

**CITY OF YORK COUNCIL  
SUMMONS**

All Councillors, relevant Council Officers and other interested parties and residents are formally invited to attend a reconvened meeting of the **City of York Council** at **York Racecourse**, to consider the business contained in this agenda on the following date and time

**Wednesday, 27 April 2022 at 6.45 pm**, or on the rising of the Extraordinary Meeting of Council which precedes it at 6:00 pm.

# A G E N D A

## 1. **Declarations of Interest**

At this point, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

## 2. **Minutes** (Pages 1 - 20)

To approve and sign the minutes of the Budget Council meeting held on 17 February 2022.

## 3. **Civic Announcements**

To consider any announcements made by the Lord Mayor in respect of Civic business.

## 4. **Public Participation**

At this point in the meeting, any member of the public who has already registered to address the Council, or to ask a Member of the Council a question, on a matter directly relevant to the business of the Council or the City, may do so. Please note that, the public participation session for this reconvened meeting was full at the time and date of the original planned meeting and therefore is now closed. All previous registrations to speak remain valid.

### **Webcasting of Public Meetings**

Please note that, subject to available resources, this meeting will be webcast, including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at

[www.york.gov.uk/webcasts](http://www.york.gov.uk/webcasts).

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates at [www.york.gov.uk/COVIDDemocracy](http://www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

## 5. **Petitions**

To consider any petitions received from Members in accordance

with Standing Order No.15. Notice has been received of two petitions, to be presented by:

- a) Cllr Kilbane, on behalf of residents objecting to the proposed siting of a multi-storey car park on St George's Field;
- b) Cllr K Taylor, on behalf of residents seeking speed calming measures on New Lane.

**6. Report of Executive Leader, Questions, and Executive Recommendations** (Pages 21 - 30)

To receive and consider a written report from the Leader and ask questions on the work of the Executive, and to consider the Executive recommendations for approval, as set out below:

Meeting	Date	Recommendations
Executive	17 March 2022	<i>Minute 108: Housing Delivery Programme Update - Delivering Affordable Housing on Council Land</i> <i>Minute 109: Adoption of Minerals and Waste Joint Plan</i>

**7. Report of Deputy Leader and Questions** (Pages 31 - 38)

To receive and consider a written report from the Deputy Leader and, to question the Deputy Leader thereon.

**8. Motions on Notice**

To consider the following Motions on Notice under Standing Order 22:

**Motions submitted for consideration directly by Council, in accordance with Standing Order 22.1**

- (i) From Cllr Smalley

**York Stands With Ukraine**

“This Council notes that:

- York stands with Ukraine and its people in their fight to

maintain democracy and self-determination as a nation, those affected locally with relatives caught up in the hostilities having to escape the war, and with those Russians who are not responsible for this war, many of whom bravely speak out against it.

- Symbolic displays of support have taken place all across the city, including lighting the city in blue and yellow, flying the Ukrainian flag, organising support rallies and providing donations to local charities.
- According to recently published ONS figures, approximately 50 Ukrainian citizens currently live in York.
- Locally the Council is working closely with key partners and charities across the city to provide information and support, including supporting City of Sanctuary to provide a locally based Ukraine support group for Ukrainians in York.
- Work has begun with Migration Yorkshire to set in place the necessary preparations for welcoming refugees from Ukraine.

This Council believes:

- As a city and Council of sanctuary, we should reaffirm our commitment to stand with the brave people of Ukraine and support and welcome those fleeing this war.
- At this difficult and dangerous time we must all stand united against the aggressor, making sure not to repeat or give credence to narratives used by Putin to divide and defer blame for this horrific attack.

This Council therefore resolves to:

- Continue to fly the Ukrainian flag from the Mansion House in a show of solidarity with the people of Ukraine.
- Ask that relevant officers initiate the process of adopting Lviv, Ukraine, as York's sister city with a memorandum of understanding.
- Provide help and support to all Ukrainian nationals living in York by ensuring that the council works collaboratively alongside citizens, businesses and voluntary organisations in the city to help them in their efforts to support refugees to settle in the city.
- Request that Executive Members and relevant senior

officers continue to review all investments, contracts and procurement arrangements to ensure that the Council divests itself of any financial interest it may hold in Russian companies and investments; and encourage local businesses and city partners to follow suit.

- Call on Government to ensure an open a simple, fast and safe route for refugees to come to the UK is urgently established, providing information and resources to local councils to support those seeking sanctuary.
- Write to the Secretary of State for Levelling-Up, Housing and Communities to clarify the powers open to the council on the actions it may take to ensure that no pathway is left available for Russian financial investment, also calling for existing procurement laws to be changed to recognise this.
- Call on the York and North Yorkshire Local Government Pension Fund to divest itself of any similar interests, particularly in gas, oil and energy.”

(ii) From Cllr Perrett

### **End Fuel Poverty in York**

“Council notes the work to date on tackling fuel poverty in York, but recognises that 12,000 of 88,000 households in our city were living in fuel poverty in 2019, a 20% increase in just four years.

Council also notes that areas within the city contain a greater proportion of households experiencing fuel poverty, with some areas within wards such Hull Road, Clifton, Fishergate, Huntington and New Earswick, Acomb and Westfield seeing over one in five households living in fuel poverty.

Council believes pandemic impacts and current hikes in energy costs will see that figure shoot even higher, and believes that more must be done if fuel poverty in York is to be ended by 2030.

Council further notes the Government’s national vision for public health is not simply to improve the nation’s health, but crucially, to improve the health of the poorest fastest. Fuel poverty indicators are key to measuring progress against this important public health priority.

Council resolves:

- a) to request that the Executive adopts a bold vision to end

fuel poverty in York by 2030, and instructs officers to develop a strategy and action plan to meet the 2030 target, to include:

- improving the energy efficiency of council housing stock;
  - enforcing existing regulations on energy efficiency and property standards, particularly in the private rented sector;
  - the leveraging in of funds to improve the energy efficiency standards of all housing;
  - providing accessible information, advice and guidance in a variety of formats to those most in need;
  - maximising the incomes of low income households through the efficient delivery of Council-administered benefits, sensitive recovery of debt and the provision of advice and support;
  - working in partnership with other agencies and voluntary and community groups to implement and monitor delivery of the strategy;
- b) to request that Executive receives reports on progress on the above activities and on steps to end fuel poverty every six months;
- c) to become a member of the End Fuel Poverty Coalition;
- d) to ask all Group Leaders to write to Government Ministers for Energy and for Housing, calling for:
- continuation of the annual Winter Warm Home Discount in line with price cap increases, rather than keeping it frozen at £140;
  - an increase in the 'discount' (loan) for low-income families and individuals, without the requirement that they be repaid later;
  - them to work with energy companies to write off the energy cost debt of those in extreme financial hardship;
  - a commitment to work with energy companies to end the poverty premium paid by those on pre-payment meters, who can least afford high energy bills, by moving them to the cheapest available tariffs by default - permanently;
  - a commitment to a mass rollout of insulation measures

for people on low incomes in addition to the existing ECO and Green Homes Grant schemes, and with more lenient EPC eligibility criteria.”

(iii) From Cllr Runciman

### **Addressing York’s Dental Crisis**

“This Council notes:

- York, similarly to the rest of the country, is facing an acute NHS dental crisis, which is creating additional pressures in other parts of the health system particularly urgent and emergency care and primary care.
- Our thanks to the dentists, doctors and staff which have had to endure the challenges of the pandemic as well as the dysfunctional target-driven system which is demoralising and failing staff and patients.
- NHS data shows that the number of dentists continues to fall in York, with 30 practitioners having left since 2018/19, 10 of them in the last year. By March 2021 number of local dentists had fallen to 209; lower than at any time since 2015.
- Healthwatch York’s January 2022 report shows that only 59% of the York residents it surveyed had an NHS dentist, down from 84% in 2018.
- According to the most recent NHS data, only 65,819 adults in York have been able to see a dentist in the previous 24months
- The failures of successive Governments since the pivotal 2006 decision by the then Labour Government to establish a new dental contract based on a dysfunctional and demoralising target-driven system.
- NHS dentistry has been subject to cuts not seen anywhere else in the NHS. In real terms, net government spend on general dental practice in England has been cut by about a third in the last decade.
- Government Ministers have recognised that the system is broken, but are failing to set out a plan or timetable for change and no tangible commitment to reverse a decade of cuts.

This Council believes:

- That rapid and significant reform of the way dentistry is commissioned and provided is needed to address the increasing problems of access to NHS dental care in the longer term.

This Council therefore resolves to:

- Ask the Executive Member for Health and Adult Social Care to bring regular reports on the state of local dentistry to decision sessions, seeking input from relevant scrutiny committees.
- Ask that the Executive Member makes the case for harnessing opportunities to improve dental service provision locally through the development of Integrated Care Systems (ICS).
- Ask all group leaders and local health and NHS partners to write a joint letter to the Health Secretary outlining concerns over local provision and access to services, outlining urgent reforms which need to take place, including boosting spending, reforming commissioning to tackle the twin crises of access and affordability, recognising overseas dentistry qualifications and implementing an urgent programme to recruit and retain more NHS dentists.”

(iv) From Cllr Myers

### **End ‘Fire and Rehire’**

“This Council notes:

- 1 in 10 workers have experienced ‘fire and rehire’ – having to reapply for their existing jobs on worse pay, terms and conditions or face the sack, with ethnic minority workers facing this at twice the rate of white workers, since March 2020;
- that one quarter of all workers have experienced a worsening of their terms and conditions, including a cut to their pay - since the pandemic began;
- that while the Prime Minister has called the practice “unacceptable”, he has refused to take action to outlaw the practice, raising questions about any real commitment from the current Government to act;



- the escalating number of employers across all sectors using weak employment protections to force their staff to accept worse terms and conditions, leaving many having to work longer hours for lower pay, with often devastating consequences for workers and their families;
- that even before the pandemic, 1 in 9 workers – 3.8 million people – were already ‘insecure’, meaning they did not have access to basic rights at work and could be dismissed at will; including those on zero hour contracts and agency workers;
- that major businesses in York is currently threatening workers with ‘fire and rehire’, in order to worsen their terms and conditions, represent a serious threat to workers and to the local economy. Decent and fair terms and conditions lift people out of poverty and build strong and vibrant high streets and communities;
- City of York Council has already signed up to the Good Business Charter and as such has already committed to ensuring the residents of York have fair working conditions.

This Council commits to work to ensure that local residents are protected against unscrupulous employers.

Council therefore resolves to:

- ask the MPs for York Central and York Outer to write to the Prime Minister, demanding he acts now to outlaw fire and rehire, and to keep his promise to York residents to protect their terms and conditions of employment;
- ask the council’s Chief Operating Officer and Council Leader to write to all businesses in York employing 100 or more staff, inviting them to sign up to the Good Business Charter and its 10 components;

and to call on the council’s Executive to:

- not use fire and rehire itself as an employer and through updated council procurement policy, both prevent its use by council contractors as well as ensuring that the council only contracts those with good employment, trade union, equalities and environmental records;
- promote the increasing number of progressive local employers prioritising their employees’ standard of living and wellbeing;

- work with York’s anchor institutions and the council’s key partners to bring forward plans for model employment practices, in partnership with recognised trade unions;
- support the TUC campaign for a ‘New Deal for Working People’.”

**9. Questions to the Leader or Executive Members**

To question the Leader and/or Executive Members in respect of any matter within their portfolio responsibility, in accordance with Standing Order 20.

**10. Report of Executive Member (Pages 39 - 48)**

To receive a written report from the Executive Member for Children, Young People & Education, and to question the Executive Member thereon, in accordance with Standing Order 19.

**11. Review of the Council's Constitution (Pages 49 - 80)**

To receive a report from the Director of Governance & Monitoring Officer which invites Council to approve and adopt revisions to the Constitution, in accordance with recommendations from the Audit & Governance Committee, and to agree the dates for implementation.

*Note: Annex 1 to the above item (the Constitution) has not been included in the agenda pack due to its size, but is available to view online with this agenda.*

**12. Recommendations of the Licensing & Regulatory Committee (Pages 81 - 84)**

To consider the recommendations for approval set out below:

Meeting	Date	Recommendations
Licensing and Regulatory Committee	2 March 2022	Minute 83: Licensing Act 2003 - Statement of Licensing Policy & Cumulative Impact Assessment ( <i>the link to the agenda online is below</i> )

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=606&MId=13264>

**13. Pay Policy 2022-2023** (Pages 85 - 106)  
To receive for approval the council's Pay Policy Statement for 2022-2023.

**14. Urgent Business**  
Any other business which the Chair considers urgent under the Local Government Act 1972.

Democratic Services officer

Fiona Young

Contact details:

- Telephone – (01904) 552030
- Email [fiona.young@york.gov.uk](mailto:fiona.young@york.gov.uk)

For more information about any of the following please contact the Democratic Services officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

**City of York Council**

Resolutions and proceedings of the Meeting of the City of York Council held at York Racecourse on Thursday, 17 February 2022, starting at 6.30 pm

**Present:** The Lord Mayor (Cllr Chris Cullwick) in the Chair, and the following Councillors:

Acomb Ward	Bishopthorpe Ward
Lomas S Barnes	Galvin
Clifton Ward	Copmanthorpe Ward
D Myers Wells	Carr
Dringhouses & Woodthorpe Ward	Fishergate Ward
Fenton Mason Widdowson	D'Agorne D Taylor
Fulford and Heslington Ward	Guildhall Ward
Aspden	Craghill Fitzpatrick Looker
Haxby & Wigginton Ward	Heworth Ward
Cuthbertson Hollyer Pearson	Douglas Perrett Webb
Heworth Without Ward	Holgate Ward
Ayre	Heaton Melly K Taylor

Hull Road Ward

Musson  
Norman

Huntington and New Earswick  
Ward

Orrell  
Runciman

Micklegate Ward

Baker  
Crawshaw  
Kilbane

Osbaldwick and Derwent Ward

Rowley  
Warters

Rawcliffe and Clifton Without Ward

Smalley  
Wann  
Waudby

Rural West York Ward

Barker  
Hook

Strensall Ward

Doughty  
Fisher

Westfield Ward

Daubeney  
Hunter  
Waller

Wheldrake Ward

Vassie

Apologies for absence were received from Councillor Pavlovic.

**53. Declarations of Interest**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests they might have in the business on the agenda.

It was noted that the Monitoring Officer had confirmed that government guidance stated Members did not have a disclosable pecuniary interest in the business of setting the council tax and that the Council's code of conduct also stated that Members did not have a prejudicial interest in that business.

Cllr Looker declared a personal interest in the Labour Group amendment to the budget proposals insofar as it related to the Theatre Royal, as a member of the Theatre Royal.

**54. Minutes**

Resolved: That the minutes of Council meeting held on 16 December 2021 be approved, and signed by the Chair as a correct record, subject to the addition of Cllrs Rowley and Melly to the list of attendees.

**55. Civic Announcements**

The Lord Mayor announced the death on 17 December 2021 of Hon Alderman David Wilde, who had served the city as both Lord Mayor and Sherriff, and as a councillor for many years. Members observed a minute's silence in his memory.

The Lord Mayor then invited Cllr Aspden to nominate the Lord Mayor Elect for the 2022/23 Municipal Year. Cllr Aspden nominated Cllr David Carr as the Lord Mayor Elect. Cllr Carr confirmed that he would be honoured to accept this office, and nominated Susie Mercer as his Sheriff.

Finally, the Lord Mayor drew attention to a number of forthcoming Lord Mayor's Charity events, including the postponed Charity Ball on 29 April and a curry night at the Parveen restaurant on 7 March.

**56. Public Participation**

It was reported that 6 members of the public had registered to speak at the meeting under the Public Participation item in relation

to business associated with setting the council's budget for the coming financial year.

Debby Cobbett urged Members to consider the Council's commitment to zero carbon when setting the budget and to engage with workers and local people on moving towards a green economy.

Flick Williams welcomed the allocation of funding for an Access Officer but warned against employing someone 'on the cheap', given the shortage of suitable candidates and the urgent need to make York an accessible city.

Gwen Swinburn expressed disappointment at the lack of consultation on the budget and asked Members to commit to receive a pay rise no higher than that of staff in the forthcoming year.

Sarah Garbacz, on behalf of Explore York, spoke in support of the proposed £7m capital investment in libraries, which would allow Explore to realise its vision and better support local residents.

Ruth Pearson stated that she was the mother of Cllr Pearson and a member of Haxby Town Council but was speaking on her own behalf. She then spoke in support of funding allocated to the new Haxby library and the station development in Haxby.

Andrew Mortimer spoke as a carer for his adult stepson. He expressed approval that, despite financial pressures, the budget proposals included support for the most vulnerable people across the city.

## **57. Appointment of External Auditors**

Members received a report from the Director of Governance & Monitoring Officer and the Chief Finance Officer inviting Council to opt into the national Public Sector Audit Appointments process for the procurement of the Council's External Auditor, as recommended by Audit & Governance Committee.

