



## Notice of a public meeting of

### Customer and Corporate Services Scrutiny Management Committee

- To:** Councillors Crawshaw (Chair), Fenton (Vice-Chair), Baker, Fisher, Hollyer, Musson, Norman, Pearson and Rowley
- Date:** Monday, 6 March 2023
- Time:** 5.30 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

### AGENDA

#### 1. **Declarations of Interest**

At this point in the meeting, Members are asked to declare any disclosable pecuniary interest or other registerable interest they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

#### 2. **Minutes** (Pages 1 - 6)

To approve and sign the Minutes of the meeting held on 9 January 2023.

#### 3. **Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

**Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings.** The deadline for registering at this meeting is **5:00pm on Thursday 02 March 2023.**

To register to speak please visit [www.york.gov.uk/AttendCouncilMeetings](http://www.york.gov.uk/AttendCouncilMeetings) to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

### **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 made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates ([www.york.gov.uk/COVIDDemocracy](http://www.york.gov.uk/COVIDDemocracy)) for more information on meetings and decisions.

**4. City Centre Access (Pages 7 - 22)**

Members will receive a report updating the Committee on the progress of the City Centre Access action plan.

**5. Customer Centre Telephone Performance Update (Pages 23 - 30)**

Members will receive a report which will provide an update on the improving performance of the Customer Services phone centre.

**6. York and North Yorkshire Devolution Update (Pages 31 - 36)**

Members will receive a report which outlines the next steps in the process for the implementation of the Devolution Deal.

**7. Work Plan (Pages 37 - 38)**

To consider the Work Plan.

**8. Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Jane Meller  
Telephone: (01904) 555209  
E-mail: jane.meller@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**

This page is intentionally left blank

City of York Council

Committee Minutes

---

Meeting	Customer and Corporate Services Scrutiny Management Committee
Date	9 January 2023
Present	Councillors Crawshaw (Chair), Fenton (Vice-Chair), Baker, Fisher, Hollyer, Musson, Norman, Pearson and Rowley
Apologies	None
In attendance	Debbie Mitchell, Chief Finance Officer Ian Cunningham, Head of Business Intelligence Lorraine Lunt, Information Governance & Feedback Team Manager Cath Murray, Corporate Governance Operational Manager Bryn Roberts, Director of Governance and Monitoring Officer Dawn Steel, Head of Civic, Democratic and Scrutiny Services

---

### **21. Declarations of Interest (5.33 pm)**

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

In relation to item 8 (Schedule of Petitions), Cllr Fisher noted that he was the organiser of petition no. 178. During Item 8, Cllr Baker noted that she was the organiser of petition no. 182.

No further interests were declared.

### **22. Minutes (5.33 pm)**

Resolved: That the minutes of the meetings of the committee held on 31 October and 07 November 2022 be approved and signed as a correct record.

### **23. Public Participation (5.34 pm)**

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

Flick Williams addressed the Committee via Zoom and spoke with reference to item 9 (Council Motions) and item 10 (Work Plan). She began by welcoming the newly appointed Access Officer and the development of the Access Forum. In relation to the Access for All Council Motion, she raised concerns regarding the lack of progress to date on the provision of changing places toilets. In relation to item 10, she requested that consideration be given to scrutiny of the Christmas Market. She cited a number of concerns that included incorrectly issued parking tickets to blue badge holders, lack of access through the security barriers, an overwhelmed park and ride bus service and impassable footstreets.

### **24. 2022/23 Finance and Performance Monitor 2 (5.39 pm)**

The Chief Finance Officer presented details of the overall finance and performance position for the period covering 1 April 2022 to 30 September 2022 and gave an overview of emerging issues. She noted that spending pressures particularly in social care remain and, whilst not unique to York, it was a serious situation. She explained that it could be necessary to dip into the council's general reserves at year end which would put the financial resilience of the council at risk.

The Head of Business Intelligence stated that performance indicators had not changed significantly, he highlighted that the data coming in for quarter 3 showed an improvement to call waiting times.

The officers responded to Members questions covering one-off funding support, the funding of the staff pay award and the impact of winter sickness levels.

With reference to call handling data, the Head of Business Intelligence agreed to include a more detailed breakdown of the call waiting times in future reports and circulate any current data to the Committee. He also agreed to investigate the possibility of measuring if customers have found a different route to the information they require, through a customer experience/satisfaction survey.

Resolved:

- i. that further detail on call answering indicators be included in future reports and circulated to the Committee if available.
- ii. that the report be noted.

Reason: to achieve a greater understanding of the customer experience and to ensure expenditure is kept within the approved budget.

## **25. Budget Setting Overview (5.58 pm)**

The Chief Finance Officer presented a report which outlined the Council's approach to budget setting. She explained that due to time constraints there was to be one combined budget report that would go to the Executive Member for Finance and Major Projects Decision Session. The report would then be presented to the Executive and then Full Council in February 2023 as usual.

Resolved: that the information in this report be noted.

Reason: to keep the Committee informed of any financial issues.

## **26. Scrutiny Review Support Budget 2023/24 (6.02 pm)**

The Head of Civic, Democratic and Scrutiny Services outlined the options available to the Committee with respect to Council funding for external consultation/market research in support of scrutiny review work.

