

AGENDA SUPPLEMENT

Council

To: All Members of City of York Council

Date: Monday, 22 March 2021

Time: 6.00 pm

Venue: Remote Meeting

The Agenda for the above meeting was published on 12 March 2021.
The following additional document is now available, as attached:

List of Recommendations, Motions and Amendments

This agenda supplement was published on **17 March 2021**.

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Council Meeting – 22 March 2021**Recommendations, Motions and Amendments**Agenda Item 6 – Report of Executive Leader and Executive Recommendations**Executive, 18 March 2021****118. Plans for the Future of the Health and Care System in York**

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=12509&Ver=4>

The link to the Executive agenda is above (this is Item 7 on the agenda). Recommendation to follow.

Agenda Item 8 – Motions on Notice**Motions submitted for consideration directly by Council, in accordance with Standing Order 22.1**

(i) From Cllr Pavlovic

Protecting Jobs, Investing in our Communities and Transparency in the Planning System

“Council recognises the importance of the planning process in achieving balance between residential and commercial development and in ensuring communities derive benefit from such development through developer contributions.

Council further recognises:

- York as a vibrant city centre needing a strong business and commercial heart for the city to maintain its competitiveness;
- the significant loss of office space through office-to-residential conversions following the Government’s extension of permitted development rights (PDRs) in 2013, and the associated flight of higher paid jobs out of our city;
- the critical importance and democratic role of the local planning authority in determining where conversions are appropriate and where they are not - a power lost through PDRs;

- the current loss of community benefit through developer contributions such as open space and affordable housing provision in cases of office to residential conversions;
- existing opaqueness in the seeking of, decision making around and subsequent spending of developer contributions (through the Section 106 mechanism);
- the need for transparency and democratic accountability in how millions of pounds of developer contributions are spent each year in York.

Council believes the loss of significant amounts of office space - both sustained to date and anticipated in the future - risks hollowing out the city and systematically reducing better paid career opportunities in York for both the current and the next generation of York workers.

Council believes it is imperative that democratically-elected local representatives retain the tools and flexibility to adapt to changes in order to protect the character of the city and support the local workforce as we emerge into a post-pandemic world.

Council resolves to request that Executive:

- explore options for pursuing Article 4 Direction powers to suspend Permitted Development Rights (under The Town and Country Planning (General Permitted Development) (England) Order 2015) on conversions that continue to threaten the viability of York's economy through the loss of both retail and office space;
- develop a system whereby all developer contribution agreements with the council are publicly available in an easily accessible format, including trigger points for the release of those funds, and a record of any unspent monies returned to developers;
- facilitate improved Ward Councillor involvement in the S106 process, such that the priorities of individual communities are taken into account prior to opening negotiations with developers (whilst not hindering adherence to statutory deadlines);
- request that Planning Officers roll-out a programme of high-level training on the S106 process, including its current limitations, for all councillors."

Amendment from Cllr Doughty

"In the paragraph beginning 'Council resolves to request that Executive':
- in the third bullet point, after 'facilitate improved Ward Councillor involvement', **insert** '*, and for parish councils where in existence,*';

- **add** a fifth bullet point, as follows:
 - *That Council should be more willing to look at CPOs of buildings and land which are evidently consistently neglected by landlords and development of which can improve the area and be revenue beneficial to taxpayers, Council further asks the Directorate for Housing, Economy and Place to actively investigate this where appropriate.”*

For information the effect on the original motion of this amendment:

“Council recognises the importance of the planning process in achieving balance between residential and commercial development and in ensuring communities derive benefit from such development through developer contributions.

Council further recognises:

- York as a vibrant city centre needing a strong business and commercial heart for the city to maintain its competitiveness;
- the significant loss of office space through office-to-residential conversions following the Government’s extension of permitted development rights (PDRs) in 2013, and the associated flight of higher paid jobs out of our city;
- the critical importance and democratic role of the local planning authority in determining where conversions are appropriate and where they are not - a power lost through PDRs;
- the current loss of community benefit through developer contributions such as open space and affordable housing provision in cases of office to residential conversions;
- existing opaqueness in the seeking of, decision making around and subsequent spending of developer contributions (through the Section 106 mechanism);
- the need for transparency and democratic accountability in how millions of pounds of developer contributions are spent each year in York.

Council believes the loss of significant amounts of office space - both sustained to date and anticipated in the future - risks hollowing out the city and systematically reducing better paid career opportunities in York for both the current and the next generation of York workers.