Cllr Fisher moved, and Cllr Webb seconded, the following recommendation, as set out in the report:

"Full Council is invited to accept the Public Sector Audit Appointments' invitation to opt into the sector-led option for the



appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

Reason: The Local Audit (Appointing Person) Regulations 2015 ('the Regulations') require that a decision to opt in must be made by a meeting of the Council (meeting as a whole). The Council then needs to formally respond to PSAA's invitation in the form specified by PSAA."

A named vote was then taken, and all Members voted in favour. The recommendation was therefore declared CARRIED, and it was

Resolved: That the above recommendation be approved.

**58. Recommendations of the Executive in respect of the Capital Programme Monitor 3 2021/22**

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendation contained in Minute 93 of the Executive meeting held on 7 February 2022:

"Recommended: That Council approve the adjustments resulting in a decrease of £15.678m in the 2021/22 budget, as detailed in the report and contained in Annex A.

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

A named vote was then taken, with the following result:

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Aspden		Cllr Warters
Cllr Ayre		
Cllr Baker		
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
Cllr Cullwick		
Cllr Cuthbertson		
Cllr D'Agorne		

Cllr Daubeney		
Cllr Doughty		
Cllr Douglas		
Cllr Fenton		
Cllr Fisher		
Cllr Fitzpatrick		
Cllr Galvin		
Cllr Heaton		
Cllr Hollyer		
Cllr Hook		
Cllr Hunter		
Cllr Kilbane		
Cllr Lomas		
Cllr Looker		
Cllr Mason		
Cllr Melly		
Cllr Musson		
Cllr Myers		
Cllr Norman		
Cllr Orrell		
Cllr Pearson		
Cllr Perrett		
Cllr Rowley		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr K Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Waudby		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Cullwick (Lord Mayor)		
<b>4 5</b>	<b>0</b>	<b>1</b>

The recommendation was therefore declared CARRIED and it was

Resolved: That the above recommendation be approved.

**59. Recommendations of Executive on the Council's Financial Strategy 2022/23 to 2026/27, Capital Budget 2022/23 to 2026/27, Capital Financing and Investment Strategy and the Treasury Management Strategy Statement and Prudential Indicators for 2022/23 to 2026/27**

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendations made by Executive at its meeting on 7 February 2022 in relation to:

- the Financial Strategy 2022/23 to 2026/27
- the Capital Budget 2022/23 to 2026/27
- the Capital Financing and Investment Strategy
- the Treasury Management Strategy Statement and Prudential Indicators 2022/23 to 2026/27,

as set out in paragraphs 45 to 48 of the report at Item 7 on the Council agenda:

**“Revenue Budget**

Executive recommends that Council:

- i. Approve the budget proposals outlined in the Financial Strategy report and in particular:
  - a. The net revenue expenditure requirement of £135.384m;
  - b. A council tax requirement of £102.043m;
  - c. The revenue growth proposals as outlined in the body of the report;
  - d. The 2022/23 revenue savings proposals as outlined in annex 2;
  - e. The fees and charges proposals as outlined in annex 3;
  - f. The consultation feedback as set out in annex 4;
  - g. The Housing Revenue Account (HRA) savings proposals set out in annex 6 and the HRA 2022/23 budget set out in annex 7;

- h. The dedicated schools grant proposals outlined from paragraph 194;
- i. The use of £650k New Homes Bonus to fund one off investment, as outlined in paragraph 118.
- ii. That Council note that the effect of approving the income and expenditure proposals included in the recommendations would result in a 2.99% increase in the City of York Council element of the council tax, 1% of which would relate to the social care precept.

Reason: To ensure a legally balanced budget is set.

### **Capital Budget 2022/23 to 2026/27**

Executive recommends that Council:

- i. Agree to the revised capital programme of **£459.625m** that reflects a net overall increase of **£70.176m** (as set out in table 2 and in Annex A). Key elements of this include:
  - a) New schemes funded by a combination of both prudential borrowing and external funds of £16.300m as set out in table 4;
  - b) Extension of prudential borrowing funded Rolling Programme schemes totalling £31.411m as set out in table 5;
  - c) Extension of externally funded Rolling Programme schemes totalling £10.475m as set out in table 8;
  - d) An increase in HRA funded schemes totalling £10.090m funded from a combination HRA balances/Right to Buy receipts as set out in table 9.
- ii. Note the total increase in Council borrowing as a result of new schemes being recommended for approval is £37.611m the details of which are considered within this report and the financial strategy report.

- iii. Approve the full restated programme as summarised in Annex B totalling **£459.625m** covering financial years 2022/23 to 2026/27 as set out in table 13 and Annex B.

Reason: In accordance with the statutory requirement to set a capital budget for the forthcoming financial year.

### **Capital and Investment Strategy**

Executive recommends that Council approve the Capital and Investment Strategy at Annex A.

Reason: To meet the statutory obligation to comply with the Prudential Code 2017

### **Treasury Management Strategy Statement and Prudential Indicators**

Executive recommends that Council approve:

- i. The proposed treasury management strategy for 2022/23 including the annual investment strategy and the minimum revenue provision policy statement;
- ii. The prudential indicators for 2022/23 to 2026/27 in the main body of the report;
- iii. The specified and non-specified investments schedule (annex B);
- iv. The scheme of delegation and the role of the section 151 officer (annex D).

Reason: To enable the continued effective operation of the treasury management function and ensure that all council borrowing is prudent, affordable and sustainable.”

### **Labour Amendment**

Cllr Kilbane sought Council’s consent to alter the amendment submitted on behalf of the Labour Group in order to correct some numerical errors relating to the Capital proposals.

Council having granted consent, Cllr Kilbane moved and Cllr Douglas seconded the altered amendment, as follows:

**“In relation to the Executive’s recommendations on the revenue budget (paragraph 45 of page 50 of Council papers refers):**

**In sub paragraph (c)** add at the end of the sentence ‘subject to the following amendments:

- £30k one off investment in development of planning policy (SPD) to restrict number of short term holiday lets, inc. Air BnBs
- £5k one off nominal funding necessary to enable the Theatre Royal to apply for external funding elsewhere of a far greater amount, to broaden participation and support its immediate future
- £50k one off investment for Front Street secondary shopping area investment
- Part Reversal of one off growth £85k – part reversal of the £500k one off growth to ensure that there is sufficient general reserve contingency.’

**In sub paragraph (d)** add at the end of the sentence ‘subject to the following amendments:

- Reverse saving proposal PE001 Home to School Transport - £150k
- Reverse saving proposal ECC1 Carbon Reduction Central Team - £100k
- Reverse saving proposal ECC2 Reduction in 1FTE in Transport and Parking - £25k
- Reverse saving proposal HASC2 Mental Health - £31k
- A reduction of 1 FTE in Executive policy team - £55k
- A reduction of two Executive Members - £38k
- Removal of 2 Scrutiny Chair - £12k
- Increase income from Corporate advertising £15k
- Reduction of 1.7 FTE in the Communications Team - £74k
- Delete vacant post – Head of Democratic Governance £82k’.

**In sub paragraph (e)** add at the end of the sentence ‘subject to the following amendments:

- PLA03: Bulky Waste collection charge increase from £24 to £30 for 10 items– £10k
- Additional green bin waste collection fee increase to better cover full cost of the service - £20k.'

**In sub paragraph (g)** add at the end of the sentence 'subject to the following amendment:

- £100k recurring allocation of HEIP budget into minimum 2 FTE intensive support officers (Housing Services), helping to reduce ASB in our communities'."

After debate, a named vote was taken on the above amendment, with the following result:

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Barnes	Cllr Aspden	Cllr Carr
Cllr Crawshaw	Cllr Ayre	Cllr Warters
Cllr Douglas	Cllr Baker	
Cllr Fitzpatrick	Cllr Barker	
Cllr Galvin	Cllr Craghill	
Cllr Heaton	Cllr Cuthbertson	
Cllr Kilbane	Cllr D'Agorne	
Cllr Lomas	Cllr Daubeney	
Cllr Looker	Cllr Doughty	
Cllr Melly	Cllr Fenton	
Cllr Musson	Cllr Fisher	
Cllr Myers	Cllr Hollyer	
Cllr Norman	Cllr Hook	
Cllr Perrett	Cllr Hunter	
Cllr K Taylor	Cllr Mason	
Cllr Webb	Cllr Orrell	
Cllr Wells	Cllr Pearson	
	Cllr Rowley	
	Cllr Runciman	
	Cllr Smalley	
	Cllr D Taylor	
	Cllr Vassie	
	Cllr Waller	
	Cllr Wann	
	Cllr Waudby	
	Cllr Widdowson	
	Cllr Cullwick (Lord	

	Mayor)	
17	27	2

The Labour amendment was therefore declared LOST.

[The meeting was adjourned for a break at 8:10 pm and reconvened at 8:25 pm.]

#### Conservative amendment

Cllr Doughty then moved, and Cllr Rowley seconded, the following amendment on behalf of the Conservative Group:

**“In relation to the Executive’s recommendations on the revenue budget (paragraph 45 of page 50 of Council papers refers):**

**In sub paragraph (a)** delete ‘£135.384m’ and replace with ‘£134.894m’

**In sub paragraph (b)** delete ‘£102.043m’ and replace with ‘£101.553m’

**In sub paragraph (c)** add at the end of the sentence ‘subject to the following amendments:

- £100k investment in additional pothole repair budget;
- £10k investment to cover the annual maintenance cost of 40 new street benches;
- £60k investment to cover 2FTE Public Realm Officers for City Centre and Out of Town hubs;
- £75k investment to target travel solutions to communities lacking adequate bus travel. Bid would be invited for schemes from the likes of the York Bus Forum and Parish Councils.’

**In sub paragraph (d)** add at the end of the sentence ‘subject to the following amendments:

- A reduction of 2 FTE in Executive policy team - £88k
- A reduction of two Executive Members - £38k
- Removal of Climate Change Committee Chair - £6k
- Increase income from advertising in ‘Our City’ - £60k
- Reduction of 2 FTE in the Communications Team - £87k



- A reduction of member allowances increase, including all special responsibility allowances, to 2019/20 levels, allowing only for inflation at the rate previously agreed in 2015 - £77k
- A reduction of purple flag promotion budget - £50k
- A reduction in the Climate Change Delivery Fund - £100k
- Reduction in overtime budgets - £100k
- Staff reduction of 2 FTE political assistant posts - £87k
- A reduction in the print budget, by switching to paperless meetings - £25k
- Reduction in Executive Support Assistants (Business Support) - £50k.'

**In sub paragraph (e)** add at the end of the sentence 'subject to the following amendments:

- PLA03: Bulky Waste collection charge decrease from £24 to £20 for 10 items– £8k
- PLA04: reverse evening charge for Minster Badge holders - £25k'.

**In paragraph 45 (ii)** third line, delete '2.99%' and replace with '2.5%.'"

After debate, a named vote was taken on the above amendment, with the following result:

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Doughty	Cllr Aspden	Cllr Warters
Cllr Rowley	Cllr Ayre	
	Cllr Baker	
	Cllr Barker	
	Cllr Barnes	
	Cllr Carr	
	Cllr Craghill	
	Cllr Crawshaw	
	Cllr Cullwick	
	Cllr Cuthbertson	
	Cllr D'Agorne	
	Cllr Daubeney	
	Cllr Douglas	
	Cllr Fenton	
	Cllr Fisher	

	Cllr Fitzpatrick	
	Cllr Galvin	
	Cllr Heaton	
	Cllr Hollyer	
	Cllr Hook	
	Cllr Hunter	
	Cllr Kilbane	
	Cllr Lomas	
	Cllr Mason	
	Cllr Melly	
	Cllr Musson	
	Cllr Myers	
	Cllr Norman	
	Cllr Orrell	
	Cllr Pearson	
	Cllr Perrett	
	Cllr Runciman	
	Cllr Smalley	
	Cllr D Taylor	
	Cllr K Taylor	
	Cllr Vassie	
	Cllr Waller	
	Cllr Wann	
	Cllr Waudby	
	Cllr Webb	
	Cllr Wells	
	Cllr Widdowson	
	Cllr Looker (Lord Mayor)	
<b>2</b>	<b>43</b>	<b>1</b>

The Conservative amendment was therefore declared LOST.

After debate, a named vote was then taken on the **original recommendations**, with the following result:

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Aspden	Cllr Barnes	Cllr Galvin
Cllr Ayre	Cllr Crawshaw	
Cllr Baker	Cllr Doughty	
Cllr Barker	Cllr Douglas	
Cllr Carr	Cllr Fitzpatrick	
Cllr Craghill	Cllr Heaton	

Cllr Cuthbertson	Cllr Kilbane	
Cllr D'Agorne	Cllr Lomas	
Cllr Daubeney	Cllr Looker	
Cllr Fenton	Cllr Melly	
Cllr Fisher	Cllr Musson	
Cllr Hollyer	Cllr Myers	
Cllr Hook	Cllr Norman	
Cllr Hunter	Cllr Perrett	
Cllr Mason	Cllr Rowley	
Cllr Orrell	Cllr K Taylor	
Cllr Pearson	Cllr Wartors	
Cllr Runciman	Cllr Webb	
Cllr Smalley	Cllr Wells	
Cllr D Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Waudby		
Cllr Widdowson		
Cllr Cullwick (Lord Mayor)		
<b>26</b>	<b>19</b>	<b>1</b>

The original recommendations were therefore declared CARRIED and it was

Resolved: That the Executive's recommendations to Council be approved.

#### 60. Council Tax Resolution 2022/23

Finally, and in light of the setting of the budget for 2022/23 under minute 59 above, Councillor Aspden moved, and Councillor D'Agorne seconded, the Council Tax resolution for 2022/23, as set out in the report and schedules at pages 55-66 of the Council agenda.

After debate, the required named vote was taken on the Council Tax Resolution, with the following result:

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Aspden	Cllr Doughty	
Cllr Ayre	Cllr Rowley	

Cllr Baker	Cllr Warters	
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
Cllr Cullwick		
Cllr Cuthbertson		
Cllr D'Agorne		
Cllr Daubeney		
Cllr Douglas		
Cllr Fenton		
Cllr Fisher		
Cllr Fitzpatrick		
Cllr Galvin		
Cllr Heaton		
Cllr Hollyer		
Cllr Hook		
Cllr Hunter		
Cllr Kilbane		
Cllr Lomas		
Cllr Looker		
Cllr Mason		
Cllr Melly		
Cllr Musson		
Cllr Myers		
Cllr Norman		
Cllr Orrell		
Cllr Pearson		
Cllr Perrett		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr K Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Waudby		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Cullwick (Lord Mayor)		

<b>43</b>	<b>3</b>	<b>0</b>
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The motion was accordingly declared CARRIED, and it was

Resolved:

- (i) That it be noted that on 25 November 2021 the Chief Finance Officer, under her delegated authority, calculated the council tax base for the year 2022/23:
  - (a) for the **whole Council area** as 68,220.40 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the “Act”)]; and
  - (b) for those dwellings in those parts of its area to which a **Parish** precept relates as in column 1 in the attached Schedule A.
- (ii) That it be calculated that the Council Tax requirement for the Council’s own purposes for 2022/23 (excluding Parish precepts) is £102,042,710.
- (iii) That the following amounts be calculated for the year 2022/23 in accordance with Sections 31 to 36 of the Act:
  - (a) £462,424,017.45 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
  - (b) £359,515,055 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £102,908,962.45 being the amount by which the aggregate at 14(a) above exceeds the aggregate at 14(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. [Item R in the formula in Section 31B of the Act].
  - (d) £1,508.48 being the amount at 14(c) above [Item R], all divided by Item T (12(a) above), calculated by the Council, in accordance with Section 31B of

the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

- (e) £866,252.45 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Schedule A).
- (f) £1,495.78 being the amount at 14(d) above less the result given by dividing the amount at 14(e) above by Item T (12(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (iv) That it be noted that the Fire and Crime Commissioner for the North Yorkshire Police Authority and the North Yorkshire Fire and Rescue Authority has issued precepts to the Council in accordance with Section 40 of the Act for each category of dwellings in the Council's area as indicated in the tables below.
- (v) That the Council, in accordance with sections 30 and 36 of the Act, hereby sets the aggregate amounts shown in the tables below, and at Schedule B for Parished areas, as the amounts of council tax for 2022/23 for each part of its area and for each of the categories of dwellings.

### City of York Council

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
997.18	1,163.39	1,329.58	1,495.78	1,828.17	2,160.57	2,492.96	2,991.56

### North Yorkshire Police Authority

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
187.37	218.60	249.83	281.06	343.52	405.98	468.43	562.12

**North Yorkshire Fire and Rescue Authority**

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
50.41	58.81	67.21	75.61	92.41	109.21	126.02	151.22

**Aggregate of Council Tax Requirements (excluding Parished Areas)**

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
1,234.96	1,440.80	1,646.62	1,852.45	2,264.10	2,675.76	3,087.41	3,704.90

- (vi) That it be determined that the Council's basic amount of council tax for 2022/23 is not excessive in accordance with the principles approved under section 52ZB of the Act. As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of council tax for 2022/23 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

Cllr Chris Cullwick  
LORD MAYOR OF YORK

*[The meeting started at 6.34 pm and concluded at 9.40 pm]*

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**Council**

**24 March 2022**

## **Report of the Leader of the Council**

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Since my last report to Full Council in December, once again, much has changed for our city and indeed, the country. Russia's unprovoked and unjustified invasion of Ukraine is the latest crisis that demands our attention, and in response to these tragic events, I am proud to see the people of York come together to show their solidarity with the people of Ukraine and come forward offering support for those fleeing war.