Following a brief debate, during which Council scrutiny resources were discussed, it was unanimously agreed by the Committee that:

Resolved:

- i. the Committee retained the current budgetary support for external research and consultancy work.
- ii. the Chair would write to the Chief Operating Officer and Leader to regarding the lack of scrutiny officer time.

Reason: To address the Committee's constitutional right to comment to Executive on setting the above scrutiny budget.

**27. Annual Complaints Report April 2021 to March 2022 (6.07 pm)**

The Information Governance and Feedback Team Manager gave an overview of the full Annual Complaints Report April 2021 to March 2022, She highlighted that the report also included compliments from residents. She explained that an increase in the number of complaints could be due to national trends and / or an improved complaints procedure.

The officer, together with the Corporate Governance Operational Manager, responded to questions from Members covering the complaints procedure, the assessment of financial recompense, damage to bins during refuse collections, an analysis of complaints between permanent and agency staff, comparison data with other local authorities (LAs) and the real time monitoring of service areas.

Officers were asked to:

- Clarify the Stage Three Outcomes table, page 91 of the agenda pack
- Provide further analysis of the upheld decisions, compared with other LAs, p 48 of the agenda pack.
- Establish the reason for the closure of the Corporate and Other Services complaint dated 21/01/22, page 95 of the agenda pack.

Resolved:

- i. that the above requests are actioned.
- ii. to note the details contained in the annual report

Reason: To ensure that processes for monitoring complaints remain effective.

**28. Schedule of Petitions (6.46 pm)**

The Head of Civic, Democratic and Scrutiny Services presented the schedule of petitions received by the Council. She explained that it was the role of the Committee to review the progress of petitions through the Council and to identify, when necessary, better methods for the handling of petitions.

Following a discussion of the current petitions, Members agreed that all petitions, in the first instance, should go the relevant Executive Member Decision Session in order to avoid delays to actions.



Resolved:

- i. That, once received, petitions should go to the relevant Executive Member Decision Session.
- ii. That the schedule of petitions be noted.

Reason:

To ensure the Committee carries out its constitutional role in relation to petitions.

[18:57 Cllr Rowley left the meeting]

## **29. Monitoring and Tracking of Approved Council Motions (6.57 pm)**

The Head of Civic, Democratic and Scrutiny Services presented a report on approved Council motions since March 2022.

During the discussion it was agreed that the Chair and Vice-Chair would review the document to decide which motions could be removed from future reporting.

Members requested that more detail was provided in the 'Actions taken' section, where 'in progress' or 'as above' were used or where boxes had been left empty. They also requested that officer job titles were included in the report for ease of tracking should someone leave their role.

A discussion took place regarding the facilitation of improved Ward Councillor involvement in the S106 process, page 127 of the agenda pack refers. The Director of Governance and Monitoring Officer confirmed that was possible to draft S106 agreements to be more general and without specifying funding destinations. It was agreed to request a joint overview report from Planning and Communities regarding the S106 process and the role of Community Involvement Officers (CIOs) in that process.

Resolved:

- i. That the Chair and Vice-Chair should review the Council Motions document to decide which motions no longer need to be reported to the Committee.
- ii. That further details, as outlined above, be added to the Council Motions document.
- iii. That an overview report is requested from the Place and Communities Directorates content as outlined above.
- iv. That the contents of Annex A be noted.

Reason: To ensure that processes for monitoring and implementing approved Council motion resolutions remain sufficiently robust.

### **30. Work Plan (7.13 pm)**

The process for a resident to register a scrutiny topic request was outlined by the Head of Civic, Democratic and Scrutiny Services. The Committee requested that the Public Speaker at the meeting complete a Scrutiny Topic Registration Form in order to register their suggested item for scrutiny.

Members noted the corporate scrutiny work plan covering the next meeting of this Committee and the meeting of the other Scrutiny Committees up until 06 March 2023.

Resolved:

- i. That a Scrutiny Topic Registration Form be sent to the Public Speaker.
- ii. That the work plan be noted.

Reason: To ensure that the Committee had a planned programme of work and an overview of the other Scrutiny Committees.

Cllr J Crawshaw, Chair

[The meeting started at 5.32 pm and finished at 7.20 pm].



---

**Customer and Corporate Services  
Scrutiny Management Committee****6 March 2023****City Centre Access****Summary**

1. In November 2022 this committee received an update on the City Centre Access actions. A further update has been requested. As per previously, the action plan has been updated to reflect progress. The latest action plan can be found in Annex A.

**Recommendations**

2. The Customer and Corporate Services Scrutiny Management Committee is asked to:
  - Note the ongoing work to improve access to the city centre.
  - Note that since the last review of City Centre Access by the Committee, the rules relating to the placement of pavement cafes within York has been considered and changed by Executive to retain 1.5 metres of clear footway. This policy and decision is being considered by Economy and Place Scrutiny Committee on 8 March 2023.
3. Reason:
  - Paper requested by Corporate Services Scrutiny Management Committee.

**Background**

4. Executive in November 2021 considered a range of reports which changed both the short term and set a longer-term vision for the City Centre. Through the process it was recognised some decisions would adversely impact Blue Badge holders. In response a report was considered on how to improve access. This report was titled “Strategic

Review of City Centre Access” and included an action plan to improve access.

