

Executive

Thursday, 14 November 2024

Decisions

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 14 November 2024. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

Members are reminded that, should they wish to call in a decision, notice must be given to Democracy Support Group no later than 4pm on the second working day after this meeting.

If you have any queries about any matters referred to in this decision sheet please contact Robert Flintoft.

6. Establishing a Joint Committee between City of York Council and the Humber and North Yorkshire Integrated Care Board

Resolved:

- i. Agreed to the establishment of a Joint Committee between City of York Council and Humber and North Yorkshire Integrated Care Board, under section 71 of the Health and Care Act 2022.

Reason: This will enable the necessary governance arrangements to be established for the s75 agreement.

- ii. Delegated authority to the Chief Operating Officer, in conjunction with the Director of Governance (Monitoring Officer), to enter into s75 arrangements with Humber and North Yorkshire ICB, in relation to the formation of a joint committee and the pooling of a defined set of funds as set out in the report.

Reason: This will better enable joint decisions to be made around the funding and commissioning of health and care in York, including whole services and also individual packages of care.

7. Care Experience as a Protected Characteristic

Resolved:

- i. Agreed to treat care experience as if it were a protected characteristic.

Reason: To ensure the Council's Equality Impact Assessment and other council policies would closely align with the implementation of the Council's new Equity, Diversity & Inclusion Strategy.

8. York Youth Strategy

Resolved:

- i. Agreed the 'Young People Belong in York' youth strategy.

Reason: This is to enable the implementation of the youth strategy alongside partners.

9. York Mental Health Hub Commissioning Arrangements: Options Paper

Resolved:

- i. Approved Option 3, namely the issuing of 2-year term grant agreements by CYC to the existing voluntary sector providers, without a competitive process, and to delegate authority to the Corporate Director - Adults and Integration, in consultation with the Chief Finance Officer and the Director of Governance, to take such steps as are necessary to determine the provisions of, award and enter into the resulting grant funding agreements.

Reason: This allows for a flexible interim arrangement in compliance with the Subsidy Control Act 2022, the Financial Regulations under Appendix 10a of CYC's Constitution and the Contract Procedure Rules under Appendix 11 of CYC's Constitution. This option can be delivered within the required

timeframes. The two-year agreements will allow for sufficient time to develop a robust model and specification as well as to confirm future funding and resource commitments. This will allow for a review of service and future requirements under either the Procurement Act 2023 or the Provider Selection Regime in order to determine the most appropriate commissioning route to ensure the best outcomes for the residents of York and the council achieves Value for Money.

10. Local Transport Strategy Implementation Plan

Resolved:

- i. Approved the Local Transport Strategy Implementation Plan which forms Annex A to this report.

Reason: To implement the transport schemes and initiatives which will support the Transport Strategy adopted by Executive in July 2024.

11. Capital Programme Update Monitor 2

Resolved:

- i. Recommended to Full Council the adjustments resulting in a decrease in the 2024/25 budget of £10.384m as detailed in the report.
- ii. Noted the 2024/25 revised budget of £123.770m as set out in paragraph 10 and Table 1 of the report.
- iii. Noted the restated capital programme for 2024/25 – 2028/29 as set out in Annex 1.

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

12. Finance & Performance Monitor 2

Resolved:

- i. Noted the finance and performance information.

- ii. Noted that work will continue on identifying the savings needed to fully mitigate the forecast overspend.
- iii. Agreed the annual Garden Waste Subscription Scheme charge for 2025/26 at £49.

Reason: To ensure expenditure is kept within the approved budget.

13. Treasury Management 2024/25 Mid-Year Review & Q2 prudential indicators

Resolved:

- i. Noted the 2024/25 Treasury Management activity to date up to the period ending 30th September 2024.
- ii. Noted the Prudential Indicators outlined in Annex A (updated where applicable) and note the compliance with all indicators.

Reason: To ensure the continued effective operation and performance of the Council's Treasury Management function and ensure that all Council treasury activity is prudent, affordable and sustainable and complies with policies set. It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the first half of the 2024/25 financial year, the Council has operated within the Treasury and Prudential Indicators set out in the Council's Treasury Management Strategy Statement for 2024/25.

There are no policy changes to the Treasury Management Strategy Statement 2024/25 for members to agree and approve; the details in this report update the Treasury Management position and Prudential Indicators in the light of the updated economic position and budgetary changes already approved.

14. York Christmas Market 2024 and Blue Badge Access

Resolved:

- i. Noted and approved the existing arrangements for traders of Shambles Market (year round market) to pass through the Hostile Vehicle Measures during the extended pedestrianised hours of the Christmas Market after 5pm, so that they are not held in the city unnecessarily until the 7pm lifting of the vehicle restrictions. This affects between 20 and 40 Shambles Market traders vehicles per day.
- ii. Noted the advice of Counter Terrorism Policing and the Safety Advisory Group that all vehicular access should not be permitted during the Christmas Market. Recognising that the risk is not just because of increased pedestrian traffic, but because of the specific increased terrorist risk at Christmas markets.
- iii. Noted the increased overall footfall during the Christmas Market period noting that the pattern of peak footfall is not significantly dissimilar between the Christmas Market period and the summer holidays, see Annex B.
- iv. Noted the positive impact of permitting Blue Badge holders' vehicular access to the pedestrianised area for disabled people during the Christmas Market period, noting that on average currently around 18 Blue Badge holders drive into the pedestrianised area between 10:30am to 5pm i.e. an average of 2.7 per hour.
- v. Noted the impacts of increased risk of collisions/accidents between pedestrians and vehicles linked to additional vehicles within the pedestrianised streets, (including the potential negative impacts on some groups with protected characteristics under the Equality Act 2010).
- vi. Agreed to implement Option D within the report – Permit Blue Badge vehicular access to the Goodramgate Loop excluding Church Street, after 5pm during the Christmas Market period, as happens for the Shambles Market traders. The restrictions are lifted at 7pm when the Christmas Market closes. There would be no Blue Badge vehicular access to the Blake Street, St. Helen's Square and Lendal route. This would provide equity for Blue Badge holders, with the arrangements in place for the Shambles Market traders, but access would not be available in core footstreet hours 10:30am to 5pm. This would be contrary to the advice of Counter Terrorism Policing

and the Safety Advisory Group. The figures show that whilst total footfall is significantly higher overall during the Christmas Market period than an August week, the peak hourly footfall after 5pm during the Christmas Market period is similar to peak hourly footfall during August. Parked Blue Badge holders' vehicles combined with the increased footfall may cause an issue for market traders and pedestrians to pass safely and add to a sense of overcrowding.

- vii. Noted that the report had been written in the context of the current threat level. In theory the threat level could be raised by central government/MI5 or the police aware of a local specific risk. Executive therefore recognise that should they instruct some level of blue badge holder vehicular access during the Christmas Market, but the terrorism threat is raised nationally or locally then officers have the right to withdraw permission for blue badge holder access and that of Shambles Market Traders as the basis on which the Executive instructed officers was made has changed.

Reason: Executive, being minded to permit some form of Blue Badge vehicular access during the Christmas Market period, consider whether the chosen option is reasonable and proportionate having fully considered all relevant matters. Executive has weighed-up the equalities and human rights benefits to Blue Badge holders and balanced those with the wider public interest, including the right to life, the duty to protect life, and the potential negative impact that increased pedestrians and vehicular traffic in the pedestrianised area could have on some groups with protected characteristics under the Equality Act 2010.