At the same time and closer to home, the Council continues to respond to numerous issues and challenges facing the city, including the ongoing pandemic, successive storms and flooding, the ever increasing cost of living, and crucially, delivering on the objectives outlined in the Council Plan.

Before I provide the substantive updates in this report, given the scale of work underway across the city, I would just like to reiterate my thanks to our staff, partners, councillors, residents and businesses for their continued work in response to these challenges and in support of our communities.

### **Ukrainian Refugee Support:**

York has a proud history as a city of sanctuary and our communities have always shown themselves to be caring and supportive for people in desperate need. Since the terrible events of Putin's war unfolded a few weeks ago, the Council has been in regular contact with Migration Yorkshire to offer York's support to those refugees fleeing the Ukraine.

We have seen an outpour of support amongst residents and communities, from donations of food and clothing, to offers of accommodation. Residents looking for ways to support those affected by the current situation in Ukraine can now find the latest information on how best to give support via the Council's new website page

here: [www.york.gov.uk/UkrainianRefugeeSupport](http://www.york.gov.uk/UkrainianRefugeeSupport). The page provides links to national and local campaigns, charities and groups who are working to support refugees and those impacted by the current crisis. Colleagues will also know that the British Red Cross is asking for financial donations in order to provide food and medical equipment to the Ukraine, but there are other national and international charities requesting financial help to provide doctors, medical equipment and to help children involved in the crisis. All this information is signposted on the council's website.

With regards to the schemes announced by the Government, at the time of writing this report, the 'Homes for Ukraine' scheme has just launched. The scheme enables individuals, charities, community groups and businesses to register their interest in supporting Ukrainians fleeing the war, including those refugees with no family ties to the UK. As it stands, the first phase of this scheme will allow sponsors in the UK to nominate a named Ukrainian or a named Ukrainian family to stay with them in their home or in a separate property. Sponsors will be asked to provide homes or a spare room rent-free for as long as they are able, with a minimum stay of 6 months. In return, they will receive £350 per month. Ukrainians arriving in the UK under this scheme will be granted 3 years leave to remain, with entitlement to work, and access benefits and public services. The Government has also confirmed that Ukrainians who are on work, study or visit visas in the UK will have their visas temporarily extended or be able to switch to different visa routes or for those on seasonal work visas to have their leave temporarily extended.

Beyond those details, there is not much information about how the scheme will work in practice, particularly with Local Government. We know that the Secretary of State has confirmed that local authorities will receive £10,500 in funding per refugee, but the detail behind these announcements is scarce. I know that colleagues will agree that councils will be central in helping families settle into their communities and access public services, including schools, public health and other support, including trauma counselling. The Government must work closely with councils, the community and voluntary sector and other local partners to co-design this sponsorship scheme moving forward, so it can move at the pace needed to support those fleeing war.

Given the sheer scale of the crisis and the huge number of refugees being forced to leave their homes, I sincerely hope that these details and practicalities are worked through swiftly. In the meantime, we will continue our dialogue with Migration Yorkshire and stand ready and willing to support those fleeing the current conflict in any way we can.

### **Levelling-Up White Paper and Devolution:**

As colleagues will know, the Levelling-Up White Paper, which was published early in February, announced the Government's intention to open negotiations regarding a potential Mayoral Devolution Deal for York and North Yorkshire, as well as detail the new framework for devolution in England.

We have been clear from the outset that we will explore a deal which fundamentally works for York and the wider region, benefiting our communities and businesses and helping to facilitate a strong recovery. Devolution undoubtedly presents a huge opportunity for our city and could unlock significant investment in York and the wider region over the next 30 years. However, any deal has to be right for York. York will continue to play a key role in achieving levelling up for our region and the right devolution deal has the opportunity to deliver the changes and investment that is most needed in for our city.

I hope that the publication of the Levelling-Up White Paper signals a beginning of a wider strategy for the North which genuinely recognises York and North Yorkshire's importance in levelling up our region. Funding and delivery must now match the words of ministers.

Discussions are ongoing to better understand the process and timescales with Ministers and Civil Servants, particularly with regard to how the new framework will shape the negotiations. At the same time, I have asked officers to create a form of pre-consultation with councillors, scrutiny, residents and businesses to raise awareness and generate conversation on this important issue. Looking down the line, there will be key points, such as the Governance Review and consultation on the Scheme, when input and views would be very much welcomed. I have said all along that any devolution deal, which is subject to Full Council decision, must be right for York, so consultation will be a very important feature moving forward.

### **Flooding Response:**

Following successive storms in February, York was once again on the frontline of climate change as severe flooding affected parts of the city. I am pleased that on this occasion, all defences that were put in place held against the higher river levels.

I'm sure everyone will join me in thanking all council staff, partners and residents who worked tirelessly to support the city during this period. Together, they installed all necessary flood defences and precautions, whilst at the same time, kept the city moving, well-informed, and ultimately, were on hand to clean up the city as river levels dropped.

Sadly, recognising that York will continue to have to face the challenge of flooding for many years to come, we will continue to call nationally for a joined-up approach to tackling flooding across the region to ensure that our communities and businesses are protected, as flood events become more frequent.

### **Great British Railways:**

Earlier this year, the Department for Transport announced their competition to find the future location of the headquarters of Great British Railways. Since that announcement, the council and partners have worked together to mount a bid, positioning York as the natural home for Great British Railways.

The competition seeks bids from towns and cities with a rich railway history and which are strongly linked to the rail network. Following extensive work with our partners and the many rail operators based in the city, York's historic and strong connection to the rail sector will form the heart of our bid to Government.

At my decision session earlier this month, I agreed York's formal expression of interest. In turn, this will signal our intent to bid jointly with North Yorkshire County Council and York and North Yorkshire Local Economic Partnership, to locate the new headquarters of Great British Railways here in York.

Building on our rail heritage, York has a strong case to secure the HQ of Great British Railways, of which our case is undeniably compelling:

- With strong connections both North to South, and East to West, York is connected directly to one third of the UK's population;
- We have over 5000 people employed by the rail sector here in the city;
- We are home to some of the UK's large rail operators, such as LNER and Northern Rail;
- The railway industry has been a key cog in the city, dating back to the 1840s. Today, its importance remains; clearly demonstrated by Network Rail's choice to locate their Railway Operation Centre in York;
- The allure of York's lasting role in this sector also entices over 710,000 visitors a year to the National Railway Museum, which has an ambitious £60 million transformation plan to build on years of rail heritage;
- And looking forward, York has the highest skills levels of any city in the North of England, with access to outstanding universities and colleges, providing the talent needed to drive innovation in the rail sector moving forward.

We must ensure that these strengths are communicated to Government and to the public, positioning York as the centre of the rail network.

### **Active Travel England:**

In another announcement from the Department for Transport, it has been confirmed that Active Travel England will be located in York. This is indeed very welcome news for our city, boosting our economy and further raising York's profile.

Prior to this announcement, we have been working hard to position York as a major contributor in the development of decarbonised transport infrastructure. We all know that York is a fantastic city with a highly skilled population and in this announcement, we can see reaffirmation of our reputation as a destination of choice for investment.

It is a credit to all those involved in securing this investment, and I'd like to thank everyone involved. With work ongoing to progress York Central,

one of the most important and attractive regeneration sites in the country, this is an exciting time to live, work and invest in York.

### **Easing of Covid Restrictions:**

Amongst everything that has happened over the past few weeks and months, it is easy to miss that the Prime Minister announced the lifting of Coronavirus restrictions from 24<sup>th</sup> February. Therefore, as of now, the legal requirement for positive cases to self-isolate in England has ended, as has self-isolation support payments.

The advice for fully vaccinated contacts and those aged under 18 to undertake daily testing, and the legal requirement for contacts who are not fully vaccinated to self-isolate, has also ended. Instead, national guidance now encourages people to limit the risk of infection to themselves and others. Contact tracing has also ended, along with venue check-ins on the Covid app.

Significantly, free testing will end for most people from the 1<sup>st</sup> April. From that point, there will be some limited ongoing free testing available for a small number of at-risk groups, although the Government is yet to set out further details on which groups will actually be eligible. We are concerned about the potential impact that this change will have on the spread of the virus, which is indeed still circulating, and we will continue to lobby for those groups and workers who interact with vulnerable residents.

Of course, it is thanks to the work of our frontline teams, the NHS and the success of the vaccine programme that we can now see restrictions removed. Whilst this is welcome news, we should continue to remain vigilant. We know people across the city will have varying emotions about this latest change, so as we prepare to make this next step, let's continue to encourage everyone to be mindful of others, so we can all safely move on with our lives.

### **Queen's Green Canopy Champion City Status and Tree Giveaway:**

I was pleased to be joined by Her Majesty's Lord-Lieutenant of North Yorkshire, the Lord Mayor, representatives from Forestry England and Poppleton Scout Group to unveil the Queen's Green Canopy 'Champion City' plaque, awarded to York at the new community woodland, where

70 trees have been planted to commemorate Her Majesty's Platinum Jubilee.

Places up and down the UK are joining the 'Plant a Tree for the Jubilee' initiative. In York, this is one of many events taking place this year to encourage Jubilee tree planting across the city, increasing the city's tree canopy and boosting local biodiversity.

It was a great honour to receive the Champion City plaque on behalf of the city, commemorating Her Majesty's Platinum Jubilee and I look forward to the continued progress at the community woodland and in reaching that tree canopy target set last year.

Around 500 trees were donated by Woodland Trust and interest from residents was so high, that all 500 were allocated within six hours of the scheme going live. It has been great to see so many residents get involved in this initiative and help improve York's environment.

There is still much more to come. We have an ambitious tree canopy target to reach by 2050, as well as the York Community Woodland to plant and develop. I would encourage any residents who missed out on this giveaway to get involved in the many planned activities throughout this year to support the creation of the woodland and increase tree planting across the city.

### **Purple Flag:**

I am really pleased that York has been awarded the prestigious Purple Flag award, recognising York's excellence in promoting a safe and inclusive evening and night-time economy. In receiving the award, York now joins other cities with the award, including Bournemouth, Bristol, Halifax, Oxford and Winchester.

Awarded by the Association of Town and City Management, Purple Flag is an international accreditation process, very similar to the Green Flag award for parks and the Blue Flag for beaches. In working to achieve Purple Flag, the council and its partners have worked together to help foster a safe and thriving city centre at night for visitors and residents to enjoy.

This was a key commitment for this administration, and work to secure the accreditation began back in September 2019, when proposals were agreed to coordinate work with residents, businesses and visitors in the city centre through the development of Purple Flag model and the coordination of the city's safety advisory group.

Of course, there is always more work to be done and improvements to be made, but now with that Purple Flag model in place and improved partnership working, I hope that we maintain continued progress in this area.

### **The Queen's Platinum Jubilee:**

On the city's wider celebrations for the Queen's Platinum Jubilee, we know many of our residents across will want to mark this historic anniversary and celebrate Her Majesty Queen Elizabeth II's remarkable seventy-year reign over the four days of the Jubilee.

This is the first time any British monarch has celebrated a platinum Jubilee and given York's long and proud association with the Queen, we want to make it easy for local residents, businesses and communities to organise a street party and celebrate Her Majesty's incredible record of public service.

Over the four days, there will be a great deal going on in York to commemorate the Jubilee, and our newly launched webpage(<https://www.york.gov.uk/YorkCelebratesJubilee>) will provide all the details on the events taking place in the city, from tree planting as mentioned, through to Beacon lighting.

The page provides information about how residents and communities can apply to organise a street party, including guidance on naming events, the use of social media, and the sharing of national and local resources. Groups wanting to plan a road closure for their community street party can find links to the relevant form they need to complete to apply for a road closure. There will be no road closure fees for resident, community organised and charity events.

### **York Station Front:**



The first stage of work to improve York Station gateway is now currently taking place on Queen Street. The work on Queen Street marks the beginning of the project, with the main stage of work on the scheme set to begin later this year.

As I have detailed in previous reports, the York Station Front scheme will completely transform the station frontage, providing an improved transport interchange, as well as revamping the public space around the station. It is hoped that the scheme will help to encourage more people to walk, cycle and use public transport to access the station, as well as create a more welcoming and improved setting outside the station.

Last year a planning application was approved to transform the front of York Railway Station, with the full scheme being valued at over £25 million, which in turn is funded by the West Yorkshire-Plus Transport Fund and the Leeds City Region Transforming Cities Fund.

Yorkshire Water began their work on the Queen Street slip road in February, and this is expected to last until mid-March. They will be working to divert a water main and install new meters. Whilst access down the road will be possible, with traffic management measures in place.

### **Additional Restrictions Grant payments**

The Council has begun making the first of the latest phase of Additional Restrictions Grant payments to eligible businesses affected by the impact of the Omicron variant.

In February, we opened a new round of Additional Restrictions Grant funding to support businesses severely impacted by the rise of the Omicron variant, but not able to receive any other form of COVID-19 grant support.

Since we opened this new round of grant payments, we have received more than 150 applications from local businesses. For those interested businesses who haven't applied, you can find more information about the Additional Restrictions Grant application process, funding and eligibility criteria here on the council's website: <https://www.york.gov.uk/ARG>.

**Breakfast clubs for York Armed Forces Veterans:**

As part of the council's Armed Forces Covenant work, new Breakfast Clubs have been established to allow members of the Armed Forces family to meet face to face in a relaxed and social environment. People can come along to enjoy breakfast and company with others who have similar, shared experiences, which can help to combat loneliness that some veterans feel when they leave service.

There are no fees and people only have to pay for their own breakfast. The clubs do not exist to raise funds for any charity, organisation or business and are purely social events. The sessions are open to all members of the Armed Forces family, including regular members of the Army, Navy and Air Force, reservists, service leavers, veterans of all ages and their families.

Here in York, we are committed to supporting serving Armed Forces personnel, veterans, and their families through the work of the Armed Forces Covenant, and the breakfast clubs are a great way for veterans to meet people who have shared experiences. I would like to thank all the York businesses who are involved in supporting this excellent initiative.



**Council**

**24 March 2022**

**Report of the Deputy Leader of the Council**

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**Ukraine Crisis:**

The response from the city to the refugee crisis, Russian attack and war crimes has been fantastic. As a council, we moved quickly to fly the flag, liaise with support organisations, review contracts with Russian companies and share advice on what residents can do to help support the people of Ukraine.

On 1<sup>st</sup> March, the government announced an expansion to the UK's Ukrainian Humanitarian Route, which will increase the number of people from Ukraine who are eligible to come to the UK to be reunited with their families, and helplines to support people through the Ukrainian Humanitarian Route.

Data from the 2021 census suggests that there are 50 people of Ukrainian birth living in York and the likelihood is that if immediate family members come from Ukraine, they will be accommodated by families. At the same time, the council is ready to support City of Sanctuary to provide a locally based Ukraine support group for Ukrainians in York.

Beyond this, Migration Yorkshire have advised that funding for local authorities to support refugees is unlikely. Instead, it would be for communities and families to sponsor refugees.

This is a fast-moving situation with the possibility of further significant changes to come. The council is working closely with Migration Yorkshire to offer support in any way possible. We will share more information as and when available.

I would like to take this opportunity to commend councillors and our local MP for keeping up pressure for government action to accept that women and children refugees are not 'a security risk' and should be able to

enter the country quickly, rather than spending days in Calais or Lille waiting for a visa. This reality is in stark contrast to the implications of the Nationality and Borders Bill, which threatens to criminalise asylum seekers, as well as residents trying to provide them with humanitarian support.

### Adopting Core Strategies in 2022

The council and city partners are co-designing a 10 year plan that will be informed by the three strategies currently being developed covering climate change, economic growth and health and wellbeing.

To reduce complexity and help residents understand the interdependencies between the strategies and 10 year plan, the consultation to shape these strategies is being run in parallel

Resident, business, partner and stakeholder engagement is planned for Spring/ Summer with targeted resident focus groups throughout April/May

The strategies will then be updated following feedback and reported to Executive prior to recommending to Full Council to adopt the strategies on behalf of the city in the summer.

The draft Climate Change and Economic Strategies have been prepared following extensive resident and stakeholder engagement, with supporting information discussed at Scrutiny on different occasions and are now ready for further consultation with residents, businesses, partners and stakeholders..

Consultation process:

The resident's attitudinal survey (Our Big Conversation) has shaped the strategies with more targeted focus groups to explore strategic themes taking place throughout April.

The Climate Change strategy consultation included a series of sector-specific roundtables, covering for example buildings/constructive, energy, transport, housing.

The development of the Climate Change Strategy has been considered by Scrutiny in October 2021, January and March 2022. It

will also be discussed in Scrutiny in April 2022, and CSCM Scrutiny in May 2022.