5. This committee have requested previous update reports on the delivery of the action plan. A further update has been requested. The update summary can be found in Annex A.
6. At the last update in November 2022 the committee made the following recommendations / actions:
  - i. To request that Pavement Café Licencing is added to the City Centre Access Action Plan.
  - ii. To receive a further update to the Action Plan in three months' time.
  - iii. To recommend to Executive that the Action Plan is amended to include those with sensory, physical and hidden disabilities.
  - iv. For the Chair and Vice-Chair to discuss at the next scrutiny work planning meeting if a Counter Terrorism item should be examined at a future Customer and Corporate Services Scrutiny Management Committee or alternative Scrutiny Committee.
  - v. For the Chair of the Housing and Community Safety Policy and Scrutiny Committee to consider any outcomes from the Manchester bombing enquiry and to consider the timings of Executive Member security briefings.
  - vi. To request that the Monitoring Officer considers the legal advice received last year regarding city centre access for blue badge holders and satisfies himself that, from a legal perspective, CYC is in a safe, robust position considering the recent Westminster Council High Court judgement.
  - vii. That the advice from the Monitoring Officer be circulated to Members of the Committee in due course.
  - viii. To request that a detailed report which addresses the issues raised within the Reverse the Ban petition and considers them against the City Centre Access Action Plan be taken to a future Executive
7. In response officers can confirm that pavement café licencing has not been added to the action plan as it is being considered by Economy and Place Scrutiny Committee in two days' time. However, since the last update to this committee Executive have made the decision to keep 1.5 metres of pavements clear, removing pavement cafes.

8. Officers in the Place Directorate are working with the Access Officer to consider how those with sensory, physical and hidden disabilities can be better included within the action plan.
9. The Monitoring Officer has written to the chair of this committee having considered the legal context to York's decision making and how it pertains to the Westminster Council High Court judgement. A copy of this advice is contained with Annex B.

## **Council Plan**

10. The proposals are well aligned with the aims of the Council's Plan 2019-2023.
  - Well-paid jobs and an inclusive economy
  - Getting around sustainably
  - Safe communities and culture for all
  - Creating homes and world-class infrastructure

## **Implications**

### **Financial**

11. There are no financial implications of this report any additional decisions would require a business case and financial considerations.

### **Equalities**

12. The Council recognises its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). These duties were considered in detail when undertaking the Executive decision in November 2021 and subsequent decisions.
13. By working with people with a protected characteristic will identify any equalities implications when implementing mitigations and these will be addressed in future reports.
14. The Action Plan captured the mitigations for the decision to remove the exemption for blue badge holders from the City Centre Footstreets that was considered under a detailed equality impact assessment. However,

as detailed proposals come forward, such as the results of the consultation on pavement cafes and the City Centre Shuttle Bus Study Feasibility, they would each need a specific equality impact assessment of its own when that business case is considered.

**Legal**

15. The legal powers and duties have been set out in the body of the report.

**Contact Details**

**Author:**

Dave Atkinson  
Head of Highways and  
Transport  
[dave.atkinson@york.gov.uk](mailto:dave.atkinson@york.gov.uk)

Laura Williams  
Assistant Director Customer  
and Communities  
[laura.williams@york.gov.uk](mailto:laura.williams@york.gov.uk)

**Chief Officer Responsible for the report:**

James Gilchrist  
Director of Transport Environment and  
Planning

Pauline Stuchfield  
Director Customer and Communities

**Report**  **Date** 21/02/2023  
**Approved**

**Wards Affected:** Guildhall, Micklegate and Fishergate **All**

**For further information please contact the author of the report.**

## **Background Papers:**

Executive 22 November 2022

- Changes to Pavement Café Licenses

Customer and Corporate Services Scrutiny Management Committee

- City Centre Access - Action Plan Update

Executive Member for Transport March 2022

- Update on action agreed by Executive for City Centre Accessibility

Executive - 18 November 2021

- My City Centre Strategic Vision - Adoption of Vision and Next Steps
- Strategic Reviews of City Centre Access and Council Car Parking
- Consideration of Changes to the City Centre Traffic Regulation Order

Executive - 18 July 2022

- Update on City Centre Access and Pavement café licensing.

Officer Decision 19 September 2021

- Pavement cafes: enforcement and accessibility (under Business and Planning Act 2020)

Officer Decision 19 September 2021

- Pavement cafes: enforcement and accessibility (under Business and Planning Act 2020)

## **Annexes**

Annex A - Strategic Review of City Centre Access – Action Plan update

Annex B - Consideration of the legal advice by the Monitoring Officer

This page is intentionally left blank



## City Centre Action plan update February 2023

Action Plan						
Recommendation	Required to implement	Budget required	Funding Source	Action Owner	T-Scales	Update RAG rating
Create an Access Officer post	To be funded through existing budgets	£24k per annum	To be funded through existing budgets	Director of Customer and Communities	Complete	Complete. In post from 22/11/22. Final revenue element of the funding was £30k.
Develop a York Standard for the city centre with disabled groups and stakeholders	To be delivered by the Access Officer but would need to cost any proposals and seek appropriate funding for	None	To be delivered by the Access Officer	Access Officer	Ongoing	We are pulling this together in a module format as and when standards are agreed. This currently includes; seating, building accessibility audit, cycle stands etc.
Consult on permanently extending the footstreets until 7pm	Undertake Statutory consultation	None	Existing Resource	Director of Transport, Environment and Planning	Pending	Executive decision not to pursue at this stage

Disabled Access						
Implement disabled bays as per statutory consultation, and continue to explore additional locations on the edge of the footstreets		None	Existing Transport Budgets	Head of Highways and Transport	Autumn 2023	All those approved at Exec Member Decision Session are implemented, except Blake Street which is dependent on HVM placement. This will be complete in the Autumn 2023 when the HVM measures have been installed.

