



**CITY OF YORK COUNCIL
SUMMONS**

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

Thursday, 15 December 2022 at 6.30 pm

A G E N D A

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 - 18)

To approve and sign the minutes of the Council meeting held on 20 October 2022.

3. **Civic Announcements**

To consider any announcements made by the Lord Mayor in respect of Civic business, including inviting the eligible Group to nominate the Lord Mayor for the next Municipal Year.

4. **Public Participation**

At this point in the meeting, any member of the public who has 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. The deadline for registering is **5:00pm on Tuesday, 13 December 2022**.

To register to speak please visit

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 public meeting will be webcast including any registered public speakers who have given their permission. The remote public meeting can be viewed live and on demand at

www.york.gov.uk/webcasts.

During coronavirus, we made some changes to how we're running council meetings. See our updates at 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 B5. Notice has been received of two petitions, to be presented by:

- (i) Cllr Myers, on behalf of residents of Westminster Road, Greycliffe Drive and The Avenue, asking the council to provide options for a Low Traffic Neighbourhood to reduce through traffic on residential streets in this area; and.
- (ii) Cllr Baker, on behalf of residents of the Bishopthorpe Road area calling for action to tackle the problem of vehicles using St Benedict's Road as a 'rat run'.

6. Report of Executive Leader, Questions, and Executive Recommendations (Pages 19 - 32)

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	22 November 2022 https://democracy.york.gov.uk/ieList/Documents.aspx?CId=733&MId=13292	Minute 57: 10 Year Strategies Minute 58: Pavement Café Licence Update Minute 59: Capital Programme – Monitor 2 2022/23
	15 December 2022 https://democracy.york.gov.uk/ieList/Documents.aspx?CId=733&MId=13293	<i>York 2032: The 10-Year Plan (to follow)</i>

7. **Report of Deputy Leader and Questions** (Pages 33 - 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 B13:

Motions submitted for consideration directly by Council

- (i) From Cllr Webb

Delivering Effective Customer Services to York Residents

“This Council believes that an effective council is one that appropriately supports its staff and is responsive to the needs of all its residents.

Council notes:

- that at least one in ten people are not digitally connected, rising to more than four in ten for the over 75s;
- older residents are less likely to wait for long periods to have their calls answered, and are more likely to have difficulty navigating numbered option-based customer service phone lines;
- that the welcome 4 Cs council policy for concerns, complaints and compliments is tempered by the Local Govt Ombudsman’s reported concerns about the way some council departments are responding to complaints;
- the 2,500% increase in average call wait times for residents when calling the council for help over the past two years, from 42 seconds to 18 minutes, not accounting for those calls abandoned altogether;
- the value and importance of calling residents back if their calls are not answered;
- that the complexity and sometimes difficult experience of customer calls, as well as understaffing of the customer services team, are exacerbating the problem of poor staff retention.

Council believes quality of customer service reflects the importance the council attaches to residents' issues, whether online, over the phone or in person.

It further believes:

- that cuts to staffing and policy decisions taken by the current administration are a significant component in current poor response times;
- that we do not currently know the extent of resident calls abandoned due to non-responses by the council;
- that helping residents in the right way at the first opportunity saves time and money for the council;
- suspending the call-back service to residents whose calls go unanswered sends the message that their issues are unimportant;
- new approaches must be considered to operating the council's customer services number to arrest the decline in responsiveness to residents;
- the effect of the removal of staff from the customer services phone line is to make services far more difficult to access for some York residents;
- current and former call-centre staff have been avoidably exposed to increased abuse and a deterioration in their working conditions due to poor political decision making both in policy and budgetary (staff) cutbacks.

Council resolves to request that the Executive, including as part of its current budget preparations:

- publicly acknowledges the hard work of customer services staff and the impact of cuts on their ability to meet resident expectations, and apologises for the council's ongoing inability to effectively respond to residents' issues in a timely way;
- urgently reinstates the customer services call-back service to residents;
- commits to reviewing the functioning of the relevant council services as a priority, with a focus to include:
 - staffing and operating hours of the customer call centre;

- ensuring access to non-digital council services is an easy, straightforward process;
- categorisation of services on, and user-friendliness of, a council website a significant number of residents struggle to navigate;
- monitoring and recording of abusive calls to staff, including a clear structure for escalation, response and staff well-being support.”

(ii) From Cllr Hollyer

York Opposes Voter ID Requirements

“This Council notes that:

- Voters will be required to show an approved form of photographic identification at polling stations from May next year, under measures in the Government’s Elections Act 2022. The secondary legislation is yet however to be finalised and implemented.
- The total cost of the ID roll-out overall could cost £180m over a decade, according to Government’s figures.
- According to the Electoral Reform Society, the accepted forms of photographic identification would disadvantage younger people.
- In September the Electoral Commission issued a stark warning to the Government over their “fundamental concerns” and “alarm” over these plans – which it said could not “be delivered in a way which is fully secure, accessible and workable” in time for the local elections in May.
- There were only four convictions resulting from the allegations of in-person voter fraud during the 2019 General Election.
- Electoral Commission research has found that about 7.5% of the electorate do not have access to any form of photo ID.
- Over 1,100 people were denied a vote in local government elections during the 2018 and 2019 Voter ID pilots.
- After the May 2018 Voter ID pilots, the Electoral Reform Society concluded that the introduction of Voter ID is ‘a

sledge hammer to crack a nut’.

- Insufficient information regarding the introduction of the new voter ID policy has been shared with local councils ahead of the May 2023 election.
- There is expected to be a substantial additional strain on staff and resources preparing for the introduction of these changes. Including the issuing of local electoral identity documents, communication of the new rules and the impact of training, retaining and recruiting election day staff who will have extra responsibilities at polling stations.

This Council believes that:

- The introduction of mandatory Voter ID will undermine the democratic process and create barriers to exercising the right to vote, disproportionately affecting ethnic minority, low income, homeless, LGBT+, elderly, disabled and young people.
- The Government should be trying to increase engagement in democracy, not hinder it. The Government should be urgently acting to increase voter registration and turnout.

Council therefore resolves to:

- Request the Chief Operating Officer writes to the Cabinet Office to express the Council’s serious concern as to the introduction of mandatory Voter ID in any UK elections.
- Request a report is brought to a public meeting outlining the plans and update on preparations to introduce mandatory voter ID for the May 2023 local election in York.”

(iii) From Cllr Fisher

Introduction of Council Tax Premium for Second Homes

“The Council notes:

- The regressive and unfair nature of the Council Tax system.
- Second home ownership in York was estimated at 429 in 2020/21, according to the National Housing Federation, and is recognised to have a negative impact in terms of the supply of homes available to meet local housing need.

- The negative impact of an increase in the number of second homes in terms of the supply of homes available to meet local housing need and residents being priced out of the housing market.
- The average house price in York, which was estimated to be £315,202 in June 2022, according to the Land Registry.
- That in 2018, City of York Council introduced a policy to charge an extra 50% (bringing it to a 100%) in Council tax on long-term empty homes in an effort to bring empty homes into proper use.
- Following the announcement in May of the Levelling Up and Regeneration Bill, which is still progressing through Parliament without a confirmed timeframe, Councils will be able to utilise a new discretionary council tax premium of up to 100% on second homes which are not let out or lived in for at least 70 days a year.
- Initial, high level analysis, shows that the application of a 100% premium on second homes in York could generate in excess of £740k in additional Council Tax revenue.

Council therefore resolves to:

- Request officers to bring a paper to a meeting of the Executive outlining the implications and options for implementing a 100% council tax premium of second homes in York, with a view to implementing the policy once national legislation has been granted Royal assent.
- Request the Chief Operating Officer to write to relevant Ministers on behalf of the Council in support of the introduction of the council tax premium for second homes and seek assurance that loopholes that could see second home owners avoid the payment of the premium will be addressed.”

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 B11.

10. Report of Executive Member (Pages 39 - 42)

To receive a written report from the Executive Member for

Transport and to question the Executive Member thereon, in accordance with Standing Orders B9 and B10.

11. Scrutiny - Report of the Chair of the Customer & Corporate Services Scrutiny Management Committee (Pages 43 - 48)

To receive a report from Councillor Crawshaw, Chair of the Customer & Corporate Services Scrutiny Management Committee, on the work of the Committee.

12. Appointments and Changes to Membership (Pages 49 - 50)

To consider the appointments and changes to membership of committees and outside bodies set out on the list attached to this summons.

13. 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

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
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- 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 (Polish)
własnym języku.**

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 The Guildhall, York on Thursday, 20 October 2022, starting at 6.30 pm

Present: The Lord Mayor (Cllr David Carr) in the Chair, and the following Councillors:

Acomb Ward	Bishopthorpe Ward
S Barnes	Galvin
Clifton Ward	Copmanthorpe Ward
D Myers Wells	
Dringhouses & Woodthorpe Ward	Fishergate Ward
Fenton Mason Widdowson	D'Agorne
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

Cullwick
Orrell
Runciman

Micklegate Ward

Baker
Crawshaw
Kilbane

Osaldwick and Derwent Ward

Rowley
Warters

Rawcliffe and Clifton Without Ward

Smalley
Wann
Waudby

Rural West York Ward

Hook

Strensall Ward

Doughty
Fisher

Westfield Ward

Daubeney
Waller

Wheldrake Ward

Vassie

Apologies for absence were received from Councillors Barker, Hunter, Lomas, Pavlovic and D Taylor.

18. Declarations of Interest (18:35)

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.

Cllr Widdowson declared a pecuniary interest in Motion (ii) at Agenda Item 8, Controlling the Concentration of Short Term and Holiday Lets, as the owner of an Air B&B property. She left the Chamber during consideration of that motion, and took no part in the debate or decision thereon.

Cllr Crawshaw declared, for the sake of transparency, that his mother would be addressing the Council as one of the speakers under Public Participation, at Agenda Item 4.

19. Minutes (18:37)

Resolved: That the minutes of the Ordinary Council meeting held on 14 July 2022 and the Extraordinary Council meeting held on 6 October 2022 be approved, and signed by the Chair as a correct record in each case.

20. Civic Announcements (18:38)

The Lord Mayor announced the recent sad death of Tom Brittain, former Assistant Director of Housing and Community Safety. He invited Members to observe a minute's silence as a mark of respect for Tom's work and loyalty to the council.

21. Public Participation (18:39)

It was reported that substantially more than 10 people had registered to speak at the meeting under the Council's Public Participation Scheme and that consequently only the first 10 to register would be afforded the opportunity to speak, in accordance with the provisions of the Constitution.

Flick Williams spoke in support of Motion (ii) at Agenda Item 8, Equality for Disabled People. She objected to the meeting being held in the Council Chamber despite advice that it was inaccessible, and urged Council to adopt the social model of disability.

Gwen Swinburn spoke on governance issues, as matters relevant to the Council or City. She referred to a number of issues and complaints relating to governance since 2011, and proposed that a 'democracy emergency' be called for the council.

Marilyn Crawshaw spoke in support of the Reverse the Ban petition at Item 5(iii) on behalf of the non-political coalition that had organised the petition, highlighting the number of people who had signed it and reading out some of the comments provided.

Jade Puckering also spoke in support of the Reverse the Ban petition, describing the effects on her independence as a blind person when she could not be collected by car from the city centre.

Jane Burton, of York Accessibility Action and Reverse the Ban also spoke in support of the petition, emphasising the strength of feeling on this issue and its effect on the Council's reputation.

Diane Roworth also spoke in support of the Reverse the Ban petition, noting it was about equality for children and adults in York and that businesses in the city centre needed disabled people.

Niall McFerran, of York Bus Forum, spoke in support of Motion (iii) at Item 8, Protecting and Improving Local Bus Services, stating that a new solution was needed post-covid to encourage a return to bus services as a convenient, accessible alternative to car use.

Peter Rollings, Chairman of Rufforth & Knapton Parish Council, also spoke on Motion (iii). He urged the Council to find a solution for the 412 service due to cease on 10 December, and a long-term strategy to secure the sustainability of rural bus services.

Carole Green also spoke on Motion (iii), drawing attention to a petition submitted in respect of the no. 11 bus, signed by 1,235 people, which was awaiting a response.

Chris Brace also spoke on Motion (iii), stating that current political events must not distract from the climate emergency, and asking if the source of power used for electric buses had been considered.

22. Petitions (19:18)

Under Rule B5 2, the following petitions were presented for reference to the Customer and Corporate Services Scrutiny

Management Committee, in accordance with the Council's petition arrangements:

- (i) A petition presented by Cllr Hook, on behalf of residents of Skelton calling for the installation of a pedestrian crossing to allow safe crossing to all between Fairfield Croft and Fairfield Drive.¹
- (ii) A petition presented by Cllr Fisher, on behalf of residents of Moor Lane and Princess Road in Strensall, seeking to have these roads fully resurfaced.²
- (iii) A petition presented by Cllr Melly, on behalf of residents and visitors supporting Reverse the Ban in calling for a reversal of the ban on Blue Badge Holders from entering the city centre.³

Action Required

- 1. Add the petition for a pedestrian crossing between Fairfield Cross and Fairfield Drive to the petitions log for referral to CCSMC SS
- 2. Add the petition for the resurfacing of Moor Lane and Princess Road, Strensall, to the petitions log for referral to CCSMC SS
- 3. Add the 'Reverse the Ban' petition to the petitions log for referral to CCSMC SS

23. Report of Executive Leader and Questions (19:21)

A written report was received from the Executive Leader, Cllr Aspden, on the work of the Executive.

Members were then invited to question the Leader on his report. Questions were received from the floor from the following Members in relation to the subjects listed, and replied to as indicated:

Devolution

From Cllr Daubeney: With the impending change of government following the resignation of the Prime Minister this afternoon, is there any risk of delay to the Devolution plan discussed at the last meeting?

Response: It's imperative that these changes do not slow our timetable. We will launch the 8-week consultation tomorrow so that it can come back to Council in February. I have had

assurances from civil servants that the current turbulence will not affect this. Now more than ever we need certainty.

Purple Flag

From Cllr Kilbane: Do you accept that Purple Flag does nothing to tackle the most acute anti-social behaviour such as that in Westfield, and what are you doing about this?

Response: The scheme is about partnership working, urging all to work together to create as safe and welcoming city as possible. We need to ensure it focuses on the problems that communities see and challenge the police to do what they can. I'd be happy to meet with Cllr Douglas to discuss the specifics.

[Supplementary: We were told the scheme would tackle drunken behaviour by persuading people to book tables in advance - but what about youth services in Wakefield?]

Supplementary Response: We need to work with communities and with partners on the underlying causes - early intervention is needed. The council must do all it can, but I would go back to the key point of investment in councils and key services; we have seen year on year of cuts, and if the cuts get worse so will public services; we need to make the case to government.

[Supplementary from Cllr Crawshaw: I agree that multi-agency work is necessary, but having identified problems in several wards I invited councillors to come together to discuss these but received no response except from colleagues in Micklegate and Heworth wards, so your words sound good but your actions don't match.]

Supplementary Response: If you'd like to contact me or my colleagues with specific information about that, I am sure it can be explained.

Cost of Living Crisis

From Cllr Hollyer: As the Tory government chaos continues, what work is being undertaken to ensure that key services are protected as much as possible?

Response: The government has said there will not be a spending review or a fair funding review for local government, which poses challenges. So we are taking action in-year to ensure we can control the budget as soon as possible before consulting as early as possible on next year's budget. We will have to look at a level of cuts similar to those made over the past decade. It's about making sure that we concentrate on prioritising those services that are most important to residents, and making it clear that it is the

current government turbulence that's leading to these cuts across the country, unless the new PM changes their tune next week.

24. Report of Deputy Leader and Questions (19:52)

A written report was received from the Deputy Leader, Cllr D'Agorne.

Members were then invited to question the Deputy Leader on his report. Questions were received from the floor from the following Members in relation to the subjects listed, and replied to as indicated:

Bus Service Improvement Plan and Bus Services

From Cllr Orrell: Can you explain what improvements the Bus Service Improvement Plan could deliver?

Response: We will be discussing the motion on this later. As set out in my report and the report to Executive in October, uniquely in the region York was awarded funding from government of £17.3m over 2.5 years. We have put forward our submission on how this will be spent, which will be determined by the Enhanced Partnership. We have consulted with bus operators, including on a range of measures to make buses more attractive over a period of time. There is also an allowance for some short-term support to try to maintain services for local communities, which will be part of the debate later on.

Dualling of the Ring Road

From Cllr Kilbane: Do you personally think dualling the ring road is a good idea, and does the Green party think so?

Response: I think you already know the answer. The Green party is the only party opposed to dualling, [a policy] which has been brought forward over the last decade by successive administrations. You have my comments about the ring road on record. I am aware we have a climate emergency, and a key element of the documents alongside the Local Plan is the reference to the carbon impact of development. There are questions to be raised on whether you consider this to come from induced traffic.

[Supplementary: Are you personally in favour of dualling the ring road, or not?]

Supplementary Response: Personally, I am not.

Devolution Deal

From Cllr K Taylor: Do you have any thoughts on whether the £50m for York Central in the Devolution Deal is to make up for anticipated business rates not received, or to plug the funding gap for the infrastructure costs of the development, or a bit of both?

Response: I've not been involved in negotiations on that, so I am happy to give you a written answer.

[Supplementary: Will you come to the next York Central Lead Members briefing, as you missed the last one?]

Supplementary Response: I was unable to attend the last briefing, which is why so I asked Cllr Dave Taylor if he wanted to attend to represent Fishergate Ward.

Haxby Station

From Cllr Cuthbertson: Can you update councillors on the next steps of the Haxby Station project?

Response: I have given some detail in my report and there are regular updates to ward councillors. We are working as fast as possible to proceed to a planning application in order to meet the timetable; the most recent briefing indicated that this application might be in January or February.

[The meeting was adjourned for a break at 20:03 hrs.]

25. Motions on Notice (20:21)

(i) Protecting and Improving Local Bus Services

Cllr Fenton sought consent to alter his motion to incorporate the amendment submitted by Cllr Melly.

Council having granted consent, the altered motion was moved by Cllr Fenton and seconded by Cllr Hollyer, as follows:

“Council notes that:

- Bus operating companies have been affected by falling passenger numbers, rising costs and driver shortages since the Covid pandemic.
- Financial aid from Government has been important in supporting the provision of bus services since the start of the pandemic, but this is due to come to an end in March 2023.

- There is a wide variety of support for local bus franchising powers to better tailor services to meet local need, from the Government through its devolution deals to leading think tanks focussed on economic growth such as Centre for Cities.
- Intensive work is currently taking place by Council officers and providers to encourage and support residents to return to buses and retain as many services as possible.
- City of York Council has entered into an 'Enhanced Partnership' with bus operators, which is a prerequisite for unlocking the £17.3m Government funding secured from York's successful Bus Service Improvement Plan bid.
- City of York Council was successful in securing £8.4m from the Government's Zero Emission Bus Regional Area (ZEBRA) fund, which will support the purchase of 44 more electric buses.
- The £2 maximum single fare delivered in West Yorkshire by Labour Metro Mayor, Tracy Brabin, is under an 'Enhanced Partnership' arrangement, something not achieved through York's EP.
- Encouraging more residents and visitors to choose to travel by bus rather than car is an important part of the city's efforts to tackle transport-related carbon emissions and reduce congestion.
- Some communities and individuals are poorly served by current bus services, which limit their ability to access employment, education, essential services and social interaction, particularly in some outer parts of York, a situation that will not change under an Enhanced Partnership.

Council believes that:

- A reliable, accessible and affordable bus service is essential to all York residents to access shops, services, leisure, employment and education, and to help tackle air pollution, congestion and the Climate Emergency.
- Part of the way to start planning a reversal in the decline of bus journeys taken in York is to update a strategic Local Transport Plan that's over a decade old and increasingly out of date, so that infrastructure investment better supports local bus services;
- Continued engagement with bus operators through the 'Enhanced Partnership' will be vital in making best use of

available financial resources; however, ensuring that bus routes and timetables are configured in a way that best serves the needs of residents will not be achieved locally unless franchising powers are taken up through a Mayoral Combined Authority.

- The absence of certainty around Government funding support beyond March 2023 creates the risk of a ‘cliff edge’ situation where some bus services may be reduced or cut entirely, leading to a material impact on residents’ lives.

Council therefore resolves that:

- Officers should continue negotiations with bus providers to retain as many routes as possible and to prevent a gap in service provision, while recognising that when Govt funding stops in March, this can only be guaranteed if the Lib Dem-led council is willing to subsidise and secure such services.
- Officers should actively engage with all elected councillors, including transport spokespersons and user groups as part of their work with operators to review bus routes and timetables.
- The Executive should use all opportunities, including working with regional political leaders, to continue to lobby Government for long-term funding to support public transport networks, including support for driver recruitment and training schemes.
- Whilst the agreed ‘Enhanced Partnership’ approach should be pursued, alternative feasible models should be kept under review and lessons learned from the experience of other cities and regions, including the bus franchising systems being pursued by Labour Metro Mayors in Liverpool City Region and Greater Manchester.”

On being put to the vote, the motion was declared CARRIED unanimously, and it was

Resolved: That the above motion be approved.¹

(ii) Controlling the Concentration of Short Term and Holiday Lets

Moved by Cllr Melly and seconded by Cllr Kilbane.

“This council notes the rapid rise of whole property holiday lets in our city, particularly in wards in and around but not restricted to, the city centre.

Council welcomes more affordable holiday accommodation options and the positive impact this can have on the local economy. But Council has concerns about the unrestricted nature of whole home lets and their wider impact on a city with a long-standing and serious housing supply and affordability problem.

Council notes:

- the council’s recent Housing Scrutiny report highlighting an almost tripling of whole-property holiday lets in York over the past four years;
- the unsatisfactory position on planning use for holidays lets, which lacks clarity and leaves local authorities with insufficient resources to take on the burden of proving ‘material change of use’ concerning holiday lets;
- Edinburgh’s positive steps this year to control the unrestricted rise of holidays lets, showing what can be achieved where the political will exists;
- Rachael Maskell MP’s current *Short-term and Holiday-let accommodation (Licensing) Bill* progressing through Parliament, which seeks to confer powers on local authorities to both control the concentration of holiday lets and to introduce conditions on how such lets operate.

Council believes inaction now will undermine the council’s Local Plan and its housing supply projections, by turning a blind eye to an escalating loss of family and other housing to the unregulated holiday lets sector. It also believes the financial incentives linked to holiday lets is resulting in no-fault evictions and tenancies being abruptly ended, potentially adding to the council’s housing waiting list. Council recognises the impact on the private rented sector is already significant, and growing.

Council therefore calls on Executive to:

- agree to commence the process of compiling an evidence base, from which the council can consider adopting a new policy in the future on controlling the spread of short term and holiday let accommodation, post-adoption of the Local Plan;
- consider bringing forward, in a report to Executive in due course, options for s106 planning conditions that include, but are not restricted to:

- exclusivity sales periods for York residents on new build developments;
- main residence only conditions/restrictions on short term lets on new developments;
- consider the impact of short term and holiday lets in the development of the council's various housing policies, including the loss of ordinary family and other housing in York;
- ensure the council lobbies Government, through the Local Government Association and its two MPs, to alter the tax regime to ensure parity between short term lets operating as businesses, and long term lets, removing preferential treatment for the former."

On being put to the vote, the motion was declared CARRIED unanimously, and it was

Resolved: That the above motion be approved.²

(iii) York Opposes Fracking

Moved by Cllr Fisher and seconded by Cllr Waller.

"This Council notes that:

- On 8th September, the Prime Minister announced plans to lift the ban on fracking for shale gas, breaking Conservative party's 2019 manifesto pledge to not press ahead with fracking without further scientific study.
- INEOS holds Petroleum Exploration and Development Licences (PEDL) for areas in and around York and Ryedale.
- Companies such as INEOS and Cuadrilla could seek permission to frack in areas where they hold PEDL licences.
- In 2018 City of York Councillors opposed fracking, outlining the Council's objections to fracking through 'permitted development' rights.
- extracting new fossil fuels distracts from investing in renewable projects and decarbonising heating systems

- Fracking could put communities at risk of micro-earthquakes, ground water contamination, loss of species and many other health and environmental hazards.
- There is a lack of evidence that fracking in the UK would lower bills for consumers. It has not done so in the USA.
- Earlier this February, after more than 7 years of work, councillors approved the Minerals and Waste Joint Plan which introduced controls on fracking in York and North Yorkshire if the government lifted the moratorium. The plan will be used to decide planning applications until 2030, with minimum distances between homes and well pads and for greater controls around protected areas.

Council believes that:

- Fracking poses unacceptable risks to people, livestock, wildlife, the climate and the environment, bringing with it the potential threat of earthquakes, water pollution, and green spaces transforming into industrial landscapes.
- With soaring energy bills and inflation overwhelmingly being driven by record-high gas prices – and with renewables four times cheaper – fracking is not the answer. Other sources of energy, including renewable, and ‘buffers’ such as battery storage, liquid air and hydrogen, are fast making any plans to introduce fracking irrelevant.
- The UK has a vast potential for clean energy. Investment in renewable energy, public transport and energy efficiency will create far more jobs than fracking, deliver energy security, boost York’s local economy and allow us to play our part in avoiding dangerous climate change.
- This announcement seriously calls into question the government’s commitment to reduce the country’s reliance on fossil fuels and to move to net zero emissions by 2050.

This Council resolves to:

- Ask the COO to write on behalf of the Council to the Prime Minister, the Secretary of State for Business, Energy and Industrial Strategy and the Minister for State (Minister for Climate) to make them aware of the opposition to fracking in York, in light of the Government’s statement that it will only progress with fracking where there is local support.”

Notice had been given by Cllr Doughty of an amendment to the above motion. Cllr Doughty now sought Council's consent to alter his amendment. Council having granted consent, the altered amendment was moved by Cllr Doughty and seconded by Cllr Rowley, as follows:

“Under ‘This Council resolves to’, add a second bullet point, to read:

‘Ask the Government to commit to decision-making on fracking to remain solely with locally elected members in the local planning authority, and with ratification by local referendum in the affected parished and non-parished areas.’”

On being put to the vote, the amendment was declared LOST.

The original motion was then put to the vote and declared CARRIED unanimously, and it was

Resolved: That the above motion be approved.³

(iv) Equality for Disabled People

Moved by Cllr Norman and seconded by Cllr Wells.

“Disabled people make up around one quarter of the population and include people of all ages, ethnicities, genders, religions and sexual orientation. Disabled people have varying levels of independence, with some relying on statutory and voluntary services, while others don't.

Some with chronic health conditions, either physical or mental, regard themselves as being unwell rather than disabled, while others do not. Some people with impairment may self-identify as disabled people, whilst others may not.

In other words, disabled people have all the diversity of the non-disabled population.

This Council notes:

- that disabled people still experience widespread discrimination and attitudinal barriers in all aspects of daily life, including the provision of goods and services, the built environment, access to transport and housing across all sectors;

- that failure to provide accessible services of whatever type creates avoidable dependency;
- that its Public Sector Equality Duty (PSED) in the exercise of its functions, to have due regard to the need to eliminate discrimination which is prohibited by the Equality Act 2010, encourage good relations and advance equality of opportunity between people who share a protected characteristic and those who don't;
- that combined with their own impairment issues, disabled people face many challenges in their daily lives as a result of avoidable barriers they experience;
- that disabled people collectively identify these barriers faced as the Social Model understanding of disability, in direct contrast to the Medical or Individual Models, which identify disabled people as either being or owning the 'problem' of disability.

This Council recognises:

- that city council decisions and policy made using the 'One Planet' tool will give confidence to the public where Equalities Impact Assessments (EqIAs) are completed consistently, helping contribute to the council fulfilling its PSED;
- there is currently a culture of expectation that disabled people will repeatedly participate in consultations and meetings without adequate consideration of their often challenging personal circumstances;
- its tendency to use the language of inclusion without the corresponding understanding of genuine inclusivity in its policy making processes;
- that co-production must be meaningful and the experience and expertise of disabled peoples' lived experience properly listened to, considered and embraced.

This Council resolves:

- to adopt the Social Model of Disability and embed it into every area of its working, operation, policy and practice, including in how it communicates;
- to review the extent to which disability awareness training, inclusive and universal design training and disability equality is embedded across the organisation in how the council delivers services, making recommendations as appropriate;

- to prepare and adopt a Supplementary Planning Document (SPD) on building design, post Local Plan adoption, in order to deliver accessible and inclusive new developments in the future;
- to commit to genuine co-production on all council developments, where disabled people's views are incorporated alongside those of appropriate professionals when considering inclusion and accessibility;
- upon the appointment of an Access Officer, to convene a quarterly Access Forum, resourced so that it will work in an entirely inclusive and accessible way, supporting a genuine commitment to co-production."

On being put to the vote, the motion was declared CARRIED unanimously, and it was

Resolved: That the above motion be approved.⁴

Action Required

- | | |
|--|----|
| 1. To note approval of the motion on Protecting and Improving Local Bus Services and take appropriate action. | NF |
| 2. To note approval of the motion on Controlling the Concentration of Short Term and Holiday Lets and take appropriate action. | NF |
| 3. To note approval of the motion 'York Opposes Fracking' and take appropriate action. | IF |
| 4. To note approval of the motion on Equality for Disabled People and take appropriate action. | JH |

[The guillotine fell at 22:18 hrs and the remaining items of business were deemed moved and seconded, and voted on without debate].

26. Questions to the Leader or Executive Members (22:18)

No questions were put, as the guillotine had fallen.

27. Report of Executive Member (22:18)

A written report was received from Cllr Ayre, the Executive Member for Finance and Major Projects.

No questions were put on the report, as the guillotine had fallen.

28. Scrutiny - Report of the Chair of the Customer & Corporate Services Scrutiny Management Committee (22:18)

A written report was received from Cllr Crawshaw, Chair of the Customer & Corporate Services Scrutiny Management Committee, on the work of the committee.

29. Recommendations of the Licensing & Regulatory Committee (22:19)

Cllr Cuthbertson, as Chair of the Licensing & Regulatory Committee, moved, and Cllr Melly seconded, the following recommendation from the meeting of the committee held on 4 October 2022.

“Recommended: That Council approve the issuing of *ten* new hackney carriage vehicle licences (three that have not been renewed and seven additional licences), bringing the total number to 190.

Reason: To help meet unmet demand for hackney carriage vehicles, particularly from users with a disability, and coupled with the proposed specification for those newly licensed vehicles provide a more environmentally friendly and easily recognisable hackney carriage fleet in the city in response to the declared climate emergency and continuing desire to improve air quality.”

On being put to the vote, the recommendation was declared CARRIED, and it was

Resolved: That the above recommendation be approved.¹

Action Required

1. Make the agreed change to the Taxi Licensing Policy MB

30. Appointments and Changes to Membership (22:20)

Resolved: That the appointments and changes to membership set out in Section A on the list at page 3 of the supplementary papers be approved, and that the

appointments made by the Staffing Matters & Urgency Committee, as set out in Section B on the list, be noted.¹

Action Required

Make the agreed changes to memberships on the system JB

Cllr D.Carr

LORD MAYOR OF YORK

[The meeting started at 6.34 pm and concluded at 10.20 pm]

Council

15 December 2022

Report of the Executive Leader

As we enter the festive period, our staff and city partners continue to respond to numerous challenges that we face, whilst maintaining momentum on a number of strategic issues for the city, including the consultation on the proposed devolution deal, supporting residents and businesses with the Cost of Living crisis, developing the council's budget proposals, progressing major regeneration projects and readying frontline services to respond to Winter.

With 2023 only a few weeks away, I would like to take this opportunity to formally thank council staff, partners, residents, businesses, and councillors for their hard work during 2022, and indeed, for the work that will be undertaken throughout the festive period and into the New Year. I wish everyone all the very best this Christmas.

Devolution

Colleagues will know that the statutory consultation on the governance arrangements within the proposed devolution deal is underway and due to end on the 16th December. As part of this work, the council has been making every effort to engage residents, businesses, and stakeholders to highlight the consultation and encourage everyone to fill out the survey. There has also been a series of drop-in events at York's Explore Centres to provide residents the opportunity to ask officers questions directly about the proposed deal and the devolution process. As it stands, the current response rate to the consultation is good, with well over 1,000 responses at the time of writing this report.

Once the consultation has concluded, councillors will then have the opportunity to review the feedback alongside proposed deal. We will then consider whether to agree the deal and send the consultation feedback back to Government in the New Year, which would then enable the Government to create the Draft Order needed to establish the new Mayoral Combined Authority.

I would like to thank everyone who has already participated in the consultation to date, and to fellow councillors who have promoted the consultation in their local communities. I would encourage those who have not responded to visit <https://www.ynydevolution.com/>, and complete the survey to let us know your thoughts before the deadline.

Council Budget

Considerable work is underway to put together the council's 2023/24 budget proposals, amidst unprecedented financial pressures and increased demand for our services. Challenges brought about by the pandemic, rising energy, fuel and food prices, and inflationary increases are making it incredibly difficult for the council to balance its budget, just as it is making it difficult for individuals and households to balance theirs.

Across the country, the LGA currently estimate that councils are facing additional cost pressures of £2.4 billion in this financial year. In 2023/24, they estimate a funding gap of £3.4 billion just to maintain services at pre-COVID levels. For all these pressures to be met through council tax alone, councils would have to raise council tax by 20% over the next two years, which I'm sure many would agree is neither sustainable nor desirable, given the impact of the current Cost of Living crisis on our residents and businesses.

We are no exception to these challenges and as it stands, the council has forecast a budget gap of some £10 million. Therefore, the focus of this year's budget proposals will be to stabilise our financial position, allowing the council to continue to deliver crucial services and support our local communities during the difficult months ahead.

We will also look at options to maintain the ambitious capital programme and continue to invest directly in our city, from accelerating vital regeneration projects, such as York Central, to delivering new low carbon and affordable homes.

There is no doubt that there will be tough decisions to make, and to help us make these decisions, several focus groups will be held on the budget, as well as a consultation survey, to gather the thoughts and views of local residents and businesses. Given that we continue to wait for details on the Local Government Financial Settlement, which is rumoured to not be expected until late December, our detailed budget proposals will be published for review and comment in the New Year.

Cost of Living Crisis

We know that residents and businesses are facing huge financial challenges at this moment time, and current financial forecasts suggest that the economic situation is not due to change anytime soon.

That is why last year, we paid some £37 million to households who needed it most and are currently rolling out another phase of the Household Support Fund. As part of the next phase, over £1 million will be paid to households to help support them through the crisis. This support is aimed at a broad range of recipients, including those with children, pensioners, unpaid carers, care leavers, and people with disabilities. It will also include vulnerable households who are ineligible for other Government support with the Cost of Living. Over the coming weeks, the council will be writing to 3,000 potentially eligible families, inviting them to apply. In doing so, they could receive one-off payments of between £200 and £300 early in the New Year, following the appropriate fraud checks being carried out. Anyone who needs support but does not qualify for this Household Support Fund payment, will be signposted to other support available in the city, including the York Financial Assistance Scheme.

In addition, a discretionary scheme is inviting applications from December 2022 to March 2023, with the aim of supporting potentially financial vulnerable residents, and specifically families with disabled children who may be affected by the increase in utility costs. Those families with children on the higher rate Disability Living Allowance will automatically be paid up to £250. Any resident can apply to the discretionary scheme, and they do not need to receive a DWP benefit.

As already mentioned in this report, the financial sustainability of councils is on a cliff-edge, particularly as the cost and demand for our services continues to rise. We know that the funding we have been allocated by Government is clearly not enough to support all of those in need and the support payments we are able to make are small in comparison to the increasing financial pressures residents face.

We will continue to make the case for more funding to be provided to support all people struggling financially at this time, whilst continuing our work with partners locally to provide assistance and advice to residents during the Winter period.

Home Office Asylum Seeker Accommodation Scheme

The Council has been informed by the Home Office that York, amongst other cities, has been chosen to host families and couples needing support and accommodation, as part of the programme to move asylum seekers from tented accommodation to safe, private, self-catered accommodation. The Home Office is booking and paying for hotel and

serviced apartments and is doing so in partnership with the North East Migration Partnership, of which Migration Yorkshire is a member.

This temporary accommodation will be provided for at least three months, with support from a Home Office-funded welfare officer. The council will coordinate additional support with the city's community and voluntary sector. Mears Group, the Government's contractor which supports asylum seekers, is also working alongside local voluntary groups, health services, education providers, North Yorkshire Police and Migration Yorkshire to provide support.

I would like to take this opportunity to thank council staff and partners that have acted quickly and were ready to respond to this decision by the Home Office. York is a welcoming city, having already stepped up to support asylum seekers through the pandemic and welcome those fleeing the war in Ukraine. Once again, our city stands ready to support people when they need it the most.

Whilst we welcome those in need, the Government needs to recognise the pressure placed on local authorities, health and education services, where statutory services and extra support must be provided. Given the ever-tightening constraints on our budgets, additional financial assistance for local authorities must be forthcoming from the Government and we will continue to make this case.

10-Year Strategies

Following the 'Our Big Conversation' consultation, numerous workshops with stakeholders, focus groups and sessions in Explore York have led to the development of the Council's new proposed policy framework, which includes the Climate Change Strategy, the new Economic Strategy, the Health and Well Being Strategy and the upcoming 10 Year Plan.

I would like to thank all the residents, businesses and local organisations who participated in Our Big Conversation, as the thousands of comments that were received ultimately helped shape the strategies and the ambitions within them.

By considering the strategies together, we want to recognise and ensure that the co-benefits of these interrelating strategies can be delivered for the long-term benefit of the city.

A Rating for Climate Action Leadership

York is now amongst only 122 cities across the world to be awarded an A rating for climate action leadership by the Carbon Disclosure Project (CDP). The Climate Strategy and Action Plan, which was developed with the support of city partners over the last 2 years, was judged by the CDP to clearly demonstrate the city's vision and action to combat climate change, and the A-rating that they awarded recognises this work and highlights that York is delivering twice as many climate mitigation and adaptation measures as those not adjudged to be on the 'A-list'.

It is fantastic to receive this high recognition and it speaks to the quality of the work that has gone into the development of our climate change strategy and action plan. I would like to thank our officers, the many partners, community groups and residents that have helped to create our plans, as they all deserve this high recognition for their efforts.

Supporting Young People with SEND

Following agreement at Executive last month, £8 million of capital funding will be invested in 5 capital projects to ensure that the changing needs of children and young people with SEND can continue to be supported here in the city.

The schemes have been developed in response to national and local data about changing SEND needs, together with detailed feedback from York's Inclusion Review survey. The data showed an increase in the number of children with autism and social, emotional and mental health needs across the country, as well as in York. It's hoped that the projects will enable young people with SEND to get the support they need locally. The schemes receiving the investment are:

- **Developing St Paul's Nursery Enhanced Resource Provision:** This scheme will develop the existing enhanced resource provision in the maintained nursery, creating an early year's support hub focused on communication needs.
- **Expansion of Haxby Road Enhanced Resource Provision:** This project will create a new Enhanced Resource Provision to support children in mainstream primary school with autism and SEMH. The new facility will be run as a 'second site' to the existing enhanced provision at Haxby Road Primary School.
- **Huntington School Enhanced Resource Provision:** This project will create accessible facilities for young people in mainstream secondary

school, with complex communication and interaction needs, particularly those with autism and anxiety disorders. The three-year project will create a new three new classrooms, break out facilities, sensory rooms and a hygiene suite.

- **Specialist SEMH Sufficiency:** A consultation will be undertaken with education providers in the New Year to look at ways of providing local, specialist support to the very small number of children and young people who have been permanently excluded from their school. Creating a more localised solution will enable the existing mixed-use facility at Dansegate to focus solely on providing specialist support to children and young people with autism and SEMH.
- **Applefields School:** The three-year project will continue to develop and enhance existing provision at Applefields Special School, adapting and restructuring classrooms and upgrading the hoist and hydrotherapy pool.

These projects are critical to ensuring schools across the city can continue to meet the needs of young people with SEND in York, and crucially, it will enable us to have the right provision in place to support children in mainstream schools, where they can learn and develop alongside peers from their local communities.

York Central

Colleagues will have seen the series of consultation events that took place during November, providing residents and businesses the opportunity to find out more about progress at York Central and give their feedback on the next stages of the scheme.

The events allowed members of the public an opportunity to meet the team behind York Central, ask questions and discuss the project over a series of three in-person events, and one online webinar. This included a focus on York Central's proposed Government Hub and shaping ongoing plans for the new public square.

York Central is a once in a lifetime opportunity for York, with potential for a new office quarter, new neighbourhoods, an expanded and enhanced National Railway Museum, improvements to York Railway Station, and a network of vibrant public squares with routes linking to surrounding neighbourhoods and the city centre. The Government's interest in locating a hub on the site reaffirm York Central's undoubted quality and potential. With infrastructure works ongoing, I look forward to our

continued work with partners to maintain momentum on this all important project.

Royal Visit

York was pleased to welcome King Charles III and the Queen Consort in an historic visit to the city last month. As is the tradition, the King entered the city at Micklegate, the traditional royal entrance into York, where he was received by the Lord Mayor, the Lady Mayoress, the Sheriff, Sheriff's Consort, along with myself, the Town Clerk and Deputy Town Clerk.

In their visit, Their Majesties unveiled a statue of Her Late Majesty Queen Elizabeth II. The statue, designed and carved by York Minster stone mason Richard Bossons, was unveiled following a memorable service at the Minster.

It was a great honour that the new King and Queen Consort chose to visit our city, and that York Minster's tribute to Her late Majesty Queen Elizabeth II was rightly recognised. I would like to thank everyone who was involved in preparing and supporting this event, from our staff to various city partners.

New Library for Haxby and Wigginton

The city's newest library, based in Haxby and Wigginton, will open its doors to residents for the first time in early January 2023, once the construction work to co-locate a permanent library at Oaken Grove Community Centre is completed.

In partnership between with Explore York Library and Archives, and Haxby & Wigginton Youth & Community Association, the project will replace the old library in Haxby and Wigginton, which was closed in 2016 on the grounds of public safety. The new library will be open six days a week and will include a new reading café, run by Explore, providing the community and customers visiting the centre with a place to relax.

I'm delighted that this initiative is almost nearing its conclusion and that a library will soon be back at the heart of Haxby and Wigginton. As ever, I'm proud that we are a city opening libraries and investing in community spaces.

Weekly Drop-in-Centre for Armed Forces Community

Veterans, serving personnel and their immediate family members are invited to weekly drop-in sessions where they can meet other members of York's Armed Forces community and access independent specialist support.

The weekly sessions are every Tuesday from 10.30am - 12.30pm at the Spurriergate Centre, Spurriergate. A team will be on hand to provide direct advice or signpost requests for support to specialist partners, who can help across a spectrum of topics such as health, welfare, housing, education, employment, and finances.

This is the latest in our work as part of the Armed Forces Covenant to ensure that York is a welcoming place for serving armed forces personnel, reservists, veterans, and their families to live and work.

Meeting	Executive
Date	22 November 2022
Present	Councillors Aspden (Chair), Ayre, Craghill, D'Agorne, Mason, Smalley, Waller and Widdowson
Apologies	Councillor Runciman
In Attendance	Councillor Douglas
Officers In Attendance	<p>Ian Floyd – Chief Operating Officer Bryn Roberts – Director of Governance and Monitoring Officer Debbie Mitchell – Chief Finance Officer Neil Ferris – Corporate Director of Place Martin Kelly – Corporate Director of Children & Education James Gilchrist – Director of Environment, Transport & Planning Michael Melvin – Director of Adults Safeguarding Pauline Stuchfield – Assistant Director, Customer Services & Digital Claire Foale – Assistant Director, Policy & Strategy Maxine Squire – Assistant Director, Education & Skills Simon Brereton – Head of Economic Growth Shaun Gibbons – Head of Carbon Reduction Helen Whiting – Head of HR Peter Roderick – Consultant in Public Health Ruth Hine – Public Health Specialist Practitioner, Advanced Helene Vergereau – Traffic & Highway Development Manager Christian Wood – Smart Transport Programme Manager</p>

PART B - MATTERS REFERRED TO COUNCIL

57. 10 Year Strategies (18:14)

[See also under Part A]

The Chief Operating Officer and the Assistant Director, Policy & Strategy, presented a report which detailed the development of a 10-year Strategy and Policy framework comprising the Climate Change, Economic and Health and Wellbeing 10 year strategies and the emerging 10 year City Plan. Members were asked to review the strategies and recommend that Council adopt the framework.

The three inter-dependent strategies had been developed after an extensive 18-month programme of resident, business and stakeholder engagement and were informed by existing and emerging national and local policies, as set out in the report. A summary of resident feedback was attached at Annex A. The three strategies had been made available to view online as Annexes B, C and D respectively.

The Chair thanked all those involved in developing the strategies, which responded to a series of challenges facing the city including integrated care, levelling up and climate change, and would guide future work in achieving long-term ambitions. In supporting the recommendations, the Executive Member for Environment & Climate Change highlighted York's award of a 'A' Rating for climate action leadership by the Carbon Disclosure Project. In response to matters raised under Public Participation, officers confirmed that they were looking at the data modelling but needed to be sure that a 'bottom up' approach would improve on the current scatter tool process before adopting it.

Recommended: That Council adopt the 10 year Strategy and Policy framework, which comprises the Climate Change, Economic and Health and Wellbeing 10 year strategies and the emerging 10 year City Plan.

Reason: To engage partners, city leaders, businesses, stakeholders and residents to work together on key agreed priority areas that aim to actively improve the quality of life for all York's residents.

58. Pavement Café Licence Update (19:07)

[See also under Part A]

The Director of Transport, Environment & Planning presented a report which proposed changes to City of York Council's pavement café licensing guidance and process, following the completion of a review of the current licensing guidance, as approved by Executive on 28 July 2022 (Minute 19 of that meeting refers).

The current guidance had been implemented under emergency government legislation in response to Covid, enabling pavement café areas to be licensed to cover the whole pavement in some streets where traffic was restricted. While beneficial to businesses, this had had an impact on access. Independent consultants Mima had been appointed in September to identify and review these issues. Their report, produced after consultation with the disabled community, was attached at Annex A. Options for the Executive in respect of pavement café location (Theme 1), updating the guidance document (Theme 2) and counter-terrorism training (Theme 3) were set out in paragraphs 33-35 of the officer report. Options not recommended are summarised briefly below:

- Option 1b) – allow pavement cafes to take the whole footway in certain footstreets in pedestrianised hours.
- Option 1c) – as above, but with temporary ramps.
- Option 1d) – no long-term use of parking bays for pavement café licences.
- Option 3a) – provision of additional information on the Protect Duty and its implications for licence holders and staff.

A letter summarising the options proposed had been sent to all pavement café licence holders and business groups on 9 and 10 November, inviting them to provide feedback. Officers reported that they had received responses from 10 businesses to date, mostly in support of option 1b), and confirmed that they would collate any further responses received and inform Members before the Full Council meeting on 15 December.

In response to matters raised under Public Participation, officers confirmed that enforcement, and helping businesses to comply with licensing conditions, was a priority. The Executive Members for Economy & Strategic Planning and Transport having spoken in support of the recommended options, it was

Recommended: (i) That the following changes be made to local guidance used in the determining of pavement café licenses under the Business and Planning Act 2020:

- a) Cafés only allowed on footways if 1.5m width remains for people to get past (width increased to 2m in high footfall areas, for example busy junctions, near bus stops, etc). In footstreets with access level between footways and carriageway (for example Coney Street), licences may be issued for pavement cafes to cover the full width of the footway. If a licence is refused under the Business and Planning Act it would be possible for the applicant to use the planning permission process (and licensing under Highways Act Part 7A) to seek permission for a pavement café area. If a permission and a licence were to be granted under this process, adequate access mitigations would be conditioned through the planning permission on a case-by-case basis and all costs associated with required highway improvements would need to be borne by the applicant.
- b) Café areas can be allowed in on-street parking bays, where sufficient parking and loading capacity remains (including for Blue Badge holders) and the café area can be protected from passing traffic (if required). The licence holder will be required to cover all associated costs (changes to the permanent TRO, changes to the kerb line/protection measures).
- c) To require the named licence holder to have completed the ACT Awareness E-learning course and provide additional information to licence holders on the Protect Duty.
- d) To adopt the updated guidance document (Annex B) and proposals for

additional information to be provided. Key changes are: updated barriers requirements and specifications, updated access width requirements, strengthened enforcement process, reintroduction of a £100 charge per licence. Additional information to be provided includes: design and set up guidance for licence holders, advice and support on 'How to set-up your pavement cafe area', and information on hospitality venues' duties under the Equality Act. Pavement café licence holders will be written to – to notify them of the changes.

Reason: To clarify the criteria against which pavement café applications will be assessed and mitigate the impact of some pavement cafes on accessibility and to clarify the criteria against which pavement café applications will be assessed and the standards licence holders will be expected to meet and provide additional support and guidance to licence holders.

(ii) That the Policy for Pavement Cafes under the Business and Planning Act 2020 be reviewed by the Licensing & Regulatory Committee and be added to the list of functions of that committee. Officers will continue to determine applications made under that policy.

Reason: So that the Licensing & Regulatory Committee can review the policy.

59. Capital Programme - Monitor 2 2022/23 (20:26)

[See also under Part A]

The Chief Finance Officer presented a report which set out the projected outturn position for of the council's capital programme for 2022/23, including any under/over spends and adjustments, along with requests to re-profile budgets to/from current and future years.

A decrease of £38.193m on the current approved programme was reported, resulting in a revised programme for 2022/23 of £154.557m. There was an increase of £6.094m and a re-profiling of budgets to future years of £44.287m in total. Variances against each portfolio area were set out in Table 1 at paragraph 19 of the report and detailed in paragraphs 20-71. The revised 5-year programme resulting from these changes was summarised in Table 2 at paragraph 72 and detailed in Annex A.

The Executive Member for Finance & Major Projects highlighted the continued progress made in respect of schools, the housing programme and libraries. The Chair noted that all councils faced a difficult year ahead in terms of their budgets and that York continued to make the case to government for long-term solutions.

Recommended: That Council approve the adjustments resulting in a decrease in the 2022/23 budget of £38.193m, as detailed in the report and contained in Annex A.

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

Cllr K Aspden, Chair
[The meeting started at 5.32 pm and finished at 8.42 pm].

Council**15 December 2022****Report of the Deputy Leader**

Devolution

As agreed previously by Full Council, the statutory consultation on the proposed devolution deal and its governance arrangements is underway and is due to finish mid-December. Devolution can often be a dry subject and hard to engage local residents on, but to date, we have been receiving a good response rate to the consultation, which will ultimately help all councillors in their final consideration of the proposed deal in the new year.

Devolution is undoubtedly an important issue for the city, so I would ask everyone to continue to publicise the consultation and encourage others to fill out the survey, if not already done so. The proposed deal includes considerable funding for our city, over half a billion for York and North Yorkshire over the next 30 years, along with the transfer of some powers from Government departments and agencies, so it is important we hear from as many people as we can in the city before we all come to consider the issues once again in a few months' time.

Cost of Living Crisis

The pressure and challenges posed by the Cost of Living Crisis continues to worsen as we enter winter, with the first frosts now upon us. At the end of October I attended the 'Cost of Living Summit' which brought together leaders from community, voluntary and faith groups, businesses and organisations to hear first-hand experiences of the Cost of Living Crisis, and importantly, to share offers of support and work together to respond to the challenges we face in the city.

The Summit, hosted by the University of York at the Guildhall, was organised by the Council and chaired by Professor Kate Pickett, Professor of Epidemiology from the University of York and the University's Champion for Research on Justice and Equality. After hearing from speakers, attendees took part in interactive sessions where we were encouraged to work together on new and innovative solutions, covering a range of areas including housing insecurity, cost of fuel and transport, mental health, social prescribing and digital inclusion.

At the same time, the Council has been processing financial support to those facing hardship through the Household Support Fund and working with partners to offer support and advice to anyone with concerns about their financial situation. From checking eligibility for benefits, to providing help with applying for a Green Energy Funding grant from the council - our staff and partners have been having numerous important conversations about money with residents and businesses, providing that all important reassurance and advice during difficult times.

Asylum Seekers

Many people will have seen that York is once again welcoming and providing safe haven to asylum seekers who have been placed in the city via the Home Office's Asylum Seeker Accommodation Scheme.

Many of the men, women and children arriving in York have been through extremely difficult experiences prior to seeking asylum and I'm pleased that working together with our partners, our city is able to provide respite and safety to those individuals and families. By extending our hand to them in welcome, we respect their legal right to seek asylum and will do what we can to ensure that they have the support they need as they await the outcome of their applications with the Home Office. Having recently attended one of the city's regular multi-agency zoom meetings, I am confident that the city is pulling together to ensure every arrangement including health and education will be covered for these families.

I would like to thank all partners involved in providing the on-going support so urgently needed, as well as kind-hearted residents who have been making donations.

Passivhaus homes

I am delighted that following the excellent award winning work of the Council's Housing Delivery Programme, we have secured Homes England funding to increase affordable housing delivery from 40% to 60% at two of our Housing Delivery Programme sites.

Originally, 40% affordable housing was planned for the 34 homes at Duncombe Barracks in Clifton, and the 78 homes at Burnholme in Heworth. This was over twice the level required by our planning guidelines. However, this new funding now means that 60%, 3-times the recommended levels of affordable homes, can be delivered across both

sites. Of the 60% affordable housing, 20% of the homes will be allocated for social rent, and 40% will be for shared ownership, where eligible people can buy between a 35-75% share. Work to bring forward a further 85 zero energy homes at Ordnance Lane (which already has planning permission) will follow on from these two sites, delivering at least a further 40% affordable homes.

The funding secured from Homes England will go a long way in helping to meet our aspirations outlined in the Climate Change Action Plan, as these homes will be zero-carbon in use (a real financial bonus as energy prices escalate) This additional funding opens the door to even more people on lower incomes to benefit from the high quality and reduced energy use of Passivhaus-standard housing, and I look forward to seeing the continued progress being made at both sites.

Funding for independent retailers

Independent retailers in the city have received a £25,000 funding boost to help with promotion during the Christmas trading period and to attract more customers in the New Year, following investment from the Council's Independent Retail Fund.

Traders' associations and groups in Acomb, Goodramgate, Haxby and Wigginton, and Bishopthorpe Road will benefit from the funding pot to support small and micro businesses. Since the very beginning of the pandemic, we have focused efforts on supporting the city's small and independent sector, in total allocating over £9 million in discretionary and local funding, alongside other crucial advice and support.

This latest funding will hopefully support efforts to attract shoppers during the current festive season and at Easter in 2023. This will include Christmas markets and Christmas lights displays, small music festivals and Easter-related celebrations.

Christmas is a particularly great time to support our local businesses, so I would strongly encourage all residents and visitors to support the city's fantastic business community and shop local, whether in your neighbourhood or elsewhere within York.

York Central

Colleagues will know that infrastructure works at York Central have been progressing well, with appointed contractor John Sisk & Son carrying out numerous site works over the past few months.

This includes works that have been needed to the western edge of Millennium Green, to prepare for a new road junction which will come off Water End and join the new bridge over the East Coast Mainline. In addition to this, a new pedestrian and cycle bridge will be delivered next to the Severus Bridge on Water End, in order to maintain the capacity, and improve safety for pedestrians and cyclists. In time, a new embankment will be built at Millennium Green, with new saplings, established trees and shrubs planted along the side of the railway line.

During the course of December, there will be continued work on removing contaminated material from the site and to continue ground preparation for the new road. The council is also consulting on the riverside path changes, to reduce frequency of flooding and increase lighting and safety. We know this is an important route for residents and we want to hear about any concerns and local priorities, so views can be factored into the designs and plans for this path funded through the council's capital programme.

Children's foil competition this Christmas

Primary school students across the city are being invited to take part in a competition highlighting the opportunity to recycle aluminium foil through the kerbside collections this Christmas.

Recent changes to recycling now means that we can collect foil from residents in their kerbside recycling collections (along with a much wider range of plastics such as margarine tubs and yoghurt pots). To celebrate and promote this change, we have teamed up with the not-for-profit organisation, Alupro, to hold a Christmas foil competition.

The competition is challenging young people to create Christmas themed A4 posters with used and washed aluminium foil. The poster design can be anything to do with Christmas and must contain foil to be included in our prize draw. The winners, announced in February, will receive prizes worth £50, and their school will receive £500 in vouchers to spend on sustainable supplies and activities. There will also be similar prizes available to runners up in second and third place.

This competition is an excellent way to raise awareness of what can be recycled at the kerbside. We know residents are already doing a fantastic job of recycling in York, but this change gives an opportunity to further and boost recycling rates especially after Christmas when there's additional packaging and food / drink containers to dispose of.

On that note I wish everyone a peaceful and sustainable festive break, ready for a busy new year.

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Council

15 December 2022

Report of the Executive Member for Transport

Bus Services and the Bus Service Improvement Plan

The first instalment of government funding to City of York Council has now been paid over.

The first meeting of the Enhanced Partnership stakeholder forum has taken place, and been given an assurance that the Operational Board will publish agendas and minutes to provide transparency of decisions that are being taken on behalf of the Partnership. At the inaugural meeting of the stakeholder group it was agreed that we intend to build strong links with the various operational sub-groups that cover issue such as ticketing, punctuality, stop infrastructure, and routes. We also wish to find ways to ensure that a broad spectrum of local people can be involved, including York Bus Forum, Disability Forum, student representatives, parish councils, businesses etc.

The challenges facing bus operators have been well aired recently, with patronage still down on pre-covid, costs of fuel and drivers significantly higher and congestion made worse by peak leisure use of private cars particularly in York city centre in recent weeks with major impacts on journey times. Many of the proposed BSIP Enhanced Partnership measures are designed to improve accessibility both in terms of physical access and information. The plans for example also include a feasibility study of a new city centre shuttle service and provision of audio-visual announcements on buses and at bus stops. Plans are being made in the New Year for resident input on the nature of a trial shuttle service.

A paper on measures to 'stabilise' the local bus network is being discussed by the Executive on the same day as this council meeting, with a proposed approach to aim to minimise route losses through judicious use of extra funding support available through BSIP. As recently reported, this approach has enabled a reprieve to service cuts that were announced from this week for the 412 Wetherby to York (via Rufforth and Tockwith) service and the Saturday no 13 services from Haxby to York and Copmanthorpe. The move will cost £18,500 for the 6 months until March but hopefully 'buy time' for use levels to recover. BSIP funds are earmarked for discounted youth fares, tap on – tap off

fare savings, and other improvements to passenger experience but clearly maintaining and enhancing existing services is a crucial goal that has to come first. The current £770k budget for supported services will face significant challenge in the face of increased operator costs and continuing driver shortages. These are all aspects where operators, the council and the EP stakeholder forum will need to work together as much as possible to help us to achieve the 'Bus Back Better' ambition.

City centre issues

In order to respond to the post covid changes in travel patterns, a bus network study has been commissioned to consider how best to optimise access to public transport and minimise costs and delays. The outcome of this will be a key element of our Transport Strategy and help to shape projects such as the Castle Gateway programme and changes that might be needed to prioritise bus movements on key corridors. Some decisions have to be progressed in the meantime – Coppergate changes and the proposed crossing from St George's Fields car park over the inner ring road are on the Executive Member Decision Session agenda for Dec 13th as small but important contributions towards reducing the hostile pedestrian environment that is still far too dominant at the edges of our city centre. The changes to café licences are also on the agenda for this meeting, as an important commitment to better accessibility as a standard, meeting the recommendations of the new Access Officer who we have recently appointed.

Active Travel

At the November Executive Meeting some difficult decisions had to be taken on the most strategic approach to taking forward the ambitious Active Travel Programme. In part this was a consequence of seeking to provide quality permanent routes along corridors which had originally been identified as possible short term covid recovery measures. Having completely reviewed scoping documents and priorities in February this year, the outcome of high level feasibility work suggested £36m worth of programme with an available budget of £2.1m, alongside the additional £1.4m Transforming Cities funding for Tadcaster Rd (which will be going ahead in 2023). In addition to small schemes such as Navigation Rd which is now in place, the package moving forward to delivery will be schemes that have progressed as funding is secured. On this basis the Crossing from St George's Field over the inner ring road and the 'missing link' on the university routes can progress but larger projects need to secure further funding before they can be delivered.

As Active Travel England become established with their HQ in York it is very much expected that they will be able to support City of York as a 'test bed' for solutions that provide quality walking and cycling routes in a compact historic city like York. I am keen to work closely with them to adopt the best approach to develop a long term plan that will build on our Local Cycling and Walking Infrastructure Plan to be adopted next year. As an example of the sort of improvements that are possible with some imagination, I would point to the recently completed Barbican Rd Traffic Signal Renewal work, where new pedestrian and cycle crossings have been incorporated, a left turn cycle lane created and advance stop box and green signal phase for cycles approaching Walmgate from Barbican Rd. This has transformed an area which was previously extremely hostile for cyclists, while also improving provision for pedestrians. Depending on the outcome of consultation, similar changes could soon be made on Hospital Fields Rd to join up the off road university cycle/ pedestrian route through the Barracks site to the riverside paths and Millennium Bridge.

At the same time further design work is being done to provide 'people friendly' environments outside some of our schools, starting with Ostman Rd (Carr Junior) and also Badger Hill and Clifton Green. I would love to be able to address the challenges outside every school, but these are the ones who have worked with Sustrans and City of York Council in recent years to find workable solutions for their specific location and needs.

Climate Change

This year we experienced record summer temperatures following near record floods in February – all part of a pattern of more extreme weather which will get worse as our emissions continue to rise. In 2019 York adopted a policy to follow scientists advice on the need to limit global temperature rise to 1.5degrees by 2030 and thus to aim for zero carbon by that date. Our draft climate change strategy recognises that Transport (mostly from private cars) represents some 27% of our total emissions and unlike the other sources, has barely declined at all in the last decade. In order to meet our target, emissions from Transport would need to be cut by 71%. While everyone is much more aware of the financial cost of energy to heat their homes compared to 12 months ago, switching from driving to other forms of transport is for most people something that could improve their health relatively easily. Even finding ways to share car use, or use shared mobility options such as scooters, taxis and hire cars could cut costs and emissions. These will be a key

focus for us to deliver our Transport Strategy, working with people on solutions that are right for their circumstances not 'lecturing them' on what they should be changing. Even though we don't yet have the government guidance on LTP4, our own commitments and what we know about national transport policy makes clear that active travel and public transport will be key elements that must be made more accessible, efficient and attractive in a very short space of time.

Council

15 December 2022

**Report of the Chair of Customer & Corporate Services Scrutiny
Management Committee**

As has been previously noted, the Scrutiny function in York continues to suffer from a lack of dedicated Officer time, meaning that scoping reports and independent reviews are somewhat stymied. Furthermore, unnecessary frustrations occur on all sides with regards to report preparation, content and publication. In recent weeks this has again lead to avoidable last-minute cancellations, deferments and reports which have not met the full requests of the Chair and/or Committee.

I would like to again record my thanks to the Democratic Services Team for doing all they can under difficult circumstances to assist in the delivery of meaningful Scrutiny, in particular with regards to the timely rescheduling meetings where needed.

Scrutiny can and should be a tool which can benefit everyone – Executive, Officers, ‘back bench’ Members and the Public – in helping to ensure the effective and purposeful running of the Council. Working alongside the Monitoring Officer and Statutory Scrutiny Officer it is hoped that a comprehensive schedule of training will be made available to Members and relevant Officers at the start of - and throughout - the next Council administration, following May’s elections such that it can be used to its full potential.

Since my last report to Full Council the Customer & Corporate Services and Scrutiny Management Committee has met twice. In October we held a specially commissioned meeting, following-up on two previous call-ins, to discuss University of York Car Parking arrangements, the impact on the surrounding communities and any obligations under Section 106 Agreements. The meeting was attended by representatives of the University alongside Council Officers from Legal and Planning. Members were pleased to note the constructive engagement of all stakeholders and reports from the Ward Councillor of improvements to the situation in recent weeks which it is hoped will continue.

In November, Committee considered an update on the City Centre Access Strategy alongside the “Reverse The Ban” petition that was submitted at the last meeting of Full Council. After a lengthy and in-depth discussion between Officers, Members and external Stakeholders, it was agreed that Committee will monitor progress against the Access

Strategy with greater frequency going forward. In accordance with the Council's Petitions Scheme, Officers were requested to prepare a detailed report for Executive that responds to the "Reverse The Ban" petition and addresses the more than 700 Comments that were recorded in support of the petition. Meanwhile the Monitoring Officer was requested to satisfy himself that the legal position taken by the council remains sufficiently robust in light of the Supreme Court's ruling that Westminster City Council failed to respond in a proportionate manner in respect of Article 8 of the Human Rights Act with regards to an access ban on a Blue Badge Holder.

As with my last report to Council, I have invited each of the Committee Chairs to provide a short summary of their Committee's work, as follows:

Cllr Vassie, Chair of Climate Emergency:

For the first time a public meeting in West Offices considered a vision and plan for York's transport future, presented by Tony May and Johan Kuylenstierna who showed where the city might be in 2027 and in 2037 if the council were genuinely trying to deliver a zero carbon future for transport. This plan addressed the scale of the challenge the city faces: from freight distribution, to access, to congestion, to mass-transit systems and zoning of the city, and considered how a zero carbon transport vision would impact on the dualling of the northern ring road. The meeting agreed a series of recommendations calling on the executive to get on with shaping a transport vision for York and engaging with the scale of the challenge.

The committee looked at the latest draft of the Climate Change Strategy and noted that it still did not commit the council to any measured pathway with milestones to deliver a zero carbon York nor set out any process to evaluate all the council's operations against these milestones.

Lastly, the committee reviewed the most recent phase of 'The Big Conversation' and was pleased to note that the consultation reached a far wider audience second time around, including: young people, students, the BAME community, parents with young families, LGBTQ, small businesses, residents with disabilities, blue collar workers and trades unions. We noted the wide understanding of climate issues and solutions across those groups and their desire that the council be bold and imaginative in its actions to tackle climate change.

Cllr Fenton, Chair of Housing & Community Safety:

At October's public meeting the committee discussed the homelessness situation in the city and plans for winter provision. Members also had a detailed discussion on York's Housing Allocations policy and the challenges created by demand for homes continuing to outstrip supply. The focus of December's meeting is on the support being made available to council tenants in the face of the cost of living emergency. Looking ahead, in January the committee hopes to have the opportunity to input into the development of a new Community Safety Strategy.

Cllr Doughty, Chair of Health & Adult Social Care:

Since October, members of the Health and Adult Social Care Scrutiny Committee will have met on 3 occasions by the time of December Full Council.

Early in November, there was a joint meeting with the Children, Education and Communities Scrutiny Committee to discuss a refresh of the all-age Autism Strategy for the City with members noting the importance of consultation with stakeholders being supported. We also received a report providing an overview of York's Healthy Child Service.

At the main November Health Scrutiny meeting we received reports from two of our Health Service partners.

We were joined in person at the meeting by the Chief Executive of York and Scarborough Teaching Hospitals NHS Foundation Trust who updated us on the two Care Quality Commission (CQC) inspections which were undertaken in March and October this year. We heard about the action plan taking place to address the findings of the CQC and members asked questions thereon.

Similarly, we received an update report regarding the action plan following the TEWV Trust wide inspection by the CQC last year and also an update on the CQC registration of Foss Park Hospital. The Managing Director of TEWV joined the meeting remotely for this. The report included details of an inspection into Trust wide specialist community mental health services for children and young people which took place in July this year. It is fair to say that there was member concern at aspects of this, particularly with referrals and waiting times.

Members made recommendations for monitoring. There had already been a forward work plan item pencilled in for a Children and Young People Plan / CAMHS Provision in York report for consideration in the 2023/2024 municipal year and as Chair, I made suggestion this should be a priority for early on in the new municipal year, with an update from TEWV appropriate as part of this.

Members also considered a report from the Public Health team and asked questions on the recommissioning of Sexual Health and Contraception Services in York.

At the time of writing, the Health Scrutiny Committee is also due to meet on the 14th December for a commissioned slot, hearing from colleagues from the Humber and North Yorkshire Health and Care Partnership for an Integrated Care System Overview including detail on elective care post pandemic and access to GP services. We are expecting to be joined by some member colleagues from other local authorities in the ICS area for this item.

Cllr Daubeney, Chair of Children, Education & Communities:

In early November, the Committee received a report on the Safety Valve agreement, updating the committee on how the city is taking advantage of this government scheme to eradicate the deficit on the High Needs Block of the dedicated schools grant. At that meeting we also received the Financial Quarter Q1 report from officers ensuring oversight of the relevant expenditures in Children's Services.

The Committee continued its regular oversight of progress against of the Ofsted Action Plan for Children's Services, following the Ofsted judgement in March that York 'Required improvement to be good'. Progress against the plan continues to be made in seven key areas designed to improve the quality of services and provide a better start for Children and Young People in York as set out in the Council Plan.

Finally, the Committee received a presentation from the Corporate Director of Children's Services into the Safeguarding Children Partnership (CYSCP) setting out the responsibilities of the partners, Council, Police and the Health and Care Partnership, the role of the Independent Scrutineer and the key areas of activity of the group: the Inspections, accountability and ensuring the voices of children are heard.

Later in November, the committee took part in a Joint Scrutiny with the Health and Adult Social Care Scrutiny Committee which considered a refresh of the York All-Age Autism Strategy aligned with the national strategy for Autistic Children, Young People and Adults 2021-2026. The planned focus is to be on co-production of the strategy in partnership, sharing power between people who draw on care and support, carers, families and citizens with a view to understanding the issues faced and designing the solutions together.

Finally at the second November meeting, an overview of the Healthy Child Service was presented by officers for information, setting out the Council's ambition in the Council Plan to improve outcomes for those in poor health together with a strong health protection element. The Healthy Child Programme was explained in detail from antenatal contact, through a range of programmes such as Targeted support for speech and language, hearing and vision screening to targeted support for emotional wellbeing and healthy lifestyles support from 5-19 years.

Cllr Taylor, Chair of Economy & Place:

At October's meeting, Committee considered the city's Purple Flag status, the proposed Community Levy (SIL money in parished areas) and the Council's Highway maintenance programme.

In November, Committee undertook a deeper dive into the Council's ResPark scheme including consideration of the ongoing difficulties caused by the move to Digital permits. Committee recommended that Council move back to paper permits for visitor parking.

There continue to be frustrations surrounding the preparation and content of reports which have not contained the requested information on a number of occasions, leading to missed opportunities for meaningful scrutiny of important topics. This is a situation that I hope will be remedied for future meetings.

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**Appointments and Changes to Membership of Committees,
Working Groups and Outside Bodies 2022-23**

Health & Wellbeing Board

To appoint Brian Cranna, Director of Operations and Transformation for Tees, Esk and Wear Valleys NHS Foundation Trust, as a substitute for Zoe Campbell, in place of Amanda Hazelwood.

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