recruitment has been ongoing since summer 2021 and there are still 6 vacancies with 2.5 vacancies recruited to but not yet occupied;**
- **that the service has an improving recruitment position and hence improving performance, with average wait times going from 5.5 mins in October to 3.3 mins in November;**



- the value and importance of calling residents back if their calls are not answered;
- that the complexity and sometimes difficult experience of customer calls, as well as **increased workload since the pandemic**, are exacerbating the problem of poor staff retention;
- **that a policy is in place for staff dealing with abusive customers / distressing conversations and weekly training and support sessions have been implemented to further support staff and staff were also paid a retention payment for the April to September period this year.**

Council believes quality of customer service reflects the importance the council attaches to residents' issues, whether online, over the phone or in person.

It further believes:

- **that service levels would not have been affected to the extent they are, if the service had been able to fill vacancies and had the level of additional workload not increased through administration of additional support schemes;**
- **that data is available on total number of calls answered, how many are answered within 20 seconds and the number of abandoned calls. Abandoned calls do not mean the customer did not get their query resolved;**
- that helping residents in the right way at the first opportunity saves time and money for the council;
- **that whilst the call-back service was suspended following the increase in workload in September 2021, it will, as planned, be reimplemented when current vacancies are filled and new staff have been trained. This is not an issue of extra funding, as vacancies are still present due to market competitiveness;**
- new approaches must be considered to operating the council's customer services number to **improve** responsiveness to residents;
- **that had the service been able to fully resource its vacancies then normal service level would have been delivered;**
- current and former call-centre staff have been avoidably exposed to increased abuse and a deterioration in their working conditions due to poor political decision making both in policy and budgetary (staff) cutbacks.

Council resolves to request that the Executive, including as part of its current budget preparations:

- publicly acknowledges the hard work of customer services staff and the impact of **increased workloads** on their ability to meet resident expectations, and apologises for the council's ongoing inability to effectively respond to residents' issues in a timely way;
- **commits to reinstate** the customer services call-back service to residents **once current vacant positions are filled and new staff have been trained;**
- commits to reviewing the functioning of the relevant council services as a priority, with a focus to include:
  - staffing and operating hours of the customer call centre;
  - ensuring access to non-digital council services is an easy, straightforward process;

- categorisation of services on, and user-friendliness of, a council website a significant number of residents struggle to navigate;
- **a more effective and simpler system for** monitoring and recording of abusive calls to staff, including a clear structure for escalation, response and staff well-being support.”]

(ii) From Cllr Hollyer

## York Opposes Voter ID Requirements

“This Council notes that:

- Voters will be required to show an approved form of photographic identification at polling stations from May next year, under measures in the Government’s Elections Act 2022. The secondary legislation is yet however to be finalised and implemented.
- The total cost of the ID roll-out overall could cost £180m over a decade, according to Government’s figures.
- According to the Electoral Reform Society, the accepted forms of photographic identification would disadvantage younger people.
- In September the Electoral Commission issued a stark warning to the Government over their “fundamental concerns” and “alarm” over these plans – which it said could not “be delivered in a way which is fully secure, accessible and workable” in time for the local elections in May.
- There were only four convictions resulting from the allegations of in-person voter fraud during the 2019 General Election.
- Electoral Commission research has found that about 7.5% of the electorate do not have access to any form of photo ID.
- Over 1,100 people were denied a vote in local government elections during the 2018 and 2019 Voter ID pilots.
- After the May 2018 Voter ID pilots, the Electoral Reform Society concluded that the introduction of Voter ID is ‘a sledge hammer to crack a nut’.
- Insufficient information regarding the introduction of the new voter ID policy has been shared with local councils ahead of the May 2023 election.
- There is expected to be a substantial additional strain on staff and resources preparing for the introduction of these changes. Including the issuing of local electoral identity documents, communication of the new rules and the impact of training,

retaining and recruiting election day staff who will have extra responsibilities at polling stations.

This Council believes that:

- The introduction of mandatory Voter ID will undermine the democratic process and create barriers to exercising the right to vote, disproportionately affecting ethnic minority, low income, homeless, LGBT+, elderly, disabled and young people.
- The Government should be trying to increase engagement in democracy, not hinder it. The Government should be urgently acting to increase voter registration and turnout.

Council therefore resolves to:

- Request the Chief Operating Officer writes to the Cabinet Office to express the Council's serious concern as to the introduction of mandatory Voter ID in any UK elections.
- Request a report is brought to a public meeting outlining the plans and update on preparations to introduce mandatory voter ID for the May 2023 local election in York."

#### Amendment from Cllr

"In the second paragraph, under 'This Council believes that', add a 3<sup>rd</sup> bullet point:

- *'If the Conservative Government is intent on using Voter ID to make voting unnecessarily complex for a demographic known to give it less support, local councils must work to find ways to ensure the democratic right to vote is upheld.'*

In the third paragraph, under 'Council therefore resolves to':

- in the 2<sup>nd</sup> bullet point, after '*public meeting*', insert '*of the council's Executive*'

- create a sub-bullet point including all the text after 'outlining' and add a 2<sup>nd</sup> sub-bullet point:

- *'the potential cost as well as consideration of any practical issues involved in issuing postal vote application forms to every eligible voter on the Electoral Register in York;*

- add a 3<sup>rd</sup> bullet point:

- *'use the council's communications function to regularly promote postal voting, and frequently in the months prior to an election.'*"

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

"This Council notes that:

- Voters will be required to show an approved form of photographic identification at polling stations from May next year, under measures in the Government's Elections Act 2022. The secondary legislation is yet however to be finalised and implemented.
- The total cost of the ID roll-out overall could cost £180m over a decade, according to Government's figures.
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- The Government should be trying to increase engagement in democracy, not hinder it. The Government should be urgently acting to increase voter registration and turnout.
- **If the Conservative Government is intent on using Voter ID to make voting unnecessarily complex for a demographic known to give it less support, local councils must work to find ways to ensure the democratic right to vote is upheld.**

Council therefore resolves to:

- Request the Chief Operating Officer writes to the Cabinet Office to express the Council's serious concern as to the introduction of mandatory Voter ID in any UK elections.
- Request a report is brought to a public meeting **of the council's Executive** outlining:

- the plans and update on preparations to introduce mandatory voter ID for the May 2023 local election in York
- **the potential cost as well as consideration of any practical issues involved in issuing postal vote application forms to every eligible voter on the Electoral Register in York.**
- **use the council's communications function to regularly promote postal voting, and frequently in the months prior to an election.]**

(iii) From Cllr Fisher

### **Introduction of Council Tax Premium for Second Homes**

"The Council notes:

- The regressive and unfair nature of the Council Tax system.
- Second home ownership in York was estimated at 429 in 2020/21, according to the National Housing Federation, and is recognised to have a negative impact in terms of the supply of homes available to meet local housing need.
- The negative impact of an increase in the number of second homes in terms of the supply of homes available to meet local housing need and residents being priced out of the housing market.
- The average house price in York, which was estimated to be £315,202 in June 2022, according to the Land Registry.
- That in 2018, City of York Council introduced a policy to charge an extra 50% (bringing it to a 100%) in Council tax on long-term empty homes in an effort to bring empty homes into proper use.
- Following the announcement in May of the Levelling Up and Regeneration Bill, which is still progressing through Parliament without a confirmed timeframe, Councils will be able to utilise a new discretionary council tax premium of up to 100% on second homes which are not let out or lived in for at least 70 days a year.
- Initial, high level analysis, shows that the application of a 100% premium on second homes in York could generate in excess of £740k in additional Council Tax revenue.

Council therefore resolves to:

- Request officers to bring a paper to a meeting of the Executive outlining the implications and options for implementing a 100% council tax premium of second homes in York, with a view to implementing the policy once national legislation has been granted Royal assent.

- Request the Chief Operating Officer to write to relevant Ministers on behalf of the Council in support of the introduction of the council tax premium for second homes and seek assurance that loopholes that could see second home owners avoid the payment of the premium will be addressed.”

Agenda Item 13 – Urgent Business: Members’ Allowances

“It is recommended that Council considers the three options below, and determines its preferred Option:

- a. Option 1 - Apply 4.04% to both the basic and special responsibility allowances
- b. Option 2 - Apply ‘52.5% less a third’ (in line with the calculation methodology used in the 2019 IRP Report) of £1,925 to the basic allowance (which equates to £673) and 4.04% to the special responsibility allowances
- c. Option 3 - No uplift and a freeze on the current basic and special responsibility allowances

Should either Option 1 or Option 2 be the majority decision, the results will be applied (with backdating) to the January payment of Members’ Allowances, in advance of a full review by the IRP.

Alternatively, should Option 3 be the majority decision, the current basic and special responsibility allowances will remain payable, pending a full review by the IRP.

**Reasons:** to seek the decision of Council on its preferred method for applying the NJC pay award to Members’ allowances. Should there be a majority vote Officers will make arrangements to apply new rates in the payroll for January 2023 and associated back pay to 1<sup>st</sup> April 2022.”