Recommendation	Required to implement	Budget required	Funding Source	Action Owner	T-Scale	Rag Status
Invest in Shopmobility to increase <b>awareness</b> of the service	CYC promotion support Additional grant	£10k (one off)	Covid Recovery contingency	Head of Highways and Transport	Complete	Funds provided to Shopmobility after discussions around their investment priorities.
Access Officer to work with Shopmobility, expand the provision of mobility aids, and meeting the needs of service users	To be delivered by the Access Officer	TBC		Access Officer	Summer 2023	Planned in for Spring, need to liaise with ShopMobility and the new Disability Independent Advisory Group (DIAG)
Investing in the Dial-&-Ride service, to improve <b>awareness</b>	CYC promotion support Additional grant	£10k (one off)	Covid Recovery contingency	Head of Highways and Transport	Spring 2023	Funds provided; Further work to be undertaken once the fleet replacement is complete
Investing in the Dial-&-Ride service, to better meet the needs of service users		£50k (one off)	Covid Recovery Contingency	Head of Highways and Transport	Proposed Summer 2023	To be completed in conjunction with the City Centre Shuttle Feasibility. The City Centre Shuttle feasibility will be complete in the early Summer.
Work with micro mobility operator (Tier) to explore the roll out of mobility aids at key points across the city		Non – Commercial Operator	Not Required	Head of Highways and Transport	Summer 2023	Ongoing lobbying, considering as part of national roll out.

Recommendation	Required to implement	Budget required	Funding Source	Action Owner	T-Scales	RAG Status
Continue to work with disabled people to assess what constitutes a mobility aid and should be permitted in the footstreet areas.	To be delivered by the Access Officer	No	Not Required	Access Officer	Ongoing	Not yet started
Improved routes into and around the city centre, included improved paving and dropped kerbs	Dropped kerbs, paving	£250k one off	Active Travel Fund (subject to successful bid) or prioritised Transport Budgets	Head of Highways and Transport /Access Officer	Ongoing	Active travel fund bid was rejected by DfT. Executive approved funding to progress this programme in March 2022. Through works in Stonegate 8 new dropped kerbs have been added. Further works completed in Fossgate. Final section of Stonegate now complete and Blake Street currently in delivery. This is being supported by the Access Consultant
Additional seating to be provided at key points along routes in to and around the city centre	Locations to be co-designed with disabled groups, to be delivered by the	£15,000 one off	Public Realm budgets	Access Officer	Summer 2023	This is currently being worked through by the Access consultant, MIMA
Improve access to disabled toilets in the city centre through multi partner provision	Work with stakeholders and partners to improve		Subject to Changing Places bid for physical improvements	Director of Customer and Communities	Spring 2024	Feasibility work on this is ongoing. There have been issues with some sites where a changing places toilet (CPT) may not be deliverable. An additional site at Coppergate has been added for consideration.
	the "Take a Seat+" initiative	TBC			Complete	In addition, the Take a Seat+ campaign is up and running allowing private businesses to promote their facilities for

						allowing someone to rest and use the toilet, 50 plus businesses have signed up.
--	--	--	--	--	--	---

Recommendation	Required to implement	Budget required	Funding Source	Action Owner	T-Scale	Rag Status
Carry out a feasibility study for a dedicated shuttle service for disabled people and those with mobility issues	Study already carried out, further work required to understand service user needs and requirements to inform any future proposals	£50k one off	Bus Service Improvement Plan funding	Head of Active and Sustainable Transport	Summer 2023	BSIP funding has been secured and a study is now underway, which is likely to lead to a trial. Successful consultation and engagement undertaken as part of residents weekend. Report will go to Councillors in the Summer 2023
Improve awareness of Blue Badge parking and services which are available to improve access to the city centre including toilets, accessible routes	Identify the improvements as listed in this action plan and compile in to single point of reference	No	Existing Transport budgets	Head of Highways and Transport /Access Officer)	Complete	Website updated, hard copy leaflet also produced and distributed. This will be subject to regular review.

Recommendation	Required to implement	Budget required	Funding Source	Action Owner	T-Scale	RAG Status
Work with the Quality Bus Partnership, and local disability groups to review how drivers prioritise wheelchair users' access and make Class 3 access training		No		Head of Active and Sustainable Transport	Ongoing	The Enhanced Partnership is now set up and this will be considered in the Spring 2023.

