

## AGENDA SUPPLEMENT

### Corporate Scrutiny Committee

**To:** Councillors Fenton (Chair), Merrett (Vice-Chair), Ayre, Baxter, Coles, K Taylor, Watson, Wells and Widdowson

**Date:** Monday, 7 July 2025

**Time:** 5.30 pm

**Venue:** West Offices - Station Rise, York YO1 6GA

The Agenda for the above meeting was published on **27 June 2025**. The attached additional documents are now available for the following agenda item:

- 3. Minutes** (Pages 3 - 10)  
To approve the minutes of the meeting held on 9 June 2025.

**Written representation received by Democratic Services on Wednesday, 2 July 2025, in relation to the meeting held on 9 June 2025, agenda item 5, Budget Setting Process.**

To also approve the minutes of the previous Scrutiny Committees:

- Health, Housing and Adult Social Care Scrutiny Committee, 21 May 2025. **Minutes attached.**

- 7. Boundary Commission Electoral Review - Council Size, Task and Finish Group** (Pages 11 - 14)

Members will consider the proposal for a Task and Finish Group to examine the Boundary Commission Electoral Review into Council Size.

**Written representation received by Democratic Services on Wednesday, 2 July 2025, in relation to this item.**

This agenda supplement was published on **Friday, 4 July 2025**

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## Written Representation from Gwen Swinburn, received 02/07/25

### Urgent Action to Fix Flawed Budget Consultation and Scrutiny - Gwen Swinburn

As a governance specialist, I have warned the Council for years—via members, statutory officers, and accounts inspections—about its failure to consult businesses properly.

The “Budget Setting Process and Scrutiny” report ignores these issues, despite this year’s unconsulted car parking fee increases sparking another crisis for York. The council’s refusal to consult on any budget lines, including fees & charges, breaches legal duties & fails to meet CfGS guidance.

#### Key Concerns

- a) No Statutory Business Ratepayer Consultation: The council fails to consult “persons or representative bodies” under Section 65 LGFA 1992, using generic questionnaires for residents & businesses, breaching the Non-Domestic Ratepayers (Consultation) Regulations 1992.
- b) Unconsulted Car Parking Fee Crisis: Significant, unconsulted fee increases have harmed the city & its reputation, highlighting consultation failures.
- c) Opaque Task & Finish Groups: groups may meet in secret, excluding businesses.
- d) No Consultation on Any Budget Lines: CYC never consults on individual budget lines, including fees & charges.
- e) Missing EIAs: The council skips individual EIAs for most budget decisions, risking Equality Act 2010 breaches and harming businesses with protected characteristics.

#### Critique Against CfGS Guidance

The CfGS guide demands inclusive, transparent, evidence-based scrutiny. The report’s task and finish group and quarterly reviews (paragraphs 19, 22) offer partial alignment but fail to address my concerns:

- a) Statutory Consultation (Section 4, p. 12): The report ignores Section 65 and my concerns about generic questionnaires and no consultation on any budget lines, including car parking fees, risking LGFA 1992 non-compliance, undermining business trust.
- b) Transparency Unspecified access & TORs of task & finish groups fails transparency & weakens scrutiny.
- c) Stakeholder Engagement Vague consultation references ignore concerns about no budget line consultation, breaching LGFA 1992.
- d) Equalities Impact Cursory EIA mention fails legal obligations & risking Equality Act breaches.
- e) Strategic Alignment Linking MTFS to priorities omits business feedback, misaligning with economic goals.

#### Recommendations

- a) Mandate Formal Consultation: Acknowledge Section 65, replace generic questionnaires with budget & business-specific consultations on budget lines, & review non specificity in all consultations
- b) Ensure Transparency: For business ratepayer statutory consultation form a task & finish group with businesses & subject specialists, publish TOR, agendas, minutes, addressing some transparency concerns.
- c) Consult all Ratepayers on Budget Lines: Mandate consultation on all budget lines, including all detailed fees and charges proposals in the autumn,,not publish 5 days before committee.
- d) Strengthen EIAs: Require individual EIAs for all key budget decisions, scrutinising impacts on businesses and residents, and this process be codified in the constitution.
- e) Address Past Failures: Acknowledge mistakes & unlawful processes to date under all administrations & commit to fixing, to at least meet the law ( consultation & equalities at least).