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- develop a system whereby all developer contribution agreements with the council are publicly available in an easily accessible format, including trigger points for the release of those funds, and a record of any unspent monies returned to developers;
- facilitate improved Ward Councillor involvement, *and for parish councils where in existence*, in the S106 process, such that the priorities of individual communities are taken into account prior to opening negotiations with developers (whilst not hindering adherence to statutory deadlines);
- request that Planning Officers roll-out a programme of high-level training on the S106 process, including its current limitations, for all councillors;
- *That Council should be more willing to look at CPOs of buildings and land which are evidently consistently neglected by landlords and development of which can improve the area and be revenue beneficial to taxpayers, Council further asks the Directorate for Housing, Economy and Place to actively investigate this where appropriate.*

Amendment from Cllr Ayre

"In the second paragraph, **delete** '*and the associated flight of higher paid jobs out of our city*' from the second bullet point.

In the last paragraph, **add** "*without diverting necessary resources from the Local Plan process*' after '*retail and office space*' at the end of the first bullet point."

For information the effect on the original motion of this amendment:

"Council recognises the importance of the planning process in achieving balance between residential and commercial development and in ensuring communities derive benefit from such development through developer contributions.

Council further recognises:

- York as a vibrant city centre needing a strong business and commercial heart for the city to maintain its competitiveness;
- the significant loss of office space through office-to-residential conversions following the Government's extension of permitted development rights (PDRs) in 2013;
- the critical importance and democratic role of the local planning authority in determining where conversions are appropriate and where they are not - a power lost through PDRs;

- the current loss of community benefit through developer contributions such as open space and affordable housing provision in cases of office to residential conversions;
- existing opaqueness in the seeking of, decision making around and subsequent spending of developer contributions (through the Section 106 mechanism);
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Council believes it is imperative that democratically-elected local representatives retain the tools and flexibility to adapt to changes in order to protect the character of the city and support the local workforce as we emerge into a post-pandemic world.

Council resolves to request that Executive:

- explore options for pursuing Article 4 Direction powers to suspend Permitted Development Rights (under The Town and Country Planning (General Permitted Development) (England) Order 2015) on conversions that continue to threaten the viability of York's economy through the loss of both retail and office space, *without diverting necessary resources from the Local Plan process*;
- develop a system whereby all developer contribution agreements with the council are publicly available in an easily accessible format, including trigger points for the release of those funds, and a record of any unspent monies returned to developers;
- facilitate improved Ward Councillor involvement in the S106 process, such that the priorities of individual communities are taken into account prior to opening negotiations with developers (whilst not hindering adherence to statutory deadlines);
- request that Planning Officers roll-out a programme of high-level training on the S106 process, including its current limitations, for all councillors."

(ii) From Cllr Vassie

York's Pension Investment in a Sustainable Future

"Council notes:

- More and more pension funds are divesting from fossil fuels both in the UK and across the world. Globally \$14.56 trillion is now committed to divestment. It is clear that pension funds across the

UK and around the world no longer view fossil fuel production as a wise or a long term investment.

- The York and North Yorkshire Pension fund still has holdings in fossil fuels, thought to be around £33 million in total.
- On 5th March 2021 the York & North Yorkshire Pension Fund signed up to a new strategy, which would see the reduction of the fund's holdings in equities from 57% to 50%, and the creation of a new investment portfolio in infrastructure (10% or £450 million of the total fund). The fund's new strategy commits to investing £200 million in infrastructure this year.
- City of York Council declared a climate emergency in March 2019 and is currently drawing up a zero carbon pathway to deliver a zero carbon York.
- City of York Council and North Yorkshire County Council have declared the joint ambition to become the country's first carbon negative region.
- Council is working with the Local Enterprise Partnership (LEP) and North Yorkshire County Council to bring to life our Zero Carbon Strategy for the region, recognising both the strategic value of doing this and the significant positive benefit in terms of developing new skills and jobs.

Council commends this change in strategy and the Pension Fund's decision to support sustainable infrastructure.

Council believes that investment in green infrastructure is one of the keys to transition to a zero carbon future and the creation of green jobs.

Consequently, Council resolves:

- To call on the York and North Yorkshire Pension Fund to commit to invest £120 million of the infrastructure portfolio in green infrastructure, to be split equally between the region, the UK, and global projects.”