The strategies themselves will be subject to a refine and engage process throughout April-June – as outlined in papers due to come forward to Executive shortly. These will help to inform work on the Local Transport Plan.

### **Local Transport Plan:**

Some key elements of our emerging LTP4, in which adoption has been delayed by the impact of Covid, are emerging through some of the work currently underway in developing the Bus Service Improvement Plan, which will shape future bus services in the city.

I am committed to build on our scoping report of June 2020 for a Local Cycling and Walking Infrastructure Plan to form an important element that will extend our focus on cycle routes to key walking routes – something which many more have become aware of since the first lockdown. This includes issues such as boosting attractiveness and safety of walking and cycling routes into and out of the city centre or local centres, consideration of signal timings and design for pedestrian crossings, alteration or removal of outdated barriers etc. Our team of trainers also continue, almost unnoticed, to provide pedestrian and bikeability training in most of our schools, helping to equip our young people with the skills and lifestyle to reduce health problems in the future

To achieve a 70% reduction in carbon emissions from transport by 2030, we must draw on new approaches, for example, some of which can be seen in the excellent Transport Strategy for York report launched last month by York Civic Trust. We can take advantage from electric buses, e-scooters and e-bikes, as well as active travel for school, college, leisure and work purposes.

Progress is being made in the design of new, high quality cycle routes funded through the government's 'active travel programme' schemes, which are to be implemented during 2022.

### **Flooding:**

Following the impact of storms Dudley, Eunice and Franklin last month, a significant amount of work has taken place to clean up affected parts of the city after the rivers dropped to a safe level. While initial predictions showed a worrying record height might be reached, in practice it was closer to the 4.5m we are coming to expect each February. We are working with the Environment Agency to try to stress the challenge that frequent over-cautious predictions can present for residents who may be forced to evacuate their homes.

During the course of February half-term, York remained busy despite the impact of flooding and during this period, our teams removed pumps, sandbag barriers, flood gates and boards, following all defences holding against the rising river levels. Cleaning of riverside roads, paths and car parks then followed, with inspections for damage and hazards to these areas.

York is no stranger flooding and as ever, I am grateful to our staff, volunteers and partners for their excellent work in keeping the city safe and open.

### **Great British Railways:**

Like the Leader and many others, I am pleased to see that work is taking place with partners to put York forward to become the home of the newly established Great British Railways.

Colleagues will know York's proud historical connection with the railways, dating back to the mid-19<sup>th</sup> century. York's contribution to the integrated rail network was huge, with the work of people such as George Hudson and George Leeman. Today, with many staff and operators in the city, York remains at the forefront of rail innovation and therefore, the perfect location for the HQ of GBR.

Now that the submission of interest has been approved, I look forward to council's continued work, in partnership with residents, businesses and partners, to really put forward York's undeniably strong case.

### **Extension of TIER e-scooter trial:**

The TIER e-scooter hire scheme has been extended until Nov 2022 and I very much hope that its success will continue provide sustainable travel

options for local trips by an increasing proportion of York population, helping us to cut congestion and pollution and promote healthy active lifestyles.

York has participated in the Department for Transport micro-mobility trial since September 2020 to monitor and collect information regarding the use of e-scooters across the city to inform the creation of new national guidelines. The service has been used by over 25,000 residents thus far, with 6,000 current active users making around 20,000 trips a month.

### **Women in Transport Hub:**

I welcome the creation of a new northern base for the national Women in Transport organisation here in York, thanks to a successful bid by the council. Women in Transport campaigns for and supports women in the transport sector where only 20% of workers are currently female. The new Yorkshire branch will mean face-to-face meetings, training and networking for women in transport industries across the region.

This is indeed excellent news for York and is a testament to the work we've been doing in transport, from the zero emission bus fleet to the progress being made in active travel.

### **Transport schemes progress**

Work has started on relocating utilities that run over Queen St bridge as the first step on implementing the station frontage project. Work continues on the York Central site including works for the new spine road. Final detailed design work is underway for the Transforming Cities Fund project for Tadcaster Rd due to start later this year (providing new crossings and segregated cycle lanes) in conjunction with the highway maintenance programme. Following the prioritisation of Active Travel Fund schemes at my Decision Session last month design work is underway to enable the highest priority schemes to start to be delivered (A19 North from Rawcliffe to Bootham, cycle route alongside the A1237 to Manor School, city centre route from Navigation Rd to the Minster etc. Work is currently underway to install the signalised crossing from Bootham Park to St Marys as part of the Station/ Scarborough Bridge – Hospital off road cycle route. The new ramp up from St Marys Lane will be constructed as soon as utilities works are complete to move them from under the path of the ramp. The cycle lane on Coppergate has

been upgraded with better quality segregation and clearer road markings. A decision on extending the Coppergate one way arrangement was due to be made on Mar 22<sup>nd</sup> which I can update at the meeting.

### **Energy Efficiency Grants:**

The council is offering grants to lower-income households in colder homes to improve their energy efficiency, and the application window is due to close at the end of this month.

The home upgrade grants are for loft and cavity wall insulation, PV solar panels and air source heat pumps, and can be claimed by homeowners, private tenants and landowners to lower their fuel bills, improve the standard of housing and to increase residents' comfort. To be eligible, applicants' annual household income must be £30,000 or less, and their homes must have an Energy Performance Certificate (EPC) of D, E, F or G. On application

This funding will help lower income households who may be struggling to meet energy bills and keep their homes comfortably warm. Free energy efficiency measures will mean less energy use and therefore lower bills, whilst also helping to reduce carbon emissions.

This funding allows us to help people to invest in their homes and reduce energy costs for present and future generations of residents. Given current global events, we will continue to lobby the Government for more consistent and longer-term funding, whilst working to upskill contractors to do the work needed to deliver these improvements.

### **Helping tackle food poverty:**

Funding for a new post has been approved to help support and improve the coordination of grassroots food projects in the city.

As colleagues will know, volunteer-run projects across the city bring together access to food for those most in need, with the re-purposing of in-date surplus supermarket food that would otherwise be wasted. However, despite this excellent work, it has been recognised that with



improved support and coordination, these networks could do even more to support people in need.

At a decision session last month, it was agreed that a new Community Involvement Officer will be funded to work to establish a lasting food network. Learning from similar schemes in place in other cities, and working alongside such organisations as the Joseph Rowntree Foundation, the work will seek to support food security in York. This will aim to link together direct access to food with financial advice and healthy eating initiatives as well as helping to tackle social isolation. As part of this work, continued funding for the city's Welfare Benefits Unit and digital inclusion work has also been agreed.

This is much-needed and timely extra support for the city's advice network to assist some of the city's most vulnerable residents in financial difficulty. Work to support food security in the city is also critical given the imminent ending of much of the government's financial support schemes and the increasing costs of living.

### **Taxi Driver Recruitment Campaign:**

The council has secured Government funding to help prevent violence against women and girls and to recruit more licensed taxi drivers for the city. The funding includes £200 worth of free training each for the first 50 applicants, and this window close before the end of the month.

The funding has been made available to ensure enough licensed taxi services are available in the city. This comes as numbers of drivers have dropped during the pandemic and following concerns have been raised about safe travel being available for those who need it.

York's licensed taxi drivers make an important contribution to the city by supporting people to make safe travel choices. Among the £200 worth of free training we have offered ahead of the government's deadline, there are also incentives including grants of up to £3,000 to buy hybrid taxis and funding to support running costs of fully electric taxis.

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**Council**

**24 March 2022**

## **Report of the Executive Member for Children, Young People and Education**

In recent months, the Corporate Director of People and the Assistant Director for Children's Social Care have both moved to work in other authorities. Individually, both Amanda Hatton as Corporate Director and Sophie Wales as Assistant Director have made strong contributions to the Directorate's leadership and management, also to managing the work needed to set in hand and continue improvement work described later in this section; on behalf of the Council, I should like to thank them both for their work.

At the start of October last, it was a privilege to welcome Anne Coyle as Interim Director of Children's Services. In the short time since then, Anne has likewise made a significant contribution to Directorate leadership and management, also by continuing and giving a sharper focus to the improvement work that was already started; again I should like to thank Anne on behalf of the Council for her work to date.

This report is divided into two parts – one which covers Children and Children's Social Care, the other covering York's Schools

### **Children and the Council**

#### York's Youth Council

For children and young people aged between 11-19 who are not in the Council's care, York Youth Council is a group of young people with passion and the aspiration to make positive changes both to their local community and the lives of young people in York. It consists of young people from a variety of backgrounds with a range of knowledge and experiences and is led by young people; any work it carries out is directed and agreed by the young people, supported and facilitated by members of the Communities Team. The Youth Council meets to discuss issues that are important both its members and to York's children and young people; members they help to organise and support events to capture the views of York young people.

Voice and Participation for Children and Young People in care

Our Children's Rights and Advocacy Service (known as Speak Up) promotes children's rights and provides advocacy for children and young people who are in care or leaving care, on a child protection plan or who want to make a complaint against the council. The service provides issue-based advocacy and only exists for the time it takes to resolve the specific issue; it is intended to give children and young people confidence that, where they are worried or concerned about a service they receive, they are able to say so and to get help.

### Helping children and young people in care to articulate their views and feelings

For children in the Council's care, York's Children in Care Council (CiCC) has been made up of two groups: the Show Me That I Matter panel (SMTIM) and the I Still Matter (ISM) Care Leavers Forum. Young people met at the different groups to raise and discuss issues that are important to them. At the start of Covid, the groups were combined into a single SMTIM panel pending a return to the previous structure. The overall aim of the CiCC is to provide an opportunity for care experiencing children and young people to help shape and improve services.

In 2020, Show Me That I Matter was nominated for York Press Community Pride Award, while in 2021, Speak Up (the Children's Rights and Advocacy Service) were 'Highly Commended' for the national Children and Young People Award in the 'biggest impact' category.

A 'U Matter' survey was undertaken between April and July 2021. This survey gives an opportunity for children and young people in or leaving care to feedback to the City of York Council about their experiences of being in care. The full findings of the survey are being shared with the Corporate Parenting Board, which will act on the feedback given by young people.

From the results of the survey, 61% of children and young people reported their experience of being in care as good or very good and 81% reported that they were happy or very happy with where they were living.

### Voice of Young People in Care and the Corporate Parenting Board

There is a clear focus on remodelling the Corporate Parenting Board to relate more directly to young people in care and a new constitution is in process of being agreed in the current year. The new model has been developed with the children and young people and it will be supported following the recent recruitment of 'care advisors' (care-experienced young people).

The Children In Care Council group(s) will put forward views and discuss issues in a new Forum (which replaces the former 'Decision Maker's Meeting) with Corporate Parenting advisers and members of a smaller Corporate Parenting Board. The slimmed-down Corporate Parenting Board will then work with partners to respond to changes and solutions requested by the young people. It is anticipated that the new arrangements will strengthen both members' and officers' sense of corporate responsibility for children in care and care leavers.

### Early Help

Everyone in York who works with children, young people and families, has a responsibility to support the delivery of Early Help and support children, young people and families in accessing appropriate services.

The City of York Council's Safeguarding Children Partnership has developed a new Early Help Strategy, launching in 2022. The strategy promotes the view that an effective Early Help model is one of collaboration, bringing together families, communities, professionals and systems to work together in a joined up co-ordinated

approach to 'ensure that children, young people and their families receive the right help at the right time'.

The Council's new Customer and Communities Directorate places an emphasis on supporting customers, building resilient communities, recognising that local people are best placed to understand and find solutions to the particular needs of their communities. The Directorate will promote early help for vulnerable families through the co-design of Family Hubs, linked to the Supporting Families agenda to meet the needs of local communities by bringing universal and community services together and making them more accessible for children and families.

With an increased focus on prevention, early help and asset-based community development working across all life stages, this approach also means creating a wide-reaching Early Help network within communities which will involve working with those people who are already supported by services to connect them to their communities.

Effective support to families should involve a 'Team around the child' approach which includes healthy child services, schools, housing, child and adolescent mental health services (CAMHS) etc. providing assessment of early help needs and a plan of support that is designed around the child and family's needs.

As part of a service restructure in 2021, colleagues in the Local Area Teams early help service, the Immediate Response / Edge of Care service and Child in Need Practitioners have merged together into a Child and Family Targeted Support Service. For children and families who face more challenges and may have multiple needs, the service will provide additional capacity and expertise to address their needs. This will include direct work and one to support with children and families from a Child and Family Support Practitioner.

The Child and Family Targeted Support Service will also work with children and families who may no longer need a Children's Social Care response but could need some extra support to reduce the likelihood of re-entering Children's Social Care in the future (an 'edge of care' situation).

### Children with Special Educational Needs and/or Disabilities (SEND)

Following the Ofsted and Care Quality Commission joint area inspection visit in December 2019, a Written Statement of Action (WSOA) was required to address concerns about the effectiveness of the local area. Partners worked together to produce the WSoA by the required date and the plan gained the approval of DfE and NHS advisers, with whom quarterly meetings have been held. Partners have also worked together to deliver the workstreams proposed in the plan. A re-visit to formally check progress is expected in due course.

### **Children's Social Care & Children and Young People In Care (CYPIC)**

A focused visit by Ofsted in July 2019, covering arrangements for children in need of help and protection, made clear the need to strengthen our arrangements for vulnerable children. We continue to recognise and prioritise the needs of children and young people and there is an obsessive level of determination to improve outcomes for children and young people.

In 2020 York launched its new MASH (Multi-Agency Safeguarding Hub). The MASH's multi-agency team is made up of representatives from a range of services including Social Care, Early Help, Police and Health Professionals and is a single point of contact for all concerns about children. This partnership approach will make it easier to get children, young people and families to get the right level of support as quickly as possible.

Throughout the pandemic, we have responded to changing circumstances to always ensure:

- Children and young people are safe
- Our staff are safe
- That we play our part in controlling the spread of COVID-19

A revised structure for Children's Social Care was introduced in 2021. As we continue to develop our social work practice and "grow our own" social workers, we will create a high functioning sustainable social work service based on the principle that the majority of families do not require a statutory intervention but may need some support to resolve their issues.

This will be achieved through an enhanced Family Group Conference and Mediation service with Targeted family support interventions. Where children do need statutory service interventions, they will be focused, evidence-based, of high quality and time-limited. This will ensure that demand is better managed through the service. We will front-load our approach to permanence, so that viability assessments are undertaken much earlier in the service i.e. in Assessment and Child in Need teams.

The new structure will ensure children are enabled to achieve permanence quickly and, when they are unable to be cared for in their own homes, they will be cared for by skilled carers close to their homes and communities.

#### **York's current CYPIC Population**

At the end of January 2022, CoYC had 273 children in care, a rate of 73.8 / 10k of the relevant population against our statistical neighbours' current rate of 62.5 / 10k. Even within broader movements in the population, the numbers can fluctuate quite markedly (it rose from 276 at Q3 end to 283 in early January 2022) and a new family entering the system, bringing several children who need to be taken into care, can have a noticeable effect.

Recent trends in York's CYPIC population:

	2018/2019	2019/2020	2020/2021	2021/22 Q3
Number of children in care, excluding Short Breaks - (Snapshot)	208	262	278	276
Children in care per 10k, excluding Short Breaks - (Snapshot)	56.22	70.81	75.14	74.59
Benchmark - National Data	65	67	67	-
Benchmark - Regional Data	74	77	78	-
Benchmark - Comparator Data	61	60.3	62.5	-

### York's In-area residential accommodation

The Council's former children's home (Wenlock - managed by Hexagon up to December 2021) has been updated, re-registered at Ofsted with a new manager, and is already in use. Further work on the building should see it be capable of accommodating an increased small number of children or young people, along with a number of young people being housed on a transitional basis in a separate part of the building.

A second property (Ousebank) has also been brought up to date and registered at Ofsted with a new manager; it has already been used to accommodate one young person and is currently available for use. A third property is being developed to provide more such accommodation but this is currently some way from completion. The two newly-registered children's homes have already given the Council more flexibility in dealing with short-term requirements for residential accommodation.

### The Beehive – specialist short breaks provision

Replacing The Glen, this Council purpose-built centre was opened in November 2020 and offers a range of short break provision for the most complex children and young people with autism, learning disabilities and/or complex health needs.

Design and service delivery were planned in co-production with children, parents, and partners, with support from the relevant NHS Agencies.

Like The Glen, the Beehive can accommodate up to 8 children at a time, but the new building is purpose-built, much bigger and provides much more flexibility in what can be offered to children and families. Besides the overnight short breaks provision currently on offer, tea visits and day care are provided, while an after school/holiday club is being planned; this allows maximum use of the Beehive, to give the right support to children families at the right time.



## **York's Schools**

### A Snapshot of our Schools System

York currently has 63 state schools – 50 primary, 9 secondary, 3 special and 1 maintained nursery school. There are also 8 independent schools covering the age range 2 – 18 years, though none of these is included below.