Cycling, e-scooters and e-bikes						
Improving existing city centre cycle routes	Improved route and signing along High Petergate, Minster Yard, Deangate, Goodramgate, Aldwark, Hungate, Navigation Road and Walmgate	£250k one off	LTP 4 (part of wider package of improvements totaling £600,000) Active Travel Fund (subject to successful bid)	Head of Highways and Transport	To be determined	Active Travel Funding was not received and will be considered as part of LTP4 action plans. Local Cycling and Walking Infrastructure plan now in development.
Improve city centre cycle parking	Upgrade existing cycle parking facilities, introduce provision for adapted cycles and look at city centre lockers/ secure storage	£150k one off	Active Travel Fund (subject to successful bid)	Head of Highways and Transport	Consultation in March 2023	After extensive engagement with key stakeholders a design standard has been developed and will be consulted on in March 2023 with a view to roll out of new infrastructure starting in the Summer. This will include suggested locations and an opportunity to identify new locations through the consultation.

Recommendation	Required to implement	Budget required	Funding Source	Action Owner	T-Scale	RAG Status
Undertake a feasibility study for a city centre transhipment hub for freight delivery	Carry out a feasibility study and pilot scheme looking in to low emission deliveries	£300k one off	Defra	Head of Highways and Transport	Complete	Feasibility complete. Trial details are being worked up.
Work with the BID to continue to understand the evolving nature of food delivery businesses in the city centre		Not required	Existing resource	Head of Regeneration and Economy	Ongoing	Work ongoing; This formed a part of the recommendation from the freight delivery and will be developed once further funding is identified
<b>Taxis</b>						
Clearer signage indicating location of taxi ranks (Clifford Street)	Unmet Demand Survey	No	To be carried out by licensing team	Head of Public Protection	Complete	Signage ordered and installed.
Potential new evening rank on Piccadilly	Unmet Demand Survey	No	To be carried out by licensing team	Head of Public Protection	Spring 2023	Draft policy written and formal consultation will take place in Spring 2023. Consultation will specifically include taxi users including customers with disabilities as per the Licensing Committee instruction.

Recommendation	Required to implement	Budget required	Funding Source	Action Owner	T-Scale	RAG Status
Forum to be facilitated between Taxi operators/drivers and representation from disabled groups to discuss how the taxis could better meet the needs of service users	Representation to be invited to the Taxi Association Forum	No	To be carried out by licensing team	Head of Public Protection	Spring 2023	This will be included in the consultation around the Taxi Licensing policy, described above.
Total		£1.1m				



Consideration of the legal advice by the Monitoring Officer

Dear Councillor Crawshaw

Thank you for your e-mail in relation to this, and for your patience as I considered the advice.

The advice from Counsel in relation to the Executive decision focussed on the Public Sector Equality Duty (“PSED”), rather than Human Rights considerations; however, it seems to me that was enough information and consideration in the report to Executive of 18 November 2021, and the associated Equalities Impact Assessment (“EqIA”), to show that due regard was had to interference with human rights. Although in the *Tchenguiz v WCC* case the court referred to WCC’s failure to undertake “a Convention-compliant proportionality exercise”, I am not aware of any specific legal requirements in this regard and my view is that, as for the PSED, the duty to have regard to certain matters has to be complied with in substance.

The EqIA appended to the report specifically considered the human rights of blue badge holders with regard to the proposals. It identified the adverse effect of the proposals on human rights and considered whether the interference would be proportionate to the intended objective. Please see also (by way of example) paragraphs 146 and 147 of the report:

“146. The Council have undertaken considerable engagement work with blue badge holders and disabled advocacy groups to:

- Fully understand the impact of not allowing blue badge holders to access and park on the footstreets they previously had a specific exemption to access. The scrutiny process has been useful in validating that.
- To look at the alternatives to driving down footstreets to enable blue badge holders to access the footstreets.

147. In considering this decision, officers have considered the impact on blue badge holders and recognise the impact that some blue badge holders will be excluded from the footstreets by the recommendations. The open brief considered in November 2020 at Executive has been updated and is included at Annex AA. But having considered that impact it has not been possible to find a way to deliver the safety benefits of the counter terrorism measures without causing the impact to parts of the disabled

community. The benefits to wider public interest, including the right to life and the duty to protect life mean that officers, on balance (acting proportionately and having given significant weight to the impacts) recommend the area protected by Hostile Vehicle Mitigation Measures are extended and the blue badge exemption is removed except for Castlegate where the rationale is different and further consideration is to be given to the removal of access exemptions in this street.”

It appears to me that the Executive’s decision differs from the *Tchenguiz v WCC* case. WCC failed on proportionality because it did not consider the issues in that case from the perspective of the human rights of the claimant and his family, and whether less intrusive measures could be taken. The court considered that the prevention of danger connected with terrorism was a legitimate interference with the claimant’s Article 8 rights. On the issue of proportionality, the others affected by the counter terrorism proposals were subject to less intrusive and more favourable measures than the claimant and his family, without any convincing justification for such inconsistent treatment. It is also important to note that the *Tchenguiz v WCC* case involved the installation of HVM barriers immediately adjacent to the claimant’s residential property and would have prevented vehicular access to that property for 12 hours per day.

In our case, on different facts, my view is that the report and EqIA did understand the human rights issues from the perspective of Blue Badge holders; the report considered whether there was any other way to deliver the safety benefits of the proposed counter terrorism measures and whether the measures would result in a disproportionate interference with their rights. I do not, therefore consider that the legal position considered by the Executive has changed.

I hope this is of assistance. In order to assist in the dissemination of the above, I have sent it to all Members of the Council, for their information.

With kindest regards

*Bryn*



---

**Customer & Corporate Services Scrutiny  
Management Committee**

**6 March 2023**

Report of the Director, Customer & Communities

**Customer Centre Telephone Performance Update**

**Summary**

1. This report provides Customer & Corporate Services Scrutiny Management Committee with an update on the progress made by the Customer Services phone centre in improving performance since the October 2022 scrutiny report (available here: <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=144&MId=13831&Ver=4>).

**Recommendation**

2. Members of the Committee are asked to note the report.

Reason: To secure scrutiny of council service performance where it impacts on customer experience

**Background**

3. The October 2022 report provided the background as to why the excellent customer performance prior and during the covid pandemic had deteriorated from the late summer of 2021 and into 2022. Since the report there has been a significant improvement in performance as the Customer Centre moves back towards pre-covid service levels, the details of which are set out below.
4. The proactive recruitment campaign run by customer services and supported by Human Resources has continued to fill Customer Service Representative (CSR) vacancies. The service has also

worked hard in delivering its formal training and development programme for all new starters. The priority of Customer Services has been to continue to improve its overall performance especially the quality of the phone service to residents.

5. Whilst there have been ongoing challenges as described below, staff within Customer Services have been working hard to provide a high quality and professional service to all the city's residents.

### **The Service & Workforce**

6. Members of the Committee are reminded that the Customer Centre is the main point of contact for all residents by phone, face to face and web chat. There are other calls that do not go through customer services, and these include those for Housing, Adult Social Care, and direct dial calls to council officers. The phone paths cover the following services:

- Switchboard
- Council Tax
- Housing Benefit
- Waste
- Highways
- Environment
- Registrars
- Electoral
- Concessionary Travel
- Parking
- Planning

7. The last report to this Committee highlighted the high level of vacancies in the service with 7 full time equivalent (FTE) vacancies and 3 recruited to but not in post in October 2022. As of 15 February 2023, the number of vacancies is now just 1.4 and the number recruited to but not in post is 6. This demonstrates the improved effectiveness of recruitment campaigns over the intervening months.
8. The complexity and length of calls has continued to increase during the Cost-of-Living Crisis which has included the provision of support for customers to complete online forms for the financial support schemes and other online processes.
9. The matter of abusive calls was highlighted in the last report, and it is perhaps useful for members to understand the existing process in

place for such calls, particularly as this was subject to an agreed action in the approved council motion at Full Council on 15 December 2022 which asked that the following be implemented:

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

10. The routine process for managing such calls is documented and CSRs are trained in managing different behaviours to help put the customer at ease and diffuse the situation. When a CSR receives an ‘abusive’ call that has caused them concern however, they should inform their Team Manager that they have had a difficult call. The Manager will usually listen to a recording of the call and provide the appropriate support required along with any ongoing training. All calls are recorded and whilst staff should also report this type of call on the council’s B-safe Health & Safety (H&S) system to trigger a H&S investigation there is not always the time between calls or at the end of the day to do this. It has been reinforced that staff should report such instances on B-safe in line with the council’s formal H&S ‘Violence & Aggression Compliance Note’ – the result of which could result in a number of actions including that the aggressor is formally written to.
11. A survey of such calls/contacts was undertaken week commencing 23 January 2023 with the CSR team and the number registered was two – one face to face and one over the phone, the latter relating to welfare support. With the increase in available staff and reduced queues the call wait times have fallen substantially since the summer and improved performance arising from this. As there are currently no long wait times on the phone paths customers appear not to be as frustrated, and this is also reflected in the customer satisfaction scores (see below).
12. Introducing an in-call process to deal with difficult and abusive calls would be an ideal next step to achieve improvements to the process. To do this both the Customer Relationship Management IT system and phone system would need to be looked at and further developed to allow this. This is a longer-term solution and resources/funding would need to be identified for this purpose.
13. Notwithstanding this longer-term objective, a Group Risk Assessment is being planned in conjunction with the council’s Health & Safety Team to ensure all possible mitigations are in place along with well-being support. The risk assessment will be drawn up with all staff and all customer channels and will be monitored on a regular basis.

14. It is a positive that the improved performance helps both CSRs and customers, however forecasting ahead the service is still light in its staffing levels and with annual Council Tax and Business Rates billing and elections with heavy call volumes due in the coming months, the issue needs to be and will be continuously monitored.

## Performance

15. The overall performance has slowly improved since the summer of 2022. This is in part due to a lower vacancy factor but also a lower volume of phone traffic as shown in Table 1 below. The volume of phone calls received tends to be cyclical driven by major council interactions with residents for example: Annual Council Tax Billing, Council Tax Reminders, Election Canvass, and then one-off unexpected call volume increases across the year such as new processes being introduced, or a major incident (flooding). It is also likely that some traffic reductions are due to new systems settling down and some customers requiring less support.
16. The Quarter 3 (Q3) winter period tends to be quieter unless there is a major weather event and in addition this year the December council tax court hearing was postponed which further reduced call volumes. Table 1 shows the improved performance but also the reduced call volumes moving into Quarter 4 2022/23 which is not expected to last given the known coming pressures outlined in the paragraph above.

Table 1

Customer Services	Q1	Q2	Q3	Q4 To 27th Jan 2023
Calls Offered	56,253	59,338	38,714	10,539
% of calls answered	75.2%	68.7%	88.9%	92.1%
Average Speed of answer	8 mins 11 secs	9 mins 17 secs	4 mins 5 secs	3 mins 12 secs

17. Looking at performance in a little more detail and providing a comparator to July 2022 Table 2 below provides a comparison as at w/c 9 January 2023:

Table 2

Description	9 January 2023	11 July 2022
<b>Overall Calls</b>		
Service Level*	61.5%	4.4%
Total Calls Answered	94.7%	57.3%

Average time to Answer	2 Minutes	18 Minutes
<b>Council Tax</b>		
Service Level*	26.3%	1%
Total Calls Answered	86.9%	63%
Average time to Answer	6 Minutes	26.5 Minutes
<b>Housing Benefits</b>		
Service Level*	22.3%	1%
Total Calls Answered	84.1%	56%
Average time to Answer	6 Minutes	31.5 Minutes

\*Service level is calls answered within 20 seconds.

18. The information in Table 2 clearly shows the improvement in performance since the summer of 2022 and reflects the quarterly improvement shown at Table 1. Whilst performance is not yet back at pre-covid levels it is moving in the right direction. The average customer satisfaction weekly since the start of the year (2023) is 82%.
19. At the meeting of this Committee on 9 January 2023 further questions were asked and phone traffic details requested (Quarter 2 Finance & Performance Report) regarding longest call wait times and quartiles. The information on phone traffic comes from a system which provides aggregated reporting, rather than access to raw data on individual calls. Due to the challenges this presents this data is not available for this meeting.
20. During this calendar year, investigatory work will be conducted by the council's Business Intelligence team to determine the database and reporting processes needed to access the raw information that sits behind phone traffic information, to provide the type of information being requested.

### **Other activities to improve performance**

21. The use of robotics continues is being looked at for use on the council website (and a pilot implementation under way) and busiest phone paths to deal with the most common queries raised by residents to further channel shift away from in person phone calls and provide a more interactive 24/7 service. This will also free up capacity to support non-digital customers.
22. Once the service is fully resourced and trained, the 'call back' functionality will be turned back on hopefully by late spring or early summer 2023.

23. The retention of staff is important, and the management team continue to provide training and support sessions every Thursday morning.

### **Consultation**

24. There are no decisions in this report that have required consultation.

### **Options**

25. Members can choose to simply note the report or develop thoughts for further scrutiny enquiries or reports.

### **Analysis**

26. There is no analysis as there is no formal council decision to be made on the content of the report.

### **Council Plan**

27. This work contributes to the following Council Plan priorities: • Safe communities and culture for all • An open and effective council.

### **Implications**

- 28.

#### **Financial**

There are no financial implications

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

There are no HR implications other than the ongoing implications for staff of the matters reported here.

#### **Equalities**

There are no Equality implications.

#### **Legal**

No implications

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

No implications

### **Risk Management**



29. There are no risks associated with this report. The performance risks are being managed through recruitment and retention policies. Further risks relating to Health & Safety risks are being managed on an ongoing basis and will be further improved by actions outlined in this report.

**Author responsible for the report:**

David Walker  
Head of Customer & Exchequer Services  
david.walker@york.gov.uk

**Chief Officer responsible for the report:**

Pauline Stuchfield  
Director Customer and Communities

**Report Approved**



**Date**

20/2/2023

**Specialist Implications Officer(s):**

Ian Cunningham, Head of Business Intelligence Hub  
Eilidh Carricker, Customer Services Manager

**Wards Affected:**

**All**



**For further information please contact the author of the report**

**Background Papers:**

Last Customer Centre Performance Report - 3 October 2022:  
<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=144&MId=13831&Ver=4>

Full Council Motion relating to the Customer Centre – 15 December 2022:  
<https://democracy.york.gov.uk/mgAi.aspx?ID=64137>

This page is intentionally left blank



---

**Customer and Corporate Services Scrutiny  
Management Committee****6 March 2023**

Report of the Chief Operating Officer  
Portfolio of Leader of the Council

**York and North Yorkshire Devolution Update****Summary**

1. On 23 February 2023, Full Council approved the submission of a consultation summary to Government, to be considered by the Secretary of State as the next step in the process towards implementing the Devolution Deal.
2. This report explains the next steps in the process.

**Recommendations**

3. The Committee is asked to note the process and implications for City of York Council and the proposed York and North Yorkshire Combined Authority.

Reason: to ensure the Committee has oversight of the process.

**Background**

4. At Full Council on 23 February 2023, Councillors voted in favour of the following recommendations, relating to the Executive Report from 14 February 2023.  
(<https://democracy.york.gov.uk/ielssueDetails.aspx?IId=69045&PlanId=0&Opt=3#AI64548>):
5. Approve :
  - a. The submission of a Consultation Summary Report to Government.

Reason: to inform the Secretary of State of the consultation outcome, allowing him to consider the next stages of the statutory

process facilitating the creation of a York and North Yorkshire Combined Authority.

- b. Amendments to the Scheme and proposals for the operating model of the Combined Authority outlined in paragraph 92, for submission to Government.

Reason: to utilise the information received during the consultation to improve the proposed governance arrangements.

- c. The delegation of authority to the Chief Operating Officer, in consultation with the Leader of the Council, to undertake any action necessary to submit the Consultation Summary Report and Scheme to Government, in line with recommendations 1a and 1b.

Reason: to facilitate the submission of the required documents to Government within the required timescales.

- d. Amendments to the Terms of Reference for the York and North Yorkshire Joint Devolution Committee outlined in paragraphs 103-107 and attached at Annex 2.

Reason: to ensure appropriate, robust and transparent decision-making.

- e. The delegation of authority to the Chief Operating Officer, in consultation with the Leader of the Council, to undertake any action necessary to provide consent to the Order facilitating the creation of the Combined Authority in line with the scheme submitted to Government, as outlined in paragraph 115.

Reason: to allow the progress of the statutory process facilitating the creation of the Combined Authority.

- 6. Based on the approval of Full Council, a submission to Government is being drafted (at the time of writing) to provide the summary of the consultation and the agreed changes to the scheme (which relate to clarity over the requirement for consent of National Park Authorities in respect of Mayoral Development Areas within their boundaries.)
- 7. This will be submitted jointly by the Chief Operating Officer of City of York Council and the Chief Executive of North Yorkshire County Council.

8. Upon receipt, we understand that civil servants will review the submission and provide information for the Secretary of State to consider whether the statutory tests have been met. This means that (a) He considers that creating a Combined Authority is likely to improve the exercise of statutory functions in the area or areas to which the order relates; (b) The constituent councils' (which at the time of making the order will be North Yorkshire Council and the City of York Council) consent; and (c) Consultation has been carried out, either by the Secretary of State or the constituent councils.
9. The Secretary of State must also have regard to the need:
  - (a) To reflect the identities and interests of local communities
  - (b) To secure effective and convenient local government.
10. We expect to receive notification of this decision after City of York Council's elections in May 2023 and, if approved, we may be sent a draft Order. This Order reflects the secondary legislation required to allow the creation of the Combined Authority.
11. Consent to the Order will be required from both councils, likely to be in the summer, and this can be given by the Chief Operating Officer and Chief Executive based on the delegations received at Full Council.
12. We would expect that the Order may be passed in the Autumn, giving the potential for the inception of the Combined Authority in late Autumn 2023. Mayoral elections could be held in May 2024, which is when the PFCC elections are due (the Mayoral role replacing the PFCC role from that point).
13. Work is underway across a number of workstreams to prepare to implement the deal. The Brownfield and Net Zero funding would be available from the point at which the Combined Authority is formed, and it has been necessary to commence a process to identify projects already. The shortlist of projects will go to the Joint Devolution Committee for approval on 13 March 2023.
14. The Full Council approval also included amending the terms of reference for the joint committee to facilitate there being a joint chair (rather than Chair and Vice Chair), and non-executive Members to act as substitutes on the committee.

15. The overall programme arrangements to deliver the Combined Authority and agreements within the Deal continue to be delivered by officers in City of York Council, North Yorkshire County Council, the Local Enterprise Partnership and the Office of the Police, Fire and Crime Commissioner. Transition work will increase in scale over the coming months to support the development of the new organisation.

### **Consultation**

16. Statutory consultation was undertaken between October and December 2022 and is outlined in the report referenced above.

### **Council Plan**

17. Devolution for York and North Yorkshire has the potential to make positive contributions to all aspects of the council plan. However, this will be determined by the future decisions taken by the proposed Combined Authority, in the exercise of its powers and the investments supported by the additional funding.

### **Implications**

18. There are no direct implications of the recommendations of this report.

### **Risk Management**

19. There are no known risks related to the recommendations of this report.

**Contact Details**

**Author:**

**Will Boardman**

Head of Corporate Policy and  
City Partnerships

[will.boardman@york.gov.uk](mailto:will.boardman@york.gov.uk)

**Chief Officer Responsible for the report:**

**Ian Floyd**

Chief Operating Officer

**Report  
Approved**

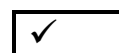


**Date** 23/02/23

**Specialist Implications Officer(s)** None

**Wards Affected:**

All



**For further information please contact the author of the report.**

**Background Papers:**

Executive report – 14 February 2023

<https://democracy.york.gov.uk/ielIssueDetails.aspx?IId=69045&PlanId=0&Opt=3#AI64548>)

**List of Abbreviations Used in this Report:**

PFCC      Police, Fire and Crime Commissioner

This page is intentionally left blank



**Scrutiny Work Plan**

<b>Scrutiny Area</b>	<b>Date</b>	<b>Agenda</b>
CEC	07/03/2023	1) School Standards – attainment gap 2) Financial Monitor Q3 3) YMT new Chief Executive, Vision, progress and performance 5) REACH Update 6) York Citizens' Theatre Trust, annual review
E&P	08/03/2023	1) Highways Maintenance, Capital Programme & Major Development Highways Impacts Update, Scheduling & Planning Report 2) York Civic Trust 9 cities
HCS	14/03/2023	1) Q3 Monitor 2) Repairs update, including an update on the damp / mould issue and Tenants' Choice improvement works 3) Housing Management Officer pilot
E&P Commissioned	21/03/2023	1) Bus Service Improvement Plan Update

This page is intentionally left blank