### Conclusion

The report fails to address my long-standing concerns about the council's non-compliance with Section 65 of the LGFA 1992, use of generic questionnaires, unconsulted car parking fee increases, lack of transparency, absence of consultation on any budget lines, and insufficient EIAs.

Please adopt these recommendations to ensure a transparent, inclusive, & compliant budget process.

*Note: the interpretation of the requirements under section 65 does not accord with the interpretation given by both the Section 151 Officer and the Monitoring Officer. In particular, the legislation does not specify any particular method of consultation and, in common with many other councils, CYC's approach of consultation is wholly lawful. Similarly, it is lawful to provide an overarching EIA, with individual EIAs being prepared for savings proposals as and when those proposals are enacted.*

## City of York Council

## Committee Minutes

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Meeting	Health, Housing and Adult Social Care Scrutiny Committee
Date	21 May 2025
Present	Councillors J Burton (Chair), Baxter, Hook, Moroney, Rose, Runciman, Wann, Wilson and Fenton (Substitute)
Apologies	Councillor Smalley
In Attendance	Councillor Steels-Walshaw (Executive Member for Health, Wellbeing and Adult Social Care)
Officers Present	Peter Roderick – Director of Public Health Jodie Farquharson – Head of Public Health, Healthy Child Service Anna Ikwue – Head of Operations and Partnerships, Learning Disability, PfA and Autism Victoria Coyle – Head of Integrated SEND
Visitors Present	Martin Liebenberg – Care Group Director of Therapies North Yorkshire and York, Tees, Esk and Wear Valleys NHS Trust Angie Walker – Senior Programme Manager, Mental Health Prevention and Partnership, NHS Humber and North Yorkshire Integrated Care Board Kirsty Kitching – Assistant Director of Mental Health, Learning Disabilities and Autism, NHS Humber and North Yorkshire Integrated Care Board

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**60. Apologies for Absence (5:35 pm)**

Apologies were received from Cllr Smalley, who was substituted by Cllr Fenton.

**61. Declarations of Interest (5:35 pm)**

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registerable interests they might have in

respect of the business on the agenda, if they had not already done so in advance on the Register of Interests.

None were declared, although in respect of Agenda item 6 (Update on the Autism and ADHD Health Needs Assessment and Strategy 2025-2030), the Chair noted in the interests of transparency that she was a member of the York Disability Rights Forum Steering Group.

## **62. Minutes (5:36 pm)**

Resolved: That the minutes of the meeting held on 2 April 2025 be agreed as a correct record and signed by the Chair.

## **63. Public Participation (5:36 pm)**

It was reported that there had been two registrations to speak at the meeting under the Council's Public Participation Scheme, with both public participants speaking in relation to Agenda item 6 (Update on the Autism and ADHD Health Needs Assessment and Strategy 2025-2030).

Flick Williams drew attention to issues faced by older neurodivergent people who were awaiting a formal diagnosis, noting the rationing of scarce resources in the context of the rising retirement age, a fall in healthy life expectancy, and the impact of cuts to disability benefits.

Roger Tuckett drew on personal experience in welcoming the draft documents. Questioning some of the statistics cited, he emphasised the need for co-operation, particularly with those with lived experience, and urged a focus on accountability and measuring and monitoring outcomes.

## **64. Trauma Informed approaches within Tees, Esk and Wear Valleys NHS Foundation Trust (5:46 pm)**

The committee considered an update on the implementation of a Trauma-Informed Care (TIC) model within the Tees, Esk and Wear Valleys (TEWV) NHS Foundation Trust. The Trust's Care Group Director of Therapies for North Yorkshire and York provided an overview, and in response to questions from members it was noted that:

- The Trust was taking actions to transition from a positive risk-taking approach to a TIC model, including for individuals diagnosed with Emotionally Unstable Personality Disorder (EUPD). The goal was to

avoid retraumatising individuals, and nothing was expected to be lost as a result of the transition.

- Two dedicated TIC Leads had been employed by TEWV, and TIC approaches had been adopted to varying degrees across the broader health and social care landscape; TIC approaches emphasised the need for partnership.
- Follow-up processes after discharge could often be drowned out by demand but there was a focus on building relapse prevention skills and efforts had been made to make self-referral as easy as possible.
- Being Trauma Informed was an ever-evolving process. The importance of engaging with patients' negative experiences was acknowledged, and assurance given that the Trust was working hard to get appropriate structures in place to expand TIC in the longer term; success would be challenging to measure but clinical outcomes offered the best metric of improvement.
- There was a very active dual diagnosis network with an emphasis on putting an end to the exclusion of those with substance misuse issues from mental health services.
- TIC training was already offered to interested staff and had been added to nurse induction training, in addition to a Trust-wide event every six months. A toolkit was being developed in collaboration with a nationally respected consultant, and work over the next twelve months would focus on corporate as well as clinical services becoming Trauma Informed.
- With reference to traumatised staff, the need to address root causes such as overwork was emphasised; it was also important to create restorative and reflective opportunities.
- The scale of the challenge and the need for honesty, compassion and curiosity was acknowledged, and the importance of changing culture over time, rather than through a top-down approach was emphasised.

Resolved: To note the report and request a further update for Scrutiny members in twelve months' time.

Reason: To keep the committee updated on the transition to Trauma-Informed Care at TEWV, in accordance with the resolution on 'Making York a Trauma Informed City' approved by Council in March 2024.

**65. Update on the Autism and ADHD Health Needs Assessment and Strategy 2025-2030 (6:39 pm)**

Members considered a report presenting a final draft of the Autism and ADHD Health Needs Assessment (HNA) and an early draft of the Autism and ADHD Strategy 2025-2030, following discussion of an earlier draft of the HNA at the committee's November 2024 meeting.

The Director of Public Health provided an overview, supported by other officers and colleagues from the Humber and North Yorkshire Integrated Care Board (ICB), and in response to questions from the committee it was noted that:

- Following the committee's previous feedback, officers had worked with Dr Laura Fox of the University of York along with other stakeholders revise the language used in the HNA and update and enhance the evidence used, which was welcomed by members.
- It was suggested that the framing of the draft Strategy could be linked to areas likely to attract funding, including around economic growth, and noted that officers would explore this further.
- Collaborative work was ongoing on developing a strength-based and person-centred approach to managing the transition from Children's to Adult services, and feedback on this was welcomed to evidence these changes.
- It was an aim that schools were meeting the needs of children and young people at the earliest opportunity. Partnership work was essential and support in mainstream schools remained a major focus, with the SEN system supporting many young people who did not yet have a diagnosis. The importance of including children who were educated at home was empathised.
- The impact of burnout on consultation responses and the need to rebuild trust, not to overpromise, and to help people feel listened to was acknowledged.
- With reference to ADHD and gender it there were significant differentials which needed to be factored in to care planning; ways of improving communications and resources for professionals around this would be considered.
- Waiting lists for adults and children grew by 150 and 500 each month respectively across the ICB area; a needs-based approach to pre-diagnostic support was being prioritised and the collaborative board would consider a report in June exploring these numbers and what would be required to clear waiting lists for 0-5, 5-18, and over 18 age groups.
- Referrals by exception outside the accepted criteria were possible via a mental health clinician, and examples from the ICB's specialist providers could be supplied.
- Partners would be consulted to contribute to the Strategy, including TEWV around adult mental health services, and officers were at an



early stage in exploring challenges faced by neurodivergent people around access to the city centre, particularly in busy periods such as the Christmas market.

- The Dolt profiler was not mandatory to access the pathway, and in the available feedback around 70% of respondents had found it useful, although it was acknowledged that others did not.
- Improving communications had emerged as a key theme in co-production, including greater clarity in direct communications to individuals around the process, improved language in general communications such as press releases, and better information provision on websites to avoid duplication and looping. Honesty around communications was important and ran through each of the Strategy's three pillars.

Resolved:

- i. To note the Autism and ADHD Health Needs Assessment (HNA) and request that the committee's feedback be considered.
- ii. To note the early draft version of the Autism and ADHD Strategy 2025-2030 and request that the committee's feedback be considered.

Reason: To keep the committee updated and to input into the development of the HNA and draft Strategy.

## **66. Work Plan (7:52 pm)**

Members considered the committee's work plan. It was noted that, without wishing to pre-empt a decision at following day's Annual Council meeting in relation to the new scrutiny arrangements, it would be important to consider how best to progress the remaining unallocated items through the committee's successor body.

The Chair drew attention to the committee's positive impact in several areas during the current municipal year and thanked Members for their contributions to the work of the Health, Housing and Adult Social Care Scrutiny Committee.

Resolved: To note the work plan, including the remaining unallocated items, which would be considered by the committee's successor body.

Reason: To ensure that unallocated items were taken forward in an appropriate way under the new scrutiny arrangements.

Cllr J Burton, Chair

[The meeting started at 5.34 pm and finished at 7.55 pm].

Written Representation from Cllr Mark Warters, received 02/07/25

### **Agenda Item 7 Local Government Boundary Commission of England Electoral Review.**

Council size - Task & Finish Group.

It is concerning that the start of what will, if it follows the pattern of the last Local Government Boundary Commission of England (LGBCE) Electoral Review into City of York Council (CYC), be little more than an exercise in political gerrymandering run for the benefit of the political groupings on CYC is to start by keeping public involvement at arms length.

Why isn't there full and open public involvement of this - Council size - the most meaningful part of the process?

Why the need for a separate group of councillors to gather and no doubt sanitise public views before council members decide on a recommendation as to council size?

The LGBCE ought to be conducting the review of Council size in the same way as the rest of the review by fully disseminating information to the York public, Parish Councils and Residents Groups and inviting views on CYC size.

The views of political parties and politicians currently elected will of course be clouded by a degree of 'self-preservation' that will not be conducive to deciding upon Council size with proper objectivity.

How likely are the political parties going to be to advocate a decisive reduction in Council size to reflect current governance arrangements (which have changed on the regional level significantly since the last review) if such a reduction that is long overdue to reflect local financial circumstances would involve reducing numbers of politicians?

If the starting point of this Electoral Review is from such a position of political self interest then how can the process be deemed to have any real value?

This Electoral Review ought to offer real opportunity for change and a significant reduction in cost for York council taxpayers, but will this opportunity be taken?

Since the last Electoral Review in York CYC have along with North Yorkshire Council (NYC) agreed to the formation of another hugely expensive bureaucracy - the York and North Yorkshire Combined Authority with the elected Mayor.

This system has to date created a significant overlap of responsibilities and function with CYC and NYC so it is only right and proper to seriously consider why CYC and NYC need such large numbers of councillors, a

reduction in councillors to rebalance the cost burden of 'democracy' to the council taxpayer needs to be considered.

A significant reduction in council member size to reflect changed responsibilities would of course open the door to a reduction in senior staffer levels at both CYC and NYC not just in terms of governance but across all functions where responsibilities overlap with the Combined Authority (CA).

Just recently the CYC Director of Governance (DOG) was clear in a response to me that it was considered that CYC had no role to play in Community Safety and Policing with such responsibilities now with the CA and Mayor, just one small example<sup>1</sup>.

Since the last LGBCE review in York there has been much talk of returning CYC to a 'Committee System' of governance from the ongoing, expensive failure of the 'Executive' system (elected dictator system) but unfortunately that is all there has ever been - talk!

In opposition political parties talk about wanting to bring in a modern committee system but whichever party takes control of the Council at election power is then concentrated within a small 'Executive' with of course allowances to match, currently 8 members effectively sidelining the other 39 members for the full four year electoral cycle.

A glance over the other CYC Committees sees how the other roles are divided up but how many of these committees and roles are needed? How many are just talking shops that if the whole Council was organised along the lines of a committee system could see a reduction in the numbers of councillors needed with those on such a system making meaningful contributions?

There will shortly be pressure from Government to reduce the role of Councