

Meeting	Executive
Date	16 March 2023
Present	Councillors Aspden (Chair), Craghill, D'Agorne, Mason, Runciman, Smalley, Waller and Widdowson
Apologies	Councillor Ayre
In Attendance	Councillor Douglas
Officers in Attendance	Bryn Roberts – Director of Governance and Monitoring Officer Debbie Mitchell – Chief Finance Officer Neil Ferris – Corporate Director of Place Sharon Stoltz – Director of Public Health Martin Kelly – Corporate Director of Children & Education Jamaila Hussain – Corporate Director of Adult Social Care & Integration James Gilchrist - Director of Environment, Transport & Planning Pauline Stuchfield – Director of Customer & Communities Maxine Squire – Assistant Director, Education & Skills Michael Howard - Head of Active & Sustainable Transport John Roberts – Strategic Planning Policy Officer Ann-Marie Douglas - Service Manager, Housing Options & Homelessness

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## 95. Declarations of Interest

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. None were declared.

## **96. Minutes**

In relation to the list of attendances it was noted that Cllr Douglas had also been present at the meeting, albeit in the public seating area.

Resolved: That the minutes of the Executive meeting held on 14 February 2323 be approved and then signed by the Chair as a correct record.

## **97. Public Participation**

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

Flick Williams spoke on Agenda Item 5 (Update on Local Bus Services). She welcomed improvements to real time information and bus stops but queried the commitment to the city centre shuttle bus, highlighting a lack of consultation with elderly and disabled groups.

Jo Coles also spoke on Item 5, as a local resident with elderly relatives living in the East and West of the city, stressing the importance of reliable and regular bus services and the need for a comprehensive, integrated travel plan.

Kerran Cross also spoke on Item 5, as a regular user of the no.4 and no.12 buses, expressing approval that these had been 'saved' until 2025 but seeking assurances that there would be no further cuts to these services, on which residents relied.

Cllr Webb also spoke on Item 5, as a ward member for Heworth. He welcomed the news that the no.12 bus had been 'saved', and expressed the hope that Members could work cross-party to make the case to government and the bus companies for cheap and reliable public transport across the city.

Cllr Myers spoke on Agenda Item 10 (Clifton Green Primary - Re-organisation and Security), as a ward member for Clifton. He supported the recommended option, thanking officers and school leaders and suggesting the need for the council to help boost the appeal of local authority schools. He also thanked the Chair for his service as Executive Leader and a ward councillor.

## **98. Forward Plan**

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings at the time the agenda was published.

## **99. Update on Local Bus Services**

The Director of Environment, Transport & Planning and the Head of Active & Sustainable Transport presented a report which provided an update on actions taken in response to the Executive's decision in December 2022 to support local bus services in the short term, and detailed future plans to stabilise, improve and grow the local bus network.

Actions highlighted in the report included: the award of £11.3m of zero emissions bus contracts; the identification, through the Local Plan process, of a series of network enhancements to support new developments in York; an engagement event as part of a study to introduce a city centre shuttle bus; and the conversion of York's Bus Quality Partnership into an Enhanced Bus Partnership. Details of the Bus Service Improvement Plan (BSIP), to be funded by the £17.4m allocation from the National Bus strategy, were provided in the report and in Annex A. It was reported at the meeting that longer-term contracts had now been awarded to replace the subsidised contracts for bus services 412, 12 and 13 under officers' delegated powers, as set out in the Agenda Supplement.

In response to Members' questions and matters raised under Public Participation, officers confirmed that:

- the cost of consultation was £14k;
- the city centre shuttle trial was part of the BSIP;
- discussions were in progress with York Hospital on how best to mitigate traffic issues on Wigginton Road.

The Executive Member for Transport supported the proposals, stressing the significant investment made in vehicles and the network via the BSIP and the improvements that would come about as part of the York Station Frontage, Castle Gateway and York Central projects, while acknowledging the challenges that remained.

Resolved: (i) That it be noted that:

- a) The short-term bus subsidy for services 12, 13 and 412, funded through BSIP, has saved the network extent.
- b) As per the Executive's decision in December 2022, the Director of Transport, Environment & Planning (in consultation with the Executive Leader, the Executive Member for Transport and the Director of Governance and Section 151 Officer or their delegated officers) has delegated power to award the long-term contracts for services 12, 13 and 412 using BSIP funding, and this has now been done.
- c) Poppleton Park and Ride will open at the start of the school Easter Holidays on the 1<sup>st</sup> of April with support from BSIP funding.

(ii) That authority be delegated to the Director of Environment, Transport and Planning to vary the park and ride and contract against contractual obligations for the purpose of stabilising the wider bus network.

Reason: To ensure that the Bus Network in York is stabilised and that the council can work with the statutory Enhanced Bus Partnership to deliver its stated Bus Service Improvement Plans objectives in line with the National Bus Strategy

#### **100. Strensall with Towthorpe Neighbourhood Plan - Examiner's Report and Decision Statement**

The Corporate Director of Place and the Strategic Planning Policy Officer presented a report which asked Executive to approve the recommendations in the Examiner's Report, and the response in the council's Decision Statement, in respect of the Strensall with Towthorpe Neighbourhood Plan (the Plan), to enable it to proceed to Referendum on 4 May 2023.

The Plan had been prepared by Strensall with Towthorpe Parish Council with the support of Directions Planning Consultancy and ongoing engagement with the local community and the council. The Examiner's report (Annex A) recommended that it proceed

to referendum subject to modifications, as summarised in the Decision Statement (Annex B).

The report and annexes had been considered by the Local Plan Working Group (LPWG) at their meeting on 6 March; their advice was to approve the recommendations. The LPWG had also expressed their condolences for the death of a number of contributors to the Plan, and the wish that their contributions be acknowledged. The Executive Member for Economy & Strategic Planning, in supporting the recommendations, echoed that wish and thanked the parish council and officers for their work.

Resolved: (i) That the Examiner's modifications to the draft Strensall with Towthorpe Neighbourhood Plan, as set out in the Decision Statement at Annex B to the report, be agreed and that subject to those modifications it be agreed that the Neighbourhood Plan meets the Basic Conditions and other legislative requirements.

(ii) That approval be given for the draft Strensall with Towthorpe Neighbourhood Plan, as amended, to proceed to a local referendum based on the neighbourhood area outlined in the Examiner's report at Annex A.

(ii) That the Decision Statement at Annex B be approved for publication on the City of York Council's website.

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

## **101. Children's Mental Health - Review**

The Corporate Director of Adult Social Care & Integration and the Vice-Chair of the Children, Education & Communities Policy and Scrutiny Committee (the Committee) presented a report which asked Executive to consider the recommendations of the Task Group set up by the Committee to review the mental health referral system for young people in York, in the context of an update on actions taken since the review was completed.

The review report, at Annex 1, had been presented to the Committee on 3 May 2022. It contained six recommendations, each of which was set out in paragraph 16 of the cover report along with relevant actions that had been taken in conjunction with partners and following a CQC inspection. These included:

- creation of joint SEND dashboard to capture information on children and young people across health and care services;
- work towards a single care record system across primary care, secondary care and the local authority;
- work to build on the current York Mind web project;
- work with commissioners to enable children and young people to access the right support at the right time;
- plans to implement a Children and Young People Mental Health Plan that would build on the i-Thrive model, focusing on early intervention;
- development of a Mental Health Delivery Plan covering an All-Age Mental Health Strategy.

The Committee Chair thanked those officers involved for their support in bringing the scrutiny recommendations to Executive. The Executive Member for Children, Young People & Education supported the recommendations and the principle of early intervention and thanked all who had worked on the scrutiny report. The Executive Member for Adult Social Care & Public Health, in her capacity as Chair of the Health & Wellbeing Board, confirmed that the mental health was a priority for the Board, the transition from childhood to adulthood being a particular concern.

Resolved: (i) That the update on the recommendations of the Scrutiny Committee, and the progress made so far, be noted.

(ii) That, taking that update into account, the recommendations of the Scrutiny Committee, as set out in paragraph 18 of its report at Annex 1, be approved.

(ii) That it be noted that the council will continue to further develop joint partnerships and seamless services to ensure that early intervention is embedded in practice as well as in commissioning strategies.

Reason: In order to respond appropriately to the findings of the scrutiny review as part of ongoing work to support the mental health and wellbeing of children and young people in York.

## 102. **Re-procurement of Sexual Health and Contraception Services**

The Director of Public Health presented a report which set out options for the re-procurement of sexual health and contraception services, with a view to entering into new contractual arrangements for up to 10 years, after expiry of the current contracts in June 2024.

Currently, Integrated Sexual Health Services (ISHS) were commissioned from York & Scarborough Hospital NHS Trust (the Trust) and Long Acting Reversible Contraception (LARC) services from Nimbuscare Ltd, the latter under a Section 75 Partnership Agreement with the Integrated Care Board (ICB). The proposal was to end that agreement, return responsibility for fitting LARC for gynaecological reasons to the ICB, and enter into a new Section 75 Agreement with the Trust for integrated services, to include the fitting of LARC for contraception purposes.

Three options were available, as detailed in paragraphs 24-35 of the report and summarised briefly below:

**Option 1** – not to approve either a re-procurement process or a Section 75 approach. Not recommended, as this would mean the council would not fulfil its statutory duty.

**Option 2** – approach the market to re-procure services through competitive tender. Not recommended, due to significant risk that it could result in the council being unable to award a contract.

**Option 3** – enter into a Section 75 Agreement with the Trust for an integrated sexual health and contraception service, as recommended.

The Executive Member for Adult Social Care & Public Health welcomed the report and supported the proposals, noting that the Public Health Grant Allocation from which the services were funded was inadequate, being subject a cut in real terms this year.

Resolved: (i) That Option 3 be approved and that:

- a) negotiations be commenced to enter into a Section 75 Partnership Agreement with York and Scarborough Hospital NHS Trust under Section 75 of the National Health Services Act 2006; and
- b) authority be delegated to the Director of Public Health, in consultation with the Director of Governance or his delegated officers, to take such steps as are necessary to agree, award and enter into the resulting agreement to commence from 1 July 2024.

(ii) That, in the event that the Section 75 arrangements cannot be agreed or are not viable, approval be given, in consultation with the Executive Member for Adult Social Care and Health, to carry out an appropriate procurement process, and authority be delegated to the Director of Public Health (in consultation with the Director of Governance or his delegated officers) to take such steps as are necessary to procure, award and enter into the resulting contract.

(iii) That approval be given to establish a Joint Management Board between the Council and the Trust to oversee the development of the Section 75 Partnership Agreement and develop a joint accountability framework.

(iv) That authority be delegated to the Director of Public Health to manage the contract and monitor performance and outcomes, including any variations and planned extensions, in consultation with appropriate officers and the Executive Member with the portfolio for public health, as per City of York Council policies and procedures.

Reason: To allow the council to continue to work collaboratively to deliver a high quality and trusted sexual health service that meets the needs of residents, taking an approach that will secure the future of the service provision at a time of constrained budgets and workforce challenges and



ensure that the service is sustainable over the next 10 years.

### **103. Homes for Ukraine Budget**

The Director of Customer & Communities and the Service Manager, Housing Options & Homelessness, presented a report which provided an update on the use of the Homes for Ukraine Scheme (HfU) funding in 2022/23, and asked Executive to approve plans for further expenditure up to March 2025.

Spend up to January 2023 date amounted to £554k, as detailed in paragraph 24 of the report. This was lower than anticipated, due to underspends on projected host checks and property repairs, and because some management and administrative functions had been covered by existing posts. It was clear that York would continue to host Ukrainian guests for some time to come and additional spending would be required, as explained in paragraphs 27-44. Anticipated expenditure over the next 3 years was detailed in the tables under paragraph 44 and totalled £3.4m. This would be covered by grant funding from the Department for Levelling Up, Housing & Communities (DLUHC).

The Chair noted that the first year anniversary of the start of the war in Ukraine had taken place last month. He placed on record his gratitude to those who had opened their homes to refugees fleeing the conflict, and thanked staff, partners and volunteers for their support. The Executive Members for Culture, Leisure & Communities and Housing & Safer Neighbourhoods echoed those thanks in supporting the recommendations, and it was

Resolved: (i) That the activities and allocations of funding to date be noted.

(ii) That the plans for further significant expenditure to March 2025 be approved.

(iii) That budget be allocated to the respective Housing and Customer and Community teams as set out in the report for the purposes identified.

(iv) That the authority delegated to the Assistant Director / Director of Customer & Communities to make grants to partner organisations to support the programme in consultation with the Executive

Member for Culture, Leisure & Communities, as granted by the Executive Member on 19 April 2022, be maintained.

Reason: To continue to support York's Ukrainian guests and make appropriate arrangements for ensuring their welfare, in line with human rights requirements and the priorities of the Council Plan.

#### **104. Clifton Green Primary - Re-organisation and Security**

The Corporate Director of Children & Education and the Assistant Director, Education & Skills presented a report which provided details of a proposed capital scheme to re-organise the site of Clifton Green Primary School to develop provision that would support better outcomes for children with Special Educational Needs and Disabilities (SEND).

Clifton Green Primary currently faced an increasing number of challenges due to teaching and intervention areas that were inaccessible, incorrectly located around the school building, or could not be used. The following options were available, as detailed in paragraphs 12-17 of the report:

**Option 1** – do nothing. Not recommended, as the current room and space arrangements did not meet pupils' needs.

**Option 2** – re-organise internal rooms and spaces only (estimated cost £1.28m). Not recommended, as it would not address all the issues, including staff's ability to keep children safe and secure.

**Option 3** – as per option 2, but also address safeguarding and security issues affecting external areas, as recommended (estimated cost £1.5m).

The Executive Member for Children, Young People & Education thanked officers for their work in creating a solution tailor-made to this school, in order to provide support for young people. Having noted the comments made on this item under Public Participation, it was

Resolved: (i) That Option 3 be approved; that is, to re-organise internal rooms and spaces and address safeguarding and security issues that affect the external areas within the school site.

(ii) That approval be given to submit planning application for the scheme.

(iii) That approval be given to undertake a procurement process to secure a contractor to carry out the works, and that authority be delegated to the Corporate Director of Children and Education (in consultation with the Executive Member for Children, Young People and Education, the Chief Finance Officer and the Director of Governance or their delegated officers) to take such steps as are necessary to procure, award and enter into the resulting contract, subject to the winning bid being within the budget set out in paragraph 17 of the report.

Reasons: a) To ensure that the use of the rooms and spaces within Clifton Green Primary are suitable and sufficient to meet the needs of children, to reduce the number of pupils that need to access other specialist provision around the city, and to improve the security and safeguarding of pupils and others using the site.

b) This work supports the outcomes of the Inclusion Review which will provide more suitable provision in mainstream settings for neurodiverse children and for those with a primary need of SEMH (Social and Emotional Mental Health).

## **105. Market Position Statement**

The Corporate Director of Adult Social Care and Integration presented a report which sought approval for a market position statement (MPS), as part of the market shaping and engagement process required under the Care Act 2014 to ensure services met the needs of the city's population.

The MPS, attached as Annex A to the report, would shape the direction of travel for the next 3 years. It had been developed by the Head of All Age Commissioning & Contracting, with consultation across internal and external stakeholders. It was intended to help all current and future providers of social care and community healthcare to understand the care changes anticipated by the council and health partners, as well as

potential opportunities to innovate and improve future service delivery.

The Executive Member for Adult Social Care & Public Health supported the recommendations and thanked officers for their hard work in developing an excellent MPS with residents' priorities at its core.

Resolved: (i) That the content of the market position statement be noted.

(ii) That the market position statement be approved.

Reason: A market position statement is a key element of market shaping and market shaping is a legal requirement (Care Act 2014).

(iii) That authority be delegated to the Corporate Director of Adult Services and Integration and the Executive Member for Adult Social Care and Public Health to agree any minor amendments to the statement.

Reason: The document is a complete document; however, it may need some minor amendments prior to publishing, which will be based on feedback from internal and external stakeholders and will be slight, with little impact on the document that is being presented.

## **106. Election Act 2022 and City of York Council Elections 2023**

The Director of Governance presented a report which provided information on the preparations for the forthcoming City Council elections, and steps taken to implement relevant sections of the Elections Act 2022 that had come into force.

The key change introduced by the Act was a requirement for every elector voting in person to present an approved photo ID before being issued with their ballot paper. This would apply to the local government elections on 4 May 2023, bringing additional responsibilities to polling staff, as set out in paragraphs 18-22 of the report. Due to the lateness of Regulations enacting the requirement, there was also a risk that

many electors would be unaware of the change. Electors possessing none of the forms of ID specified by Parliament (as listed in paragraph 8) could either request a postal vote, or apply for a Voter Authority Certificate (VAC) online or via a paper form available at council offices.

Action taken by the council to address the issue included:

- specialist training for core staff working on the elections
- a communications campaign
- planned additional advertising paid for by central government
- promoting postal voting as an alternative to a VAC
- recruitment of additional poll clerks.

The Chair expressed approval of the steps being taken to meet these additional challenges, adding that residents could contact [electoral.services@york.gov.uk](mailto:electoral.services@york.gov.uk) for information.

Resolved: That the report be noted.

### **Chair's Remarks**

The Chair announced this would be his final Executive meeting before stepping down at the forthcoming elections. He thanked all Members and officers and wished everyone well, noting that the evening's agenda served as a reminder of the range of services provided by local government, and that these could only be delivered by adopting a partnership approach.

Cllr K Aspden, Chair

[The meeting started at 5.30 pm and finished at 8.07 pm].