Amendment from Cllr D'Agorne

“In the first paragraph, **add** to the end of the first bullet point: *‘with increased awareness of the potential for these to become ‘stranded assets’.*’

In the last paragraph, under ‘Council resolves’, **add** two further bullet points, as follows:

- *To welcome the increased awareness of pension fund managers of the urgent need to move all holdings away from fossil fuels to avoid the potential impact of 'stranded assets' on future performance of their funds.*
- *To raise awareness of the content of this motion among council employees (who are mostly contributors to the N Yorkshire Pension Fund) to ensure they can be more engaged with decisions affecting their future pensions.*

For information the effect on the original motion of this amendment:

“Council notes:

- More and more pension funds are divesting from fossil fuels both in the UK and across the world. Globally \$14.56 trillion is now committed to divestment. It is clear that pension funds across the UK and around the world no longer view fossil fuel production as a wise or a long term investment *with increased awareness of the potential for these to become 'stranded assets'.*
- The York and North Yorkshire Pension fund still has holdings in fossil fuels, thought to be around £33 million in total.
- On 5th March 2021 the York & North Yorkshire Pension Fund signed up to a new strategy, which would see the reduction of the fund's holdings in equities from 57% to 50%, and the creation of a new investment portfolio in infrastructure (10% or £450 million of the total fund). The fund's new strategy commits to investing £200 million in infrastructure this year.
- City of York Council declared a climate emergency in March 2019 and is currently drawing up a zero carbon pathway to deliver a zero carbon York.
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- Council is working with the Local Enterprise Partnership (LEP) and North Yorkshire County Council to bring to life our Zero Carbon Strategy for the region, recognising both the strategic value of doing this and the significant positive benefit in terms of developing new skills and jobs.

Council commends this change in strategy and the Pension Fund's decision to support sustainable infrastructure.

Council believes that investment in green infrastructure is one of the keys to transition to a zero carbon future and the creation of green jobs.

Consequently, Council resolves:

- To call on the York and North Yorkshire Pension Fund to commit to invest £120 million of the infrastructure portfolio in green infrastructure, to be split equally between the region, the UK, and global projects.”
- *To welcome the increased awareness of pension fund managers of the urgent need to move all holdings away from fossil fuels to avoid the potential impact of ‘stranded assets’ on future performance of their funds.*
- *To raise awareness of the content of this motion among council employees (who are mostly contributors to the N Yorkshire Pension Fund) to ensure they can be more engaged with decisions affecting their future pensions.”*

(iii) From Cllr Melly

Becoming a Trans Inclusive Council

“Council notes:

- The CYC staff survey shows that only 76% of council staff think that the council respects individual differences.
- Fewer than 50% of Health and Social Care staff nationally think their employers meet their responsibilities under the Public Sector Equality Duty to eliminate discrimination towards, and advance equality for LGBT people.
- 33% of local LGBTQ+ survey respondents experienced negative attitudes within the previous 12 months towards their sexuality or gender identity when trying to access public health and social care services in York.
- 25% of LGBTQ+ people have experienced barriers to accessing health and/or social care services as an LGBTQ+ person in York.
- A high proportion of transgender respondents to a York LGBT Forum survey gave examples of incidences of completely inappropriate or distressing treatment and questioning when accessing sexual health and contraceptive services
- that the percentage of transgender children is unclear with limited research having been carried out to date, however the Equality Act 2010 does recognise transgender children and prohibits discrimination against them in places of learning.
- 62% of transgender people have alcohol dependency or abuse issues
- 10% of transgender people have been an inpatient at a mental health unit at least once
- 1 in 3 homeless people are LGBTQ+

- A CYC survey of older people found that more than 1 in 3 LGBTQ+ people say that it is somewhat, very, or extremely important to them that they live with other members of the LGBTQ+ community in their later years.

Council believes:

- That transgender men are men, transgender women are women, and non-binary genders are equally valid.
- That the new CYC LGBTQ+ staff network is welcome and should be supported
- That transgender people may require specific support to overcome barriers to access services without facing discrimination, and that all council services must be equipped to provide appropriate service and good customer care to suit transgender people.
- That there are transgender people in York of all ages, and that the need for better understanding and acceptance of what it means to be transgender is an inter-generational issue.

Council resolves:

- To provide “Free to be Me” or equivalent training, available to all council and council service provider employees annually. To encourage take-up of the training, especially for team managers and staff who have contact with the public.
- To encourage staff to make small gestures that make it clear that transgender people are welcome and valued, and that normalise things like talking about pronouns. For example, adding pronouns to email signatures.
- To fly the trans pride flag twice annually, on trans day of remembrance and trans day of visibility.
- To ensure that the service level agreements for council commissioned family planning and contraceptive services include awareness training of transgender matters.
- To ensure that all local authority schools and local academies are aware of their responsibilities and duty of care for trans children and respecting of their pronouns.
- Introduce a code of acceptance for all foster carers.
- Work with partner organisations who work to combat homelessness and support people experiencing homelessness to ensure that transgender people are not marginalised or discriminated against while accessing homelessness support.
- Work with older people’s accommodation providers to ensure services are LGBTQ+ friendly and to factor the LGBTQ+ community into decisions about residential placements.”

(iv) From Cllr Mason

Fair Funding Deal for Police and Fire Services

“The Council acknowledges and commends the hard work of the North Yorkshire Police Force and North Yorkshire Fire Service in what has been a particularly difficult year.

Council notes:

- The Home Office is allocating £73 per head more for police services in London than Yorkshire in 2021/22.
- Government has further pushed the responsibility to fund these crucial services on local communities in the form of increased council tax precepts.
- In real terms North Yorkshire Police are now £18 million a year worse off than they were in 2010. In the last two years alone they've been under pressure to slash £10m from their budget and make staff redundant.
- Over the last ten years the number of police officers in the country has been cut year on year by more than 20,000 and one third (12) of North Yorkshire's police stations have been closed.
- £1.8m in annual funding has been cut by the government for fire and rescue services in North Yorkshire since 2016.
- Fire Brigades Union (FBU) estimates that the combined threats of climate change-related events such as flooding and wildfires, pandemics, terrorism, and the post-Grenfell Tower building safety crisis will require immediate funding for at least 5,000 additional firefighters nationally in 2021.
- Despite Police and Fire Service budgets being slashed, in the last four years, costs of the PFCC office have risen by 27%.
- Funding and staff shortages have seen police and fire services suffer, particularly when it comes to neighbourhood policing, frontline support and the ongoing concerns over 101 response times.

Consequently, Council resolves:

- To thank all of York and North Yorkshire's police and fire service staff alongside all key workers for their ongoing efforts in what has been a particularly difficult year.
- To lobby the Government to carry out a comprehensive funding review of fire and police services in North Yorkshire, in order to

futureproof sustainable service provision, including long-term improvements to the 101 service.

- To call on the Government to provide additional resources to Neighbourhood Policing Teams in order to strengthen the working relationships between the Force and local communities in the city.”

Amendment from Cllr Rowley

“In the second paragraph, **delete** all after ‘Council notes’ and **insert**:

- *Regional variations, as there always have been, in Police funding.*
- *That all funding is paid by taxpayers whether collected by national or local government.*
- *The significant increase in funding for North Yorkshire Police delivered by the Conservative government, as opposed to the cuts delivered when the Lib Dems supported the government. In 2012 under the Lib Dem supported government the number of police officers was 1392 and the police budget was £147,051 million. For 2020/21 the gross Police budget is £177.2m and that will increase further thanks to a £8.4 million settlement grant from Central Government for 2021/2 allowing yet more police officers to be appointed. Any precept increase is limited to 1.9% by the Conservative Government. North Yorkshire now has 1,563 officers with more currently being recruited as part of the Conservative Government’s commitment to the recruitment of 20,000 more police officers.*
- *North Yorkshire Police also has a record number of PCSOs and a large number of Special Constables. The new fulltime officers are funded by Central Government in recognition of the needs of North Yorkshire Police.*
- *Like every police force and every organisation there have been changes in where staff are based and the region has for example seen new stations and changes such as Harrogate and Pateley Bridge and fire service have combined together to form a combine station as in the case of Ripon, or moved into the headquarters as in the case of Northallerton or partnered with a local authority like Selby. In a report published in 2016, some police stations were only getting just one visitor a day. By combining police stations with the fire service it makes better use of existing assets and also allows partnership working with Councils. Any savings made are reinvested back into frontline policing to support the extra 300 police officers recruited since 2012.*
- *The only cuts in policing were brought in during the Lib Dem supported coalition; Conservatives on their own in government*

have increased police funding and are increasing police officer numbers.

- *There have been significant changes to the way Fire & Rescue services have been delivered and will be delivered.*
- *A major review of the fire service is taking place because thanks to improvements in the road network like the A1/M the number of accidents have declined, whilst new build property is highlighting the need for potentially more longer term the relocation of some fire stations. Much of North Yorkshire is serviced by retained fire fighters who together with their fulltime colleagues we owe a debt of gratitude. During in the last few years the police and fire service have been working closer together. This has enabled the Fire Service to move to a balanced budget and has also allowed some innovation to take place, where recruitment of retained fighter fighters has been challenging due to the shortage of local trades people who have traditionally been the bedrock of the crews. It is therefore good to see plans to extend the rollout of multiservice officers following a successful pilot in Craven, which has seen the appointment of combined retained firefighters, PCSOs and first responders to serve in the more rural parts of North Yorkshire.'*

In the third paragraph, after 'Council resolves', **delete** the second and third bullet points and **insert**:

- *To call on City of York Council, along with neighbouring authorities to work together with the help being given from Government to strengthen Neighbourhood Policing Teams through improved working relationships between the Force and local communities in the city."*
- *That all councillors should work with the Police & Fire Commissioner to ensure the most effective way of delivering Police, Fire & Rescue services for residents of York and North Yorkshire rather than chasing cheap and often hypocritical headlines."*

For information the effect on the original motion of this amendment:

"The Council acknowledges and commends the hard work of the North Yorkshire Police Force and North Yorkshire Fire Service in what has been a particularly difficult year.

Council notes:

- *Regional variations, as there always have been, in Police funding.*
- *That all funding is paid by taxpayers whether collected by national or local government.*

- *The significant increase in funding for North Yorkshire Police delivered by the Conservative government, as opposed to the cuts delivered when the Lib Dems supported the government. In 2012 under the Lib Dem supported government the number of police officers was 1392 and the police budget was £147,051 million. For 2020/21 the gross Police budget is £177.2m and that will increase further thanks to a £8.4 million settlement grant from Central Government for 2021/2 allowing yet more police officers to be appointed. Any precept increase is limited to 1.9% by the Conservative Government. North Yorkshire now has 1,563 officers with more currently being recruited as part of the Conservative Government's commitment to the recruitment of 20,000 more police officers.*
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- *Like every police force and every organisation there have been changes in where staff are based and the region has for example seen new stations and changes such as Harrogate and Pateley Bridge and fire service have combined together to form a combine station as in the case of Ripon, or moved into the headquarters as in the case of Northallerton or partnered with a local authority like Selby. In a report published in 2016, some police stations were only getting just one visitor a day. By combining police stations with the fire service it makes better use of existing assets and also allows partnership working with Councils. Any savings made are reinvested back into frontline policing to support the extra 300 police officers recruited since 2012.*
- *The only cuts in policing were brought in during the Lib Dem supported coalition; Conservatives on their own in government have increased police funding and are increasing police officer numbers.*
- *There have been significant changes to the way Fire & Rescue services have been delivered and will be delivered.*
- *A major review of the fire service is taking place because thanks to improvements in the road network like the A1/M the number of accidents have declined, whilst new build property is highlighting the need for potentially more longer term the relocation of some fire stations. Much of North Yorkshire is serviced by retained fire fighters who together with their fulltime colleagues we owe a debt of gratitude. During in the last few years the police and fire service have been working closer together. This has enabled the Fire Service to move to a balanced budget and has also allowed some innovation to take place, where recruitment of retained fighter fighters has been challenging due to the shortage of local trades people who have traditionally been the bedrock of the crews. It is therefore good to see plans to extend the rollout of multiservice officers following a successful pilot in Craven, which has seen the appointment of combined retained firefighters,*

PCSOs and first responders to serve in the more rural parts of North Yorkshire.'

Consequently, Council resolves:

- To thank all of York and North Yorkshire's police and fire service staff alongside all key workers for their ongoing efforts in what has been a particularly difficult year.
- *To call on City of York Council, along with neighbouring authorities to work together with the help being given from Government to strengthen Neighbourhood Policing Teams through improved working relationships between the Force and local communities in the city."*
- *That all councillors should work with the Police & Fire Commissioner to ensure the most effective way of delivering Police, Fire & Rescue services for residents of York and North Yorkshire rather than chasing cheap and often hypocritical headlines."*

Agenda Item 12 – Pay Policy 2021/22

Recommendation:

"That Council approve the Pay Policy Statement for 2021/22 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."

Agenda Item 13 – Joint Standards Committee: Changes to Parish Council Membership

Recommendations:

"Council is asked to:

1. Approve the amended terms of reference for the Joint Standards Committee as detailed at Appendix Two of this report to reflect that Rawcliffe Parish Council and Strensall and Towthorpe Parish Council are members of the Committee.
2. Approve the appointment of Parish Councillor Waudby from Rawcliffe Parish Council to the Joint Standards Committee."