Overall, 91% of pupils attend 'good' or 'outstanding' schools (89% in primary and 93.4% in secondary)

The city has 6 multi-academy trusts and 60% of schools are academies (32 primary academies, 6 secondary academies and 1 special academy)

Our strategic education partnership board is York School and Academies Board, which has been in place since September 2018.

### Achieving for our Children

Besides the YSAB 'York Future' Education Recovery Plan, our priorities are:

- Early Years speech, language and communication (Early Talk for York)
- Pupils in Schools' behaviour, attendance and culture
- Closing the attainment gap (SEND, CiC, CIN)
- Mental health and well-being in settings and schools
- Progression from education, future skills and preparation for adulthood

### York Schools and Academies Board (YSAB)

Despite the pandemic, the pace of change in education has continued and York is still seeing the continued development of a diverse school system which includes maintained schools, single academies and multi-academy trusts. Alongside these changes, longstanding loyalties within the York 'family of schools' have engendered a strong commitment to partnership working shared by academies, maintained schools and the local authority alike.

The development of the York Schools and Academies Board (YSAB) has added strength to our city's school improvement arrangements. The Board has brought together the key contributors to the city's schools system in a coherent and effective strategic partnership. YSAB's objectives are to maximise outcomes and improve life chances for York's children and young people, to promote inclusion and reduce inequalities. Critically, the members are committed to using resources collaboratively to ensure that no school and no child or young person will be left behind.

On the Council's behalf, I should like to thank Maxine Squire (Assistant Director of Education and Skills) and her team for their work in achieving a high degree of co-operation and a shared sense of purpose for York's children in their work with the York Schools and Academies Board.

## YSAB's Education Futures Recovery Plan

The YSAB Education Futures Group is chaired by Helen Winn (Chief Executive of the Hope Sentamu Learning Trust) and is made up of Head teachers from primary, secondary and special phases, local authority representatives and Multi-Academy Trust representatives; it is working to:

- develop a city-wide education plan;
- support schools and families to 'catch-up', following any lost learning;
- ensure the education offer for the future meets children's individual needs;
- ensure an integrated approach, with services working together.

Working together is crucial in ensuring that the right approach and resources are in place to deliver:

- high quality teaching for all;
- targeted academic support;
- wider strategies to support, early years, gaps in learning, school attendance, enrichment, wellbeing and extending the 'school experience'.

A cross-city survey over summer 2021 sought the views of all children, school staff, parents and carers on this approach. The themes and strategies that have emerged include a common language approach for teaching and learning, additional tutoring and targeted Interventions, specific continuing professional development (CPD) training programmes for staff, speech and language development in early years settings and reading and writing developments. The responses have informed the development of the York Education Futures Plan.

During the pandemic, gaps within special educational needs and disabilities (SEND) provision and outcomes have widened, a trend identified nationally. YSAB will work with the SEND Partnership to ensure the right strategies are implemented for the affected children; this will take place alongside the outcomes of the Inclusion Review and the follow-up work which is described in the Written Statement of Action arising from the December 2019 SEND inspection report.

## York's Virtual School

The aim of the Virtual School is to enhance the life opportunities for children and young people in care by supporting their education and enabling them to achieve the best they can. In September 2021, the duties of Virtual Schools was extended to have a strategic oversight of the educational achievement and progress of children known to social care, including Children in Need.

This cohort includes a small number of children with significant psychological wellbeing needs which impact on their engagement with education. The individual circumstances of each child are reviewed and individual action plans to support re-integration with education are put in place to improve oversight for these students.

The Virtual School does not replace the school or educational provision for children or young people in care but is an additional resource which exists to support and challenge all those involved in the education of children and young people in care. It

is involved in or promotes various initiatives to support the educational achievement of children and young people in care, including providing training and advice for schools, council staff and carers.

The virtual school works closely with colleagues within the council and external agencies as part of an integrated, multi-disciplinary approach to supporting children and young people in care.

The virtual school approach is to work with children and young people in care as if they were in a single school, liaising with the schools they attend in order to raise educational attainment, track pupil progress, ensure good school attendance, improve educational stability, promote high aspirations and raise the profile of children in care and ensure that every child in care has a high quality personal education plan.

### The Inclusion Review

The number of children with special educational needs and/or disabilities, particularly those with complex autism and those with social, emotional and mental health (SEMH) conditions, is growing. This has led to a need to review current provision and identify areas where provision has to be developed to meet need.

The local authority's Inclusion Review focuses on delivering sufficient provision for children and young people with SEND. Between May and June 2021 the Council ran a city-wide Inclusion Review consultation. The purpose of the consultation was to gain feedback about the current city-wide provision for children with special educational needs and/or disabilities (SEND) in order to inform proposals about future provision. Running for a period of 4 weeks, it asked about mainstream and specialist provision, and the perceived sufficiency gaps in our current provision. In total over 600 people accessed the consultation documents.

In 2021-22 capital works taking place at Applefields Special School and Danesgate Community will make improvements to both school sites. A further capital plan to support the delivery of sufficient school places for children and young people with SEND between 2022 and 2025 is currently in the process of development. This plan is being co-produced with children and young people, parents and carers, and schools and colleges.

Cllr Ian Cuthbertson

Executive Member for Children, Young People & Education

15<sup>th</sup> March 2022

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**Full Council****24 March 2022**

Report of the Director of Governance &amp; Monitoring Officer

**Review of the Council's Constitution****Summary**

1. In accordance with recommendations from the Audit & Governance Committee, Full Council is invited to approve and adopt the revisions to the Council's Constitution and agree the dates for implementation.
2. The Audit & Governance Committee has highlighted areas which as, part of this process, require Full Council to determine and these are detailed within the report but in summary are:
  - a) Nomination of Substitutes and whether or not substitutes should be appointed from the same political group
  - b) Whether Executive Members should sit on Planning Committee A and Planning Committee B; and
  - c) Procedural issues relating to the Overview and Scrutiny function

**Recommendations**

3. Full Council is invited to determine the wording of the following for inclusion within the approved Constitution:
  - a) Appointment of Substitutes to Committees (article 7 Decision Making, subsection 14 – substitutes)
    - i. Paragraph 14.1 (a) - the inclusion or not of the following sentence:

***“Substitutes shall be appointed from within the same political group”***

If included, the paragraph would read (the disputed sentence is highlighted in bold type for ease of reference):

*“For the Planning Committee A and Planning Committee B up to four named substitutes shall be allowed for each of the political Groups. For other Member bodies up to three named substitutes shall be allowed for each political Group.*

***Substitutes shall be appointed from within the same political group.*** *Independent Councillors may also be appointed to act as named substitutes for other Independent Councillors within this rule”.*

b) Role of Executive Members on Planning Committee A and Planning Committee B

Full Council is invited to determine the position of Executive Members and their involvement or not in the Council’s Planning Committee functions. Therefore Full Council is asked to approve one of the following options for inclusion in the Constitution:

Appendix 30 – Option 1 – maintains the current position in that Executive Members can sit on the Executive and Planning Committee A and Planning Committee B but do need to be mindful of a potential conflict of interest.

Appendix 30 – Option 2 – the Leader of the Council, the Deputy Leader of the Council and all other Executive Members cannot sit on either Planning Committee A or Planning Committee B.

Appendix 30 – Option 3 – where necessary Executive Members must choose whether to sit on the Executive or take up their seat on Planning Committee A or Planning Committee B so as to avoid a conflict of interest

- c) Upon confirmation of the role of the Executive Members on the Planning Committee function, the Director of Governance and Monitoring Officer is requested to make the necessary changes to accurately reflect the position in Article 13 and Appendix 17.

d) The Council’s Scrutiny Function

- i. Article 8: Policy, Overview and Scrutiny  
Paragraph 10.2 (b), Full Council is asked to determine if this paragraph should make reference to the Vice Chair or not (disputed wording is highlighted in bold type for ease of reference). The paragraph currently reads:

*“Allocating, in consultation with the relevant Chair **and Vice-Chair**, urgent issues to be considered by an appropriate*

*committee (including ad-hoc scrutiny committee), as may be necessary”.*

ii. Appendix 5: Scrutiny Procedure Rules

Paragraph 16.3 – Full Council is invited to determine if the time anticipated as a guide to aid the length of the meetings in this paragraph should be 20 minutes or 30 minutes:

The paragraph currently states:

*“After all signatories have made their contributions, members of the Committee will be invited to put questions to the signatories and receive responses to those questions. As a guide it is anticipated that this should not exceed 20 minutes in total”.*

Paragraph 18.3 – Full council is invited to determine the procedure for voting where there are a number of alleged breaches detailed in a call in request. The disputed sentence is highlighted in bold type for ease of reference

The paragraph states:

*“The vote to be taken will be by a show of hands. **Where multiple breaches are alleged, a vote shall take place in respect of each potential breach”.***

4. Adopt the revised Constitution and approve its implementation as follows:

- a) Extracts for immediate adoption and implementation as follows:
  - Appendix 1 – Scheme of Delegation
  - Appendix 12 – Officer Employment Procedure Rules
  - Appendix 13 – Ethics Statement
  - Appendix 15 – Employee Code of Conduct
  - Appendix 16 – Protocol on Officer Member Relations
  - Appendix 29 – Joint Standards Committee Procedures
- b) All remaining elements of the Constitution will be adopted and implemented on 26<sup>th</sup> May 2022, to coincide with Annual Council.
- c) The Audit & Governance Committee is invited to undertake an annual fitness for purpose review of the Constitution as part of its work programme.

- d) Full Council notes that the review of the Constitution also contributes significantly towards the progress against the Action Plan prepared in response to the Report in the Public Interest accepted by Full Council on 4<sup>th</sup> May 2021.

### **Reasons for the recommendations**

5. To ensure that the Council Constitution is accurate and is fit for purpose to effectively support the service delivery and decision making responsibilities of the Council in a lawful and financially compliant manner.

The staggered implementation of the constitution will allow for the remainder of the ethical governance framework to be implemented to support and complement the Member Code of Conduct which was approved and adopted by Full Council in October 2021.

6. The Council is required to work towards the delivery of the Action Plan in response to the Public Interest Report.

### **Options**

7. Full Council may choose to adopt some or all of the proposed revisions or retain the existing constitution however this would be against the advice of the Monitoring Officer.

### **Background**

#### **Purpose of the Constitution**

8. Since 2000, the Council has been required to make publicly available a constitution which sets out key requirements relating to service delivery, decision-making principles and protocols, i.e. this is a document that assists the public in describing the functions of the council and how it proposes to carry out those functions. To support Councils at that time, the Secretary of State produced a modular (or template) constitution which offered a degree of consistency as to what was required to be included. However, the decision as to format of the presentation of the constitution remains at the discretion of the Council so as to ensure the document is easy to read and can be updated efficiently and effectively..
9. The Council operates an executive or “strong leader” model (as opposed to a committee system) as its governance framework and therefore the constitution acts to advise the reader as to the division of decision making responsibilities, i.e. which decisions are made by the



Executive as opposed to those which remain the responsibility of Council.

### **Revisions to the Constitution previously approved by Audit & Governance Committee on 11<sup>th</sup> March 2020**

10. The recommendations considered and approved by Audit & Governance Committee in March 2020 have been fully incorporated into the revised Constitution following their approval by Full council in October 2020. Details of these amendments can be found in the report and accompanying documents considered by the Committee as part of its agenda on 11<sup>th</sup> March 2020.

### **Audit & Governance Committee's Approach to the Review of the Constitution**

11. Over a number of months, the Audit & Governance Committee has undertaken to review the draft refresh of the constitution proposed by the Monitoring Officer during 2021. The review has remained a standing item on the agenda for each meeting throughout the 2021/2022 municipal year. The Committee also sought the wider support of Members and established a Cross Party Working Group (which included Executive Members as part of its membership) who met weekly throughout October 2021.
12. The terms of reference for the various Committees have been reviewed and where necessary have been refreshed so that they remain up to date.
13. In respect of the Council's Scrutiny Function the Committee invited the views from the Scrutiny Chairs and Vice Chairs and feedback was provided which has been taken into account.
14. Members of the Corporate Management Team and key Senior Officers have all had the opportunity to contribute and provide technical and professional updates where required.
15. The draft revised constitution has also been shared with the Council's External Auditors and with the LGA who are working with the Council in respect of the response to the Public Interest Report.

### **The proposed layout of the Constitution**

16. The layout of the revised Constitution has moved away from the modular example suggested in 2000, and in its place there are now two distinct sections, namely Articles and Appendices. Section One clearly outlines

the various Articles which clearly detail the roles and responsibilities of the Council and Section Two lists the various Appendices which provide detail as to how the Council intends to approach the delivery of its functions, plus providing guidance via various protocols and practices.

17. As the Constitution is a public document it is believed that this revised layout adds clarity and ease of reference for the reader.

**Areas which remain in dispute and require a decision from Full Council**

18. Whilst the vast majority of the draft Constitution is agreed in terms of layout and content there are a small number of issues which the Audit & Committee has been unable to resolve. There are three main areas of dispute which are:

- a) Nomination of Substitutes and whether or not substitutes should be appointed from the same political group
- b) Whether Executive Members should sit on the Planning Committee A and the Planning Committee B;
- c) Procedural issues relating to the Overview and Scrutiny function

	Reference in draft Constitution	Nature of dispute	Draft wording to be approved or not (disputed wording appears in bold type)
<b>Appointment of Substitutes</b>			
	Article 7: Decision Making  Subsection 14  Para 14.1 (a)	Should substitutes be appointed from the same political group or not?	For Planning Committee A and Planning Committee B up to four named substitutes shall be allowed for each of the political Groups. For other Member bodies up to three named substitutes shall be allowed for each political Group. <b>Substitutes shall be appointed from within the same political group.</b> Independent Councillors may also be appointed to act as named substitutes for other Independent Councillors within this rule.
<b>Role of Executive Members on Planning Committee A and Planning Committee B</b>			
OPTION ONE	Appendix 30 – Major Conflicts Protocol  Section 3 Role of Members	Maintains the current position that Executive Members can sit on the Executive and Planning Committees	<b>Proposed wording:</b>  <b>Where the Leader and the Deputy Leader are jointly responsible for promoting a major project they will not sit on the Planning Committee when it is determining an</b>

	<p>Article 13: Planning Committee A and Planning Committee B will be amended accordingly</p> <p>Appendix 17: Code of Good Practice for Councillors involved in the Planning Process will be amended accordingly</p>		<p><b>application related to that major project.</b></p> <p><b>1.1. Where an Executive Member may have input or play a lead role into the master planning of a major project, for example, Culture Leisure and Communities, they will not sit on the Planning Committee when it is determining an application in respect of that major project.</b></p> <p><b>1.2. Other members of the Executive may sit on the Planning Committee when it is determining an application relating to a major project but should consider their participation in decision making on the scheme at meetings of the Executive. This is in line with the Council’s Planning Code of Good Practice Appendix 17 in this Constitution.</b></p>
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<p>OPTION TWO</p>	<p>Appendix 30 – Major Conflicts Protocol</p> <p>Section 3 Role of Members</p> <p>Article 13: Planning Committee A and Planning Committee B will be amended accordingly</p> <p>Appendix 17: Code of Good Practice for Councillors involved in the Planning Process will be amended accordingly</p>	<p>Executive Members will not be appointed to Planning Committee A and or Planning Committee B</p>	<p><b>Role of Executive Members</b></p> <p><b>The Leader of the Council, the Deputy Leader of the Council and all other Executive Members are not permitted to sit on the Council’s Planning Committees. Nor are they able to be appointed or named as substitutes for either of the two Planning Committees</b></p> <p><b>Role of Members (not appointed to the Executive)</b></p> <p><b>1.3. Major planning applications can be the subject of Pre Committee Presentations to the Planning Committee. Members promoting the development at such meetings are likely to have difficulty in demonstrating objectivity at Planning Committee, and should not take part in the Planning Committee determining the application.</b></p>
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<p>OPTION THREE</p>	<p>Appendix 30 – Major Conflicts Protocol</p> <p>Section 3 Role of Members</p> <p>Article 13: Planning Committee A and Planning Committee B will be amended accordingly</p> <p>Appendix 17: Code of Good Practice for Councillors involved in the Planning Process will be amended accordingly</p>	<p>Executive Members can be appointed to the Planning Committees but must choose whether to sit on the Executive or the Planning Committee when an application in respect of a major project is being determined. They do not have the option to sit on both.</p>	<p><b>1.4. Where an Executive Member may have input or play a lead role into the master planning of a major project, for example, Culture Leisure and Communities, they will not sit on the Planning Committee when it is determining an application in respect of that major project.</b></p> <p><b>1.5. Other members of the Executive may sit on the Planning Committee when it is determining an application relating to a major project but in order to do this they will not sit on or participate in decision making on the scheme at meetings of the Executive. Alternatively, members of the Executive also appointed to sit in the Planning Committee may choose to attend and participate in the decision making scheme at meetings of the Executive. Should this be the case, they will not then sit on the Planning Committee when it is determining</b></p>
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			<b>the application in question. This is in line with the Council's Planning Code of Good Practice Appendix 17 in this Constitution.</b>
<b>Scrutiny Function</b>			
	Article 8: Policy, Scrutiny and Overview  Para10.2 (b)	Should there be reference to the Vice Chair	Allocating, in consultation with the relevant Chair <b>and Vice-Chair</b> , urgent issues to be considered by an appropriate committee (including ad-hoc scrutiny committee), as may be necessary
	Appendix 5: Scrutiny Procedure Rules Para 16.3  Paragraph 18.3	Para 16.3: Should the anticipated time estimate which is provided as a guide only, be listed as 20 minutes or 30 minutes? Should there be a single vote or multiple votes where there is more than one breach alleged in respect of a call-in?	After all signatories have made their contributions, members of the Committee will be invited to put questions to the signatories and receive responses to those questions. As a guide it is anticipated that this should not exceed 20 minutes <b>[30 minutes]</b> in total.  Para 18.3: The vote to be taken will be by a show of hands. <b>Where multiple breaches are alleged, a vote shall take place in respect of each potential breach.</b>

### **Action required following consideration by Full Council in March 2022**

In the event that Full Council supports the recommendations contained in this report and approves the adoption of the revised Constitution, steps will be taken to, amongst other things:

- Raise awareness and accessibility of the constitution by ensuring it has a prominent position in the Council's website which is easy to locate and navigate;
- Training will be finalised and delivered with both Elected Members and Officers to ensure its key governance role, purpose and terms of the constitution as regards decision making are understood ; this will include a review of the induction training for Members and Officers;
- Ongoing training will be promoted to ensure the council's ethical governance is understood and becomes embedded across the Council.

### **Proposals to ensure the Constitution remains fit for purpose**

19. The Audit & Governance Committee supports the Monitoring Officer in undertaking a six monthly review of the Constitution with Chief Officers and has committed to undertaking an annual review of the Constitution so as to ensure it remains up to date and fit for purpose to support the Council's delivery of services and decision making.

### **Implications**

#### **Financial**

20. There are no financial costs associated with the Council's Constitution however it should be noted that both the Contract Procedure Rules and the Financial Procedure Rules are both key core documents incorporated into the Constitution. Both of these Rules are reviewed by the Council's s151 Officer and updates are provided to the Audit & Governance Committee

#### **Human Resources (HR)**

21. There are none directly associated with this report. However the Officer Code of Conduct and Officer/Member Relations Protocol are key core documents of the Council's Constitution and the revision of these has been undertaken in consultation with the Council's recognised Trade Unions. The Member Code of Conduct and



Member Allowances Scheme are also key core documents contained in the Constitution. Training will be provided to both Members and Officers in respect of the constitution.

### **Equalities**

22. The Council's Constitution is a public document and steps must be taken to ensure that it is easily accessible on the Council's website. Wherever possible the revised constitution has been written in plain English to ensure that it is capable of being easily understood. An Equality Impact Assessment has been prepared to support the review of the Constitution and it is noted that the use of gender neutral pronouns has been used throughout and that steps will be required to ensure the constitution remains accessible when published both on the website and in printed form.

The final draft of the Constitution was published in mid-January 2022, as part of the agenda for the Audit & Governance Committee meeting on 2<sup>nd</sup> February 2022, so as to allow additional time for public consideration.

### **Legal**

23. The Local Government Act 2000 requires the Council to have in place a constitution which set out key principles such as various codes of conduct, standing orders, contract standing orders and scheme of delegations. The Local Government Act 2000 (Constitutions) (England) Direction 2000 offered additional clarity as to the core requirements for the basis of a constitution and also provided a modular constitution which councils could adopt. The Council's current constitution followed the format of the modular constitution. The Council does have discretion in respect of the format of its constitution.
24. It is good practice to ensure that, once adopted, the constitution is reviewed by the Audit & Governance Committee on an annual basis so as to ensure that it remains fit for purpose to support effective delivery of council services and promote robust decision-making principles.
25. The Council's Constitution is a public document and steps must be taken to ensure is it is accessible on the Council's website.

### **Crime and Disorder, Information Technology and Property**

26. There are no crime and disorder or property implications associated with this report. The Constitution will be provided to Members and Officer electronically and the will be available on the Council's

website to ensure it is publicly accessible, however printed copies can be provided on request.

**Author & Chief Officer responsible for the report:** Janie Berry, Director of Governance & Monitoring Officer

**Report Approved**  **Date** 14 March 2022

**Specialist Implications Officer(s):**

Janie Berry, Director of Governance & Monitoring Officer

Debbie Mitchell, Chief Finance Officer, Patrick Looker, Head of Service Finance

Helen Whiting, Head of Human Resources

Frances Harrison, Head of Legal Services

**Wards Affected:** *List wards or tick box to indicate all* **All**

**For further information please contact the author of the report:**  
**Janie Berry**

**Background Papers:**

- The Council’s existing Constitution (as amended by Full Council in October 2020)
- 11 March 2020 – Audit & Governance Committee – Agenda, Report and Minutes in respect of the review of the Council’s Constitution
- 29 October 2020 – Full Council - Agenda, Report and Minutes approving the revisions to the Council’s Constitution
- Report in the Public Interest dated 19 April 2021, received by Full Council on 4 May 2021
- Agenda, reports and supporting minutes and documents prepared for the meeting of the Audit & Governance Committee on 8 September 2021 – *NOTE: This Agenda included the relevant links to the draft revised constitution published at that time*

- 21 October 2021 – Audit & Governance Committee – Agenda, Reports and Minutes
- 16 November 2021 – Audit & Governance Committee – Agenda, Reports and minutes
- 1 December 2021 - Audit & Governance Committee – Agenda, Reports and minutes
- 21 January 2022 - Audit & Governance Committee – Agenda, Reports and minutes
- 2 February 2022 – Audit & Governance Committee – Agenda, Reports and Minutes. The revised draft constitution was published in mid-January 2022, to allow for an extended period of public consideration prior to the meeting
- Equality Impact Assessment

### **Annexes**

- Annex One – The revised Constitution (online only) and published with the agenda on the Council's website
- Annex Two – Appendix 30 – Option One
- Annex Three – Appendix 30 – Option Two
- Annex Four – Appendix 30 – Option Three
- Annex Five – Part B Minutes of the Audit & Governance Committee held on 2 February 2022

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## **OPTION ONE**

### **Appendix 30: Major Projects Conflicts Protocol**

#### **1. Introduction**

- 1.1. The Council is the Local Planning Authority for the City of York. It determines applications for planning permission and approves relevant planning policies in respect of development.
- 1.2. The Council is the Highway Authority for the City of York and makes decisions in respect of highway matters including the construction and adoption of roads servicing development.
- 1.3. Officers will have different roles in respect of development as professional advisers to promoters, policy makers and decision makers.
- 1.4. Members will have different roles in respect of development as promoters, advisers, policy makers and decision makers.
- 1.5. Where the Council has a material interest in a key, major development project within the City, for example as a landowner, potential investor or development partner, a clear distinction of the roles undertaken by the separate arms of the Council should be documented to ensure transparency of the governance arrangements – in particular in relation to Local Planning Authority and Highway Authority decision making.

#### **2. Why have a protocol?**

- 2.1. The Council would wish to avoid any perception that developments in which it has an interest are treated differently from those of any other developer.
- 2.2. The Council would also wish to ensure that Officers charged with providing professional and technical advice in respect of its regulatory functions understand that they are free to do so in line

with their professional obligations and without feeling constrained by the Council's commercial interests.

- 2.3. The Council would wish to ensure that Members have a clear understanding as to the remit and forum within which they can take part in decision making
- 2.4. A clear protocol identifying the distinction between the Executive Members' role in actively promoting development and the independent role of Planning Committee Members when dealing with applications before them will assist Members' understanding and ensure that the processes robustly manage conflicts of interest, demonstrating fairness.

### **3. Key Controls**

#### **Planning applications**

- 3.1. The Council's Constitution, at Appendix 1, sets out the Responsibility for Functions. This is framed so that direct delegation is given to the Chief Planning Officer from Full Council. The Head of Planning and Development Services is the designated Chief Planning Officer for the Council.
- 3.2. All planning applications made by or on behalf of the Council will, in accordance with normal practice, as detailed at Article 13 and Appendix 1 of this Constitution, be determined by the Planning Committees and not delegated to Officers unless of a minor nature.
- 3.3. For the avoidance of doubt, planning applications in relation to a major project promoted by the Council as a development partner will likewise be determined by Planning Committee A and not delegated to Officers, even when not submitted in the Council's name.

#### **Role of Members**

- 3.4. Where the Leader and the Deputy Leader are jointly responsible for promoting a major project they will not sit on the Planning

Committee when it is determining an application related to that major project.

- 3.5. Where an Executive Member may have input or play a lead role into the master planning of a major project, for example, Culture Leisure and Communities, they will not sit on the Planning Committee when it is determining an application in respect of that major project.
- 3.6. Other members of the Executive may sit on the Planning Committee when it is determining an application relating to a major project but should consider their participation in decision making on the scheme at meetings of the Executive. This is in line with the Council's Planning Code of Good Practice Appendix 17 in this Constitution.
- 3.7. Major planning applications can be the subject of Pre Committee Presentations to the Planning Committee. Members promoting the development at such meetings are likely to have difficulty in demonstrating objectivity at Planning Committee, and should not take part in the Planning Committee determining the application.

### **Officers**

- 3.8. Where the Corporate Director of Place is responsible for promoting a major project in which the Council is the developer or a development partner a conflict may arise between the planning/highway functions of the Corporate Director of Place and their economic development and/or the estate management and property functions. Where such a conflict arises the Corporate Director of Place will not provide advice or take statutory decisions for the Council in respect of its functions as a planning and/or highway authority relating to that major project, including in relation to planning applications, or planning applications made by a development partner.
- 3.9. Any decision that a conflict exists between the planning/highway functions and the economic development and/or the estate management and property functions of the Corporate Director of

Place will be made jointly by the Corporate Director of Place and the Chief Operating Officer and will be recorded in writing.

- 3.10. The Director of Governance shall determine any dispute regarding whether or not a conflict exists between the planning/ highway functions and the economic development and/or the estate management and property functions of the Corporate Director of Place.
- 3.11. The Director of Transport, Environment & Planning has overall responsibility for the advice given to the Council in its role as local planning and highways authority. The advice will not be subject to any undue influence or veto from any other part of the Council. The Director's role in respect of ensuring the provision of advice the Council as a developer will be restricted to the giving of such advice as would be available to any other developer. Any concerns regarding undue influence can be raised with the Chief Operating Officer or the Director of Governance.
- 3.12. The Corporate Director of Place and the Director of Transport, Environment & Planning, or the Chief Operating Officer (as appropriate) will be responsible for ensuring that "ethical walls" are maintained to prevent information being shared inappropriately between those responsible for progressing the major project and those undertaking regulatory roles. Other parts of the Council, for example legal services, providing support to the scheme and to the regulatory arm will operate similar protocols.
- 3.13. Any conflicts of interest identified will be managed with the aim of removing them. If that is not possible the conflict shall be raised with the Director of Governance whose approval to the conflict and any mitigating measures will be required and will be recorded on the relevant file.



## **OPTION TWO – DRAFT**

### **Appendix 30: Major Projects Conflicts Protocol**

#### **1. Introduction**

- 1.1. The Council is the Local Planning Authority for the City of York. It determines applications for planning permission and approves relevant planning policies in respect of development.
- 1.2. The Council is the Highway Authority for the City of York and makes decisions in respect of highway matters including the construction and adoption of roads servicing development.
- 1.3. Officers will have different roles in respect of development as professional advisers to promoters, policy makers and decision makers.
- 1.4. Members will have different roles in respect of development as promoters, advisers, policy makers and decision makers.
- 1.5. Where the Council has a material interest in a key, major development project within the City, for example as a landowner, potential investor or development partner, a clear distinction of the roles undertaken by the separate arms of the Council should be documented to ensure transparency of the governance arrangements – in particular in relation to Local Planning Authority and Highway Authority decision making.

#### **2. Why have a protocol?**

- 2.1. The Council would wish to avoid any perception that developments in which it has an interest are treated differently from those of any other developer.
- 2.2. The Council would also wish to ensure that Officers charged with providing professional and technical advice in respect of its regulatory functions understand that they are free to do so in line

with their professional obligations and without feeling constrained by the Council's commercial interests.

- 2.3. The Council would wish to ensure that Members have a clear understanding as to the remit and forum within which they can take part in decision making
- 2.4. A clear protocol identifying the distinction between the Executive Members' role in actively promoting development and the independent role of Planning Committee Members when dealing with applications before them will assist Members' understanding and ensure that the processes robustly manage conflicts of interest, demonstrating fairness.

### **3. Key Controls**

#### **Planning applications**

- 3.1. The Council's Constitution, at Appendix 1, sets out the Responsibility for Functions. This is framed so that direct delegation is given to the Chief Planning Officer from Full Council. The Head of Planning and Development Services is the designated Chief Planning Officer for the Council.
- 3.2. All planning applications made by or on behalf of the Council will, in accordance with normal practice, as detailed at Article 13 and Appendix 1 of this Constitution, be determined by the Planning Committees and not delegated to Officers unless of a minor nature.
- 3.3. For the avoidance of doubt, planning applications in relation to a major project promoted by the Council as a development partner will likewise be determined by Planning Committee A and not delegated to Officers, even when not submitted in the Council's name.

#### **Role of Executive Members**

The Leader of the Council, the Deputy Leader of the Council and all other Executive Members are not permitted to sit on the Council's

Planning Committees. Nor are they able to be appointed or named as substitutes for either of the two Planning Committees.

### **Role of Members (not appointed to the Executive)**

- 3.4. Major planning applications can be the subject of Pre Committee Presentations to the Planning Committee. Members promoting the development at such meetings are likely to have difficulty in demonstrating objectivity at Planning Committee, and should not take part in the Planning Committee determining the application.

### **Officers**

- 3.5. Where the Corporate Director of Place is responsible for promoting a major project in which the Council is the developer or a development partner a conflict may arise between the planning/highway functions of the Corporate Director of Place and their economic development and/or the estate management and property functions. Where such a conflict arises the Corporate Director of Place will not provide advice or take statutory decisions for the Council in respect of its functions as a planning and/or highway authority relating to that major project, including in relation to planning applications, or planning applications made by a development partner.
- 3.6. Any decision that a conflict exists between the planning/highway functions and the economic development and/or the estate management and property functions of the Corporate Director of Place will be made jointly by the Corporate Director of Place and the Chief Operating Officer and will be recorded in writing.
- 3.7. The Director of Governance shall determine any dispute regarding whether or not a conflict exists between the planning/ highway functions and the economic development and/or the estate management and property functions of the Corporate Director of Place.
- 3.8. The Director of Transport, Environment & Planning has overall responsibility for the advice given to the Council in its role as local planning and highways authority. The advice will not be subject to

any undue influence or veto from any other part of the Council. The Director's role in respect of ensuring the provision of advice the Council as a developer will be restricted to the giving of such advice as would be available to any other developer. Any concerns regarding undue influence can be raised with the Chief Operating Officer or the Director of Governance.

- 3.9. The Corporate Director of Place and the Director of Transport, Environment & Planning, or the Chief Operating Officer (as appropriate) will be responsible for ensuring that "ethical walls" are maintained to prevent information being shared inappropriately between those responsible for progressing the major project and those undertaking regulatory roles. Other parts of the Council, for example legal services, providing support to the scheme and to the regulatory arm will operate similar protocols.
- 3.10. Any conflicts of interest identified will be managed with the aim of removing them. If that is not possible the conflict shall be raised with the Director of Governance whose approval to the conflict and any mitigating measures will be required and will be recorded on the relevant file.

## **OPTION THREE**

### **Appendix 30: Major Projects Conflicts Protocol**

#### **1. Introduction**

- 1.1. The Council is the Local Planning Authority for the City of York. It determines applications for planning permission and approves relevant planning policies in respect of development.
- 1.2. The Council is the Highway Authority for the City of York and makes decisions in respect of highway matters including the construction and adoption of roads servicing development.
- 1.3. Officers will have different roles in respect of development as professional advisers to promoters, policy makers and decision makers.
- 1.4. Members will have different roles in respect of development as promoters, advisers, policy makers and decision makers.
- 1.5. Where the Council has a material interest in a key, major development project within the City, for example as a landowner, potential investor or development partner, a clear distinction of the roles undertaken by the separate arms of the Council should be documented to ensure transparency of the governance arrangements – in particular in relation to Local Planning Authority and Highway Authority decision making.

#### **2. Why have a protocol?**

- 2.1. The Council would wish to avoid any perception that developments in which it has an interest are treated differently from those of any other developer.
- 2.2. The Council would also wish to ensure that Officers charged with providing professional and technical advice in respect of its regulatory functions understand that they are free to do so in line

with their professional obligations and without feeling constrained by the Council's commercial interests.

- 2.3. The Council would wish to ensure that Members have a clear understanding as to the remit and forum within which they can take part in decision making
- 2.4. A clear protocol identifying the distinction between the Executive Members' role in actively promoting development and the independent role of Planning Committee Members when dealing with applications before them will assist Members' understanding and ensure that the processes robustly manage conflicts of interest, demonstrating fairness.

### **3. Key Controls**

#### **Planning applications**

- 3.1. The Council's Constitution, at Appendix 1, sets out the Responsibility for Functions. This is framed so that direct delegation is given to the Chief Planning Officer from Full Council. The Head of Planning and Development Services is the designated Chief Planning Officer for the Council.
- 3.2. All planning applications made by or on behalf of the Council will, in accordance with normal practice, as detailed at Article 13 and Appendix 1 of this Constitution, be determined by the Planning Committees and not delegated to Officers unless of a minor nature.
- 3.3. For the avoidance of doubt, planning applications in relation to a major project promoted by the Council as a development partner will likewise be determined by Planning Committee A and not delegated to Officers, even when not submitted in the Council's name.

#### **Role of Members**

- 3.4. Where the Leader and the Deputy Leader are jointly responsible for promoting a major project they will not sit on the Planning

Committee when it is determining an application related to that major project.

- 3.5. Where an Executive Member may have input or play a lead role into the master planning of a major project, for example, Culture Leisure and Communities, they will not sit on the Planning Committee when it is determining an application in respect of that major project.
- 3.6. Other members of the Executive may sit on the Planning Committee when it is determining an application relating to a major project but in order to do this they will not sit on or participate in decision making on the scheme at meetings of the Executive. Alternatively, members of the Executive also appointed to sit in the Planning Committee may choose to attend and participate in the decision making scheme at meetings of the Executive. Should this be the case, they will not then sit on the Planning Committee when it is determining the application in question. This is in line with the Council's Planning Code of Good Practice Appendix 17 in this Constitution.
- 3.7. Major planning applications can be the subject of Pre Committee Presentations to the Planning Committee. Members promoting the development at such meetings are likely to have difficulty in demonstrating objectivity at Planning Committee, and should not take part in the Planning Committee determining the application.

### **Officers**

- 3.8. Where the Corporate Director of Place is responsible for promoting a major project in which the Council is the developer or a development partner a conflict may arise between the planning/highway functions of the Corporate Director of Place and their economic development and/or the estate management and property functions. Where such a conflict arises the Corporate Director of Place will not provide advice or take statutory decisions for the Council in respect of its functions as a planning and/or highway authority relating to that major project, including in relation to planning applications, or planning applications made by a development partner.

- 3.9. Any decision that a conflict exists between the planning/highway functions and the economic development and/or the estate management and property functions of the Corporate Director of Place will be made jointly by the Corporate Director of Place and the Chief Operating Officer and will be recorded in writing.
- 3.10. The Director of Governance shall determine any dispute regarding whether or not a conflict exists between the planning/ highway functions and the economic development and/or the estate management and property functions of the Corporate Director of Place.
- 3.11. The Director of Transport, Environment & Planning has overall responsibility for the advice given to the Council in its role as local planning and highways authority. The advice will not be subject to any undue influence or veto from any other part of the Council. The Director's role in respect of ensuring the provision of advice the Council as a developer will be restricted to the giving of such advice as would be available to any other developer. Any concerns regarding undue influence can be raised with the Chief Operating Officer or the Director of Governance.
- 3.12. The Corporate Director of Place and the Director of Transport, Environment & Planning, or the Chief Operating Officer (as appropriate) will be responsible for ensuring that "ethical walls" are maintained to prevent information being shared inappropriately between those responsible for progressing the major project and those undertaking regulatory roles. Other parts of the Council, for example legal services, providing support to the scheme and to the regulatory arm will operate similar protocols.
- 3.13. Any conflicts of interest identified will be managed with the aim of removing them. If that is not possible the conflict shall be raised with the Director of Governance whose approval to the conflict and any mitigating measures will be required and will be recorded on the relevant file.



Meeting	Audit and Governance Committee
Date	2 February 2022
Present	Councillors Pavlovic (Chair), Fisher (Vice-Chair), Carr, Lomas, Mason, Wann and Webb

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## **Part B - Matters Referred to Council**

### **73. Review of the Constitution**

Officers introduced the report and noted that the Joint Standards Committee had discussed the Model Code of Conduct which would be included in the Constitution in January. It was confirmed that a few amendments had been requested and Hoey Anscough were working on these amendments to the Model Code of Conduct. Officers confirmed that consultation would take place with Trade Unions on a review of the Officer Code of Conduct. It was confirmed that the Joint Standards Committee had requested to amend their position to allow for substitutes to attend the meeting, if the named Committee Members could not attend.

The Committee discussed several areas requiring further amendments prior to being considered by Full Council. It was confirmed that the introduction to the Constitution would be completed with input from the Chair and Vice Chair of the Committee. It was also confirmed that amendments would be made to reflect the changes to the People's Directorate Structure.

Members discussed the role of Independent Members on the Audit and Governance Committee. They noted that it had been a challenge for the Council to recruit an Independent Member, but nevertheless felt that it would be appropriate and beneficial to the Committee to seek two Independent Members to support the Audit and Governance Committee. Term lengths for Independent Members were also discussed. It was suggested that two consecutive four year terms be offered to Independent Members. It was felt that by offering two terms, the role would be seen as more appealing and could assist individuals in gaining the relevant knowledge on the Committee, therefore being able to provide greater support.

The inclusion of Veritau in the Constitution was raised by Members who enquired whether this would fix the Council to the auditor in the future. Officers confirmed that the Council was required to name its internal auditor in the Constitution. If the Council ended its relationship with Veritau an amendment to the Constitution would be required to identify the Council's new internal auditor.

Planning committees were discussed and it was confirmed that Main Planning and Area Planning Sub Committee would be renamed to Planning Committee A and Planning Committee B. Members debated whether it was appropriate for Executive Members to be able to sit on planning committees, especially in applications where the Council was the applicant. It was confirmed that there was no legal prevention for Executive Members to consider applications as a Member of a planning committee even if this was a Council application. It was confirmed that Full Council were going to be asked to vote on whether Executive Members should or should not be eligible to sit on planning committees.

Further discussions took place which related to Executive Members on planning committees and the guidance provided for declarations of interest. The importance of clear guidance was highlighted with reference to issues raised in relation to the Public Interest Report (PIR) the Council had received. It was noted that in the Localism Act that Councillors should consider the guidance on declarations of interest and determine for themselves, if they had an interest which meant they could not make a decision on an item of business.

Discussion took place as to whether the Committee should recommend to Full Council, that if Executive Members were permitted to sit on planning committees that they should not participate in the meeting if they had voted on an item in another meeting which was connected to the planning application.

The Committee voted 3 in favour, 3 against, and 1 abstention, with the Chair casting the deciding vote in favour of a proposal to recommend to Council that:

'Should Council agree that Executive Member would continue to be eligible to sit on planning committees, that on any council

application that goes before Planning Committee A, Executive Members would be unable to participate in that item.'

Recommended: That Council consider the revised Constitution at their meeting on 24 March 2022, for adoption with the following amendments:

- a) That Audit and Governance Committee have room available for two Independent Members of the Committee and not one;
- b) That Independent Members on Audit and Governance Committee be able to hold two four year terms;
- c) That should Council agree that Executive Members would continue to be eligible to sit on planning committees, that on any council application that goes before Planning Committee A, Executive Members would be unable to participate in that item.

Reason: It is noted that the review of the Constitution also contributes significantly towards the progress against the Action Plan prepared in response to the Report in the Public Interest accepted by Full Council on 4th May 2021.

Cllr M Pavlovic, Chair

[The meeting started at 5.32 pm and finished at 7.50 pm].

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City of York Council

Committee Minutes

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Meeting	Licensing and Regulatory Committee
Date	2 March 2022
Present	Councillors Orrell (Chair), Melly (Vice-Chair), D'Agorne, Hook, Hunter, Looker, D Myers, Norman, Pearson and Wells
Apologies	Councillors Barker, Galvin, Mason and Warters

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## **Part B - Matters Referred To Council**

**[See also under Part A]**

### **83. Licensing Act 2003 - Statement of Licensing Policy & Cumulative Impact Assessment**

[Cllr Norman joined the meeting at 5.33pm]

In accordance with the requirements of Section 5 of the Licensing Act 2003 (the 2003 Act), Members considered a report that sought their support of the formal review of the council's Statement of Licensing Policy. The report advised of the consultation undertaken and of the amendments made. Furthermore, in accordance with the requirements of Section 5A of the 2003 Act the report also sought Members' support for the implementation of a Cumulative Impact Assessment in relation to part of the city centre and the report advised them of the consultation undertaken in respect of this. The report also sought a recommendation to Council that the revised Policy and Cumulative Impact Assessment be adopted. The Licensing Manager gave an overview of the report.

Members' comments and questions were noted as follows:

- A Member expressed concern that the red area on the Cumulative Impact Area (CIA) was being reduced and she asked if the evidence used had been impacted by Covid. The Licensing Manager acknowledged these concerns and explained that the area covered by the

CIA had not changed, the changes related to the red zone are being decreased and the amber zones being introduced. She noted that the high concentration of crime areas had changed. Sgt Booth provided reassurance, advising that the police would continue to review licensing applications on their own merits. In relation to licence applications, the Licensing Manager noted that it would be for an applicant to demonstrate why a licence should be granted in the CIA, within the red zones, if relevant representation are received, an application should be refused, within the amber zones application should be refused unless they are for food led premises.

- In response to a questions about the jagged shapes delineating the zones, Sgt Booth explained that the zones were created using unique property references which encompassed the footprint of the building in the zone.
- A Member asked why nightclubs had moved into the amber zone. Sgt Booth explained that the closure of nightclubs during Covid has impacted crime rates, although the top five streets remained the same for crime and anti-social behaviour (ASB) rates. If this increased the policy and assessment would be brought back to the Committee for review.
- The Head of Public Protection noted an error within the Equality Impact Assessment with regards to sexual orientation which would be amended.

The Chair noted the options available to Members:

Option 1 – Recommend to Full Council that the draft Policy and Cumulative Impact Assessment are adopted.

Option 2 – Recommend to Full Council that the draft Policy and Cumulative Impact Assessment is amended with alternative wording agreed by members.

Cllr D'Agorne moved and Cllr Hook seconded the recommendation as detailed in Option 1 – to recommend to Full Council that the Policy and Cumulative Impact Assessment are adopted. On being put to the vote it was unanimously;

Resolved: That it be recommended to Council that the Statement of Licensing Policy and Cumulative Impact Assessment be adopted.

Reason: To meet the legislative requirements of the Licensing Act 2003.


[Sgt Booth left and Cllr Melly rejoined the meeting at 5.45pm]

Cllr K Orrell, Chair

[The meeting started at 5.30 pm and finished at 6.02 pm].

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 <p>CITY OF <b>YORK</b> COUNCIL</p>	
<b>Council</b>	24 March 2022
Executive Leader, Finance and Performance	

## Pay Policy 2022-2023

### Summary

1. The purpose of the report is to present for approval the council's Pay Policy Statement for 2022-2023.
2. To note that broader Transparency reporting has been reviewed during 2021 and reporting requirements are now presented in a new one document format with the Pay Policy Statement for easy reference

### Background

3. Section 38 – 43 of the Localism Act 2011 introduced a requirement 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.
4. The Pay Policy Statement has been produced following the requirements of the Act and guidance issued by the Secretary of State for Communities. It has to be published before 31 March each year.
5. The Council is continually looking at how it can improve the information it reports, and the new consolidated report contains all the additional reports relating to organisation and salary information required by The Local Authorities (Data Transparency) Code 2015 . The new format aims to provide improved transparency, consistency and clear presentation of data which can easily be accessed by the public.

## **Consultation**

6. Approval of the Policy Statement for 2022-23 is by full council, consultation with other management bodies is not required.
7. Changes to the Transparency reports presented with the Pay Policy Statement have been consulted and agreed with the Head of HR and Director of Governance and do not require further approval.

## **Options**

8. Option one - To endorse the Pay Policy Statement.
9. Option two - To reject / amend the Pay Policy Statement.

## **Analysis**

10. The Localism Act 2011 sets out specific details of what should be included in the Pay Policy Statement and the requirements of this are met in the attached Statement.
11. It should also be noted that apprentices have been excluded from the calculation for the pay multiple in the statement as they are employed on training contracts, and paid outside of the council's grading structure. School staff are also excluded from this statement.
12. The information included is as at 1<sup>st</sup> February. At the time of writing there has been no agreement of a 2021 annual pay award for any local government staff group. Therefore, there has been no change to the Council's salary scales since the last Pay Policy Statement.
13. However, the Council is a Living Wage employer and follows the wage level set by the Living Wage Foundation for 'Outside London'. The Council applied the uplift for 2021–2022 on 1<sup>st</sup> April last year which took the hourly rate to £9.50 per hour. The council will apply the new 2022 -23 rate of £9.90 per hour

from 1<sup>st</sup> April 2022. The new rate is equivalent to an annual salary of £19,099.91. For the majority of staff in the Council their basic pay will be above the Living Wage rate but the Council's Living Wage supplement is in place if needed, to bridge any gap between basic pay and the Living Wage rate.

14. The Council is required to publish its pay multiple (the ratio between the highest paid base salary in the council and the median salary) as part of the Pay Policy Statement. The ratio is based on the salary of the highest paid permanent role: that of the Chief Operating Officer. The median average has been used for calculating the pay multiple. The ratio is 5.28:1.
  
15. The Pay Policy Statement and Transparency information can be found in the council's website at:  
<https://data.yorkopendata.org/group/transparency>

### **Council Plan**

16. The council's pay policy and production of the Pay Policy Statement aligns with the core outcomes of 'an open and transparent council' and 'well paid jobs and an inclusive economy'.

### **Implications**

#### **(a) Financial**

There are no financial implications for the report.

#### **(b) Human Resources (HR)**

There are no human resource implications for the report.

#### **(c) Equalities (Contact – Equalities Officer)**

There are no equalities implications for the report.

(d) **Legal**

The Pay Policy Statement meets the requirements of the Localism Act and also meets the requirements of guidance issued by the Secretary of State for Communities and Local Government to which the authority is required to have regard under Section 40 of the Act.

(e) **Crime and Disorder**

There are no implications for crime and disorder.

(f) **Information Technology (IT)**

There are no implications for IT.

(g) **Property**

There are no implications for property.

(h) **Other**

Other implications are covered in the body of the report.

**Risk Management**

15. There are no significant risks associated with production of the Pay Policy Statement.

**Recommendations**

- (i) For the Council to approve the Pay Policy Statement for 2022 - 2023

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.

### Contact Details

<b>Author:</b>	<b>Chief Officer Responsible for the report:</b>		
Judith Bennett Pay, Reward and Policy Manager Tel. No. 01904 551716	Janie Berry, Director of Governance Tel. no. 01904 555385		
	<b>Report Approved</b>	√	<b>Date</b> 8/3/22
<b>Specialist Implications Officer(s)</b> Janie Berry Director of Governance Tel. No. 01904 555385			
<b>Wards Affected:</b> n/a			
<b>For further information please contact the author of the report</b>			

### Background Papers:

None

### Annexes:

Pay Policy Statement and Transparency Information

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**Pay Policy Statement  
and  
Transparency Information**

**1 April 2022 to 31 March 2023**

## Contents

Introduction .....	3
Localism Act 2011 - Pay Policy Statement .....	4
Definition of officers covered by the Policy Statement .....	5
Policy on remunerating Chief Officers .....	6
Salary on Appointment of Chief Officers .....	7
Bonus and Performance related payments .....	7
Pension Contributions.....	7
Benefits in Kind .....	7
Travel and other expenses .....	7
Election Duties undertaken by Chief Officers .....	7
Termination payments of Chief Officers including redundancy and pension discretion .....	7
Policy on remunerating the lowest paid in the workforce .....	8
Apprenticeship Pay .....	8
Policy on the relationship between Chief Officer Remuneration and that of other staff .....	8
Remuneration of other non-chief officer staff .....	8
Amendments to the policy.....	9
Policy for future years .....	9
Transparency Information.....	10
Organisation Chart .....	11
Notes for the Organisation Chart.....	12
Employees with remuneration over £50,000. ....	13



## Introduction

This document contains information about the Council's workforce, in particular the annual Pay Policy Statement for 2022/23 as required by the Localism Act 2011, and other information required under the Local Authorities (Data Transparency) Code 2015.

The Council has taken the following action to ensure that this Policy Statement is easily accessible to the public:

- it is published on the council's open data website in a readily accessible place - Senior Salary information, under Governance and Transparency.
- it can also easily be found under global web searches.



## Localism Act 2011 - Pay Policy Statement

The following section sets out the Council's Pay Policy in relation to the remuneration of its Chief Officers and employees - in accordance with Section 38 of the Localism Act 2011.

The policy is subject to annual review and must be approved by the Council each financial year. This statement is valid from 1st April 2022 to 31st March 2023. The structures and pay rates quoted are correct as at 1 February 2022.

Subject to specific circumstances it may be necessary to amend the Pay Policy statement during the financial year. Any changes or amendments made will be subject to full Council approval. The Statement is likely to be amended during the year, as at the time of writing the national pay awards for April 2021 are still to be confirmed. Whilst this will not change policy it will change rates of pay, and once confirmed the salary information will be updated to show and reflect the new rates implemented from the retrospective pay award. Any amended statement will be resubmitted for approval.

The policy will be published on the Council's website as soon as reasonably practicable after Council approval or amendment.

The arrangements set out within this document do not extend to those members of staff who are employed within schools. This is because the scope of the Localism Act does not require Councils to consider individual schools.

The Council is mindful of its duty as defined in the Equality Act 2010. This Pay Policy Statement forms part of a range of pay policies to promote equality in pay practices, and assists in ensuring that the Council is promoting transparency of senior managers' pay and a fair approach to pay related equalities objectives.

## Definition of officers covered by the Policy Statement

This Policy Statement covers the following posts:

### Statutory Chief Officers:

- Head of Paid Service & Returning Officer - Chief Operating Officer
- Monitoring Officer - Director of Governance
- Director of Children's Services – Corporate Director Children & Education (Vacant)
- Director of Adult Social Services - Corporate Director Adult Social Care & Integration (Vacant)
- Chief Finance Officer (S151) - Chief Finance Officer
- Director of Public Health - Director of Public Health

### Non-statutory Chief Officers:

- Corporate Director Economy and Place
- Director Environment, Transport & Planning
- Director Economy, Regeneration & Housing
- Director Customer & Communities
- Director of Adults Safeguarding (vacant)
- Director of Children's Safeguarding (vacant)
- Director Commissioning & Prevention (subject to re-structure)
- Director of Safeguarding (subject to re-structure)
- Assistant Director Adult Services
- Assistant Director Education
- Assistant Director (Consultant) in Public Health
- Assistant Director Communities and Equalities

## Policy on remunerating Chief Officers

The Council has a policy for remunerating Chief Officers based on job evaluation and a grade structure. No changes are proposed to this during 2022- 2023.

The grade and salary structure for Chief Officers and the Chief Operating Officer is:

*Note: at the time of this report no pay award for 2021 had been agreed, therefore the rates of pay remain unchanged from 2020.*

### Pay rates as at 1<sup>st</sup> April 2021, pay award pending.

Chief Operating Officer	4	£149,944
	3	£147,899
	2	£145,855
	1	£141,765
Corporate Directors	4	£112,067
	3	£108,473
	2	£105,015
	1	£101,661
Directors	4	£99,821
	3	£96,445
	2	£93,184
	1	£90,033
Assistant Directors	4	£81,644
	3	£78,698
	2	£76,097
	1	£73,488

Any annual increase to the salary scales is in accordance with awards negotiated nationally by the respective National Joint Councils and applicable from 1<sup>st</sup> April annually.

Progression through the salary scale for the Chief Operating Officer is dependent upon performance and approval by the Leader of the Council.

Progression through the salary scale for Chief Officers is dependent upon performance and achievement of objectives, approved by the line manager.

### Salary on Appointment of Chief Officers

The appointments sub-committee, subject to the Chief Officer Pay Policy and job evaluated range for the post, determines the salary level and package offered to the successful candidate.

Chief Officer pay packages over £100k in value are subject to approval by the Council's Staffing Matters & Urgency Committee.

### Bonus and Performance related payments

The Council does not make any such payments.

### Pension Contributions

Employer pension contributions are set by the relevant pension fund.

### Benefits in Kind

There are no benefits in kind.

### Travel and other expenses

Any necessary travel and expenses are reimbursed through normal Council procedures.

### Election Duties undertaken by Chief Officers

Fees for election duties undertaken by Chief Officers are not included in their salaries. The Chief Operating Officer is the Returning Officer and receives payments for elections. For local elections, fees are set locally. For national elections, fees are set by the Cabinet Office.

### Termination payments of Chief Officers including redundancy and pension discretion

The Council applies its normal redundancy payments arrangements to Chief Officers and does not have separate provisions for them. The Council also applies the appropriate Pensions regulations when they apply. The Council has agreed policies in place on how it will apply any discretionary powers it has under Pensions regulations. Any costs that are incurred by the Council regarding Chief Officers are published in the authority accounts as required under the Accounts and Audit (England) Regulations 2015.

Approval of any pension discretions are made by the Staffing Matters and Urgency Committee.

Chief Officer Severance packages over £100k in value are subject to approval by the Council's Staffing Matters and Urgency Committee.

## Policy on remunerating the lowest paid in the workforce

The Council applies terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of Council decisions. These are then incorporated into contracts of employment.

The Council operates a grading structure which runs from Grade 2 to 13 and the lowest paid employees, excluding apprentices are those in Grade 2.

The Council is a Living Wage Foundation accredited employer which means its lowest pay point complies with its outside London Living Wage rate. From 1<sup>st</sup> April 2022 this rate of pay will be £9.90 per hour (£19,099.91 per annum). The Living Wage rate is either within basic salary, or a consolidation of basic salary with a Living Wage supplement if required.

## Apprenticeship Pay

The Council's pay rates for apprentices are:

- Year 1 (the first 12 months of their training) – the equivalent of the National Minimum Wage for 18 to 20 year olds.
- Year 2 and beyond (from 12 months in training) – the equivalent of the National Minimum Wage for 21 year olds.
- Apprentices aged 23 and above in their second year (or subsequent) of their apprenticeship are paid the National Living Wage.
- Rates increase annually in April following any changes made to the National Minimum and National Living Wage rates.

## Policy on the relationship between Chief Officer Remuneration and that of other staff

At the time of this report the highest salary in this Council remains as last year at £145,855 which is paid to the Chief Operating Officer. The median salary in this council is £27,614. (Apprentices have been excluded from the calculation for the median.) The ratio between the two salaries, the 'pay multiple' is 5.28:1. This Council does not have a policy on maintaining or reaching a specific 'pay multiple', however the Council is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the Council as expressed in this Policy Statement.

## Remuneration of other non-chief officer staff

In addition, to the separate arrangements for the Chief Operating Officer and Chief Officers, the Council has staff employed under terms and conditions set for the following groups:

- Local Government Services Employees
- Soulbury Officers
- Educational Psychologists
- Workshop for the Blind

- Teachers (non school based)
- The council also employs staff who have separate terms and conditions subject to the Transfer of Undertaking and Protection of Employment (TUPE) Regulations.

Increases to the Council's salary scales for non-chief officer groups are in line with annual salary awards negotiated nationally by the respective National Joint Councils.

### Amendments to the policy

No amendments to the Pay Policy are anticipated during the year. However, should a pay award for 2021 be agreed and applied retrospectively and which changes any data reported, an amendment to this Statement will be made and presented to full Council.

### Policy for future years

This Policy Statement will be reviewed each year and presented to full Council for consideration.

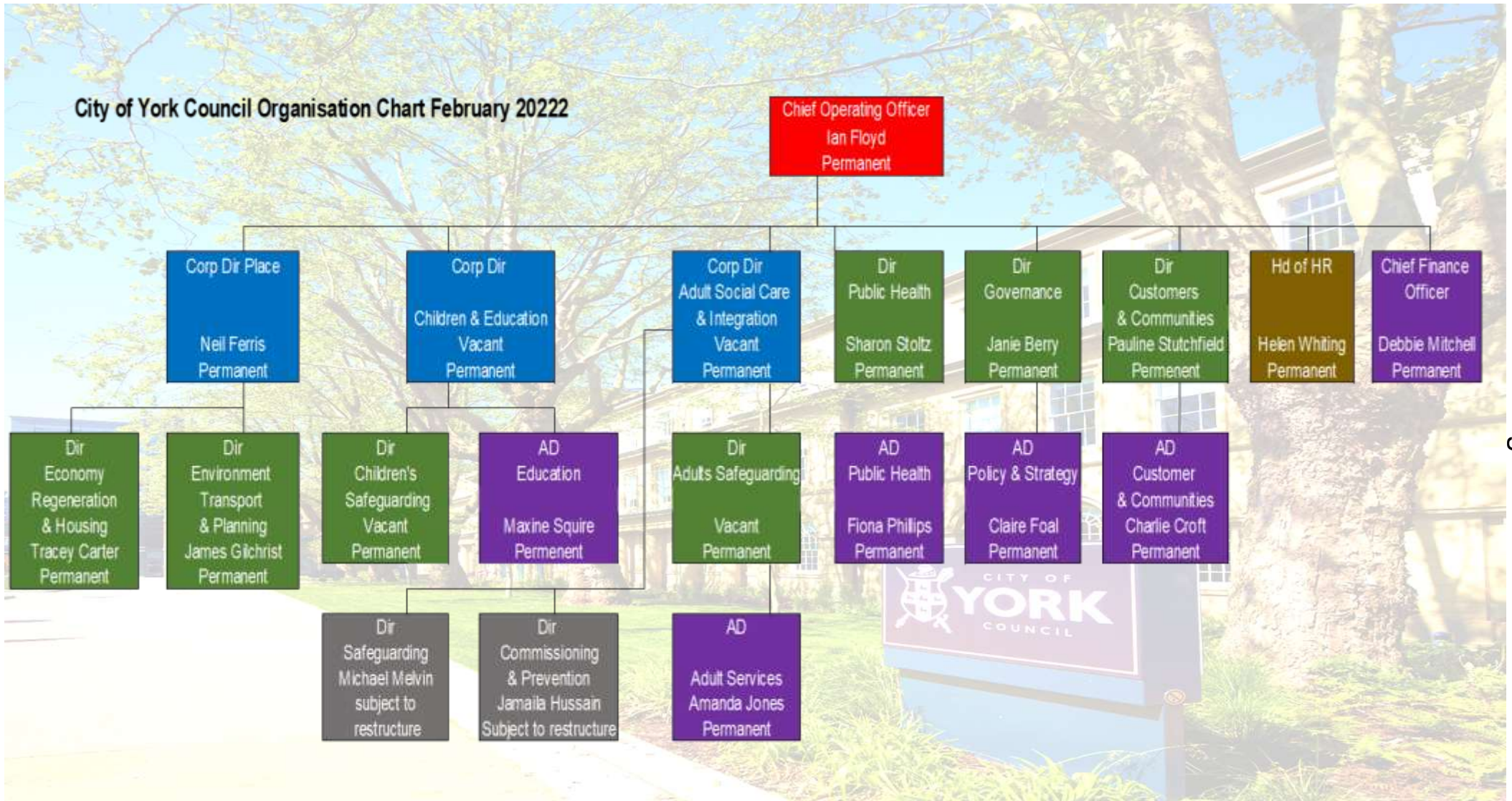


## Transparency Information

The following section provides information as required under the Local Authorities (Data Transparency) Code 2015.



# Organisation Chart



Key:  Roles to be deleted in restructure

## Notes for the Organisation Chart

The chart shows the council's senior staff. The information shown is in order:

Job Title  
Name of job holder  
Contract status

Two director roles are to be deleted as part of the People Directorate re-structure during 2022. These roles are shown on the chart in grey with details of the current job holders.

The salary ceilings for the job roles are as follows:

COO	up to £149,944
Corp Dir	up to £112,067
Dir	up to £99,821
Dir	up to £99,821
AD	up to £81,644
G13	up to £66,923

The senior staff can be contacted by:

✉ Email using: [firstname.lastname@york.gov.uk](mailto:firstname.lastname@york.gov.uk)

☎ Telephone: 01904 551550

More information on service responsibilities can be found at: [Council Management Team – City of York Council](#)

### Employees with remuneration over £50,000.

The Council has 87 employees with remuneration over £50,000. These employees are covered by the national pay arrangements for Chief Executives, Chief Officers, Educational Psychologists, Soubury Officers and Local Government Service Employees.

#### Job Titles and number of employees with FTE remuneration over £50,000 in £5K bands

£145,000 to £149,999 - 1

Chief Operating Officer

£110,000 to £114,999 - 1

Corporate Director Economy & Place

£95,000 to £99,999 - 2

Director of Public Health

Director of Governance

£90,000 to £94,999 - 5

Director Prevention & Commissioning

Director Economy, Regeneration and Housing

Director Environment, Transport and Planning

Director of Safeguarding

Director Customer and Communities

£80,000 to £84,999 - 4

Clinical Advisor

Assistant Director - Customer and Communities

Assistant Director (Consultant) in Public Health

Assistant Director Education & Skills

£75,000 to £79,999 - 2

Assistant Director - Adult Social Care

Chief Finance Officer

£70,000 to £74,999 - 1

Assistant Director Policy & Strategy

£65,000 to 69,999 - 4

Head of Primary School Improvement

Nurse Consultant in Public Health

Shared Head of ICT York and Harrogate

Head of Customer, Resident & Exchequer Services

£60,000 to 64,999 -5

Principal Educational Psychologist

Virtual School Head

Team Leader - Specialist Teaching Team

Head of Environmental Services

Head of Housing Delivery & Asset Management

£55,000 to 59,999 - 43

Head of Democratic Governance

Head of Highways and Transport

Head of Public Protection

Head of Property

Head of Planning & Development Services  
Head of Quality Assurance, Safeguarding and Principal Social Worker  
Head of Legal  
Head of Regeneration and Economy  
Head of Service - Finance (Deputy s151 Officer)  
Head of Communities  
Head of Human Resources & Organisational Development  
Senior Education Psychologist  
Specialist Senior Education Psychologist  
School Improvement Adviser 11-19  
Head of Facilities Management & Property Services  
Head of Business and Administrative Support Services  
Head of Corporate Policy and City Partnerships  
Head of Economy  
Head of Commissioning  
ICT Business Engagement & Implementation Manager  
Head of Communications and Marketing  
Head of Business Intelligence  
Head of SEND and Inclusion  
Major Transport Projects Manager  
Head of Building Services  
Finance Manager  
Head of Assessment MASH and Targeting Interventions  
Head of Service - Adult Social Care  
Head of Safeguarding Interventions (Secondment)  
Principal Accountant - Systems and Risk  
Service Manager - Strategic Services  
Head of Agency - One Adoption North and Humber (Regional Adoption Agency)  
Head of Highway Asset Management  
Head of Education Support Services  
Head of Innovation and Children's Champion  
Legal Services Manager - Projects  
Head of Community Safety  
Head of ICT Support  
Legal Services Manager - People  
Head of Regional Investigations  
Head of Housing Management Services  
Head of Civic and Democratic Services  
Head of Regeneration Project Delivery

£50,000 to 54,999 - 18

Education Psychologist  
Education Psychologist  
Education Psychologist  
Head of Housing Strategy and Performance  
Head of York Learning  
School Inclusion Advisor  
Education Psychologist  
School Improvement Adviser 0-11  
Head of Public Health (Healthy Child Service)  
Lead Nurse

Head of Carbon Reduction  
Major Transports Projects Manager  
Head of Service - Adult Social Care (Secondment)  
Education Psychologist  
Head of Strategic Planning & Policy  
Head of Service (Operations) and Dementia Lead (Acting Up)  
Programme Manager ASC Operating Model (Secondment)  
Housing Delivery Programme Manager  
Finance Manager

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**Coronavirus protocols for attending Full Council at York  
Racecourse (Dante Suite, 2<sup>nd</sup> Floor of the Ebor Stand)**

**If you are attending Full Council, you must observe the following protocol, which adheres to any risk assessment conducted by the external venue.**

**Good ventilation is a key control point, therefore, any windows and doors which have been opened must remain open within the meeting room to maintain good ventilation.**

**Furniture must not be moved from the designated layout.**

If you're displaying possible coronavirus symptoms (or anyone in your household is displaying symptoms), you should follow government guidance. You are advised not to attend the meeting.

### **Testing**

The Council encourages regular testing of all Officers and Members and also any members of the public in attendance at the meeting. Any members of the public attending Full Council are advised to take a test within 24 hours of attending a meeting, the result of the test should be negative, in order to attend. Test kits can be obtained by clicking on either link: [Find where to get rapid lateral flow tests - NHS \(test-and-trace.nhs.uk\)](https://www.nhs.uk/conditions/coronavirus/covid-19/rapid-test/), or, [Order coronavirus \(COVID-19\) rapid lateral flow tests - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/order-coronavirus-covid-19-rapid-lateral-flow-tests). Alternatively, if you call 119 between the hours of 7am and 11pm, you can order a testing kit over the telephone.

### **Guidelines for attending Full Council**

- Please do not arrive more than 30 minutes before the meeting is due to start.
- You may wish to wear a face covering to help protect those also attending.
- Regular handwashing is recommended.
- Use the hand sanitiser which will be situated on entry and exit and around the room.
- Bring your own drink if required.
- Only use the designated toilets.

### **Developing symptoms whilst in external venues**

If you develop coronavirus symptoms during Full Council, you should:

- make your way home immediately.
- avoid the use of public transport where possible.
- Follow government guidance in relation to self-isolation.

You should also:

- Advise the Meeting organiser so they can arrange to assess and carry out additional cleaning.
- Do not remain in the building any longer than necessary.
- Do not visit any other areas of the building before you leave.

If you receive a positive test result, or if you develop any symptoms before Full Council is due to take place, **you should not attend the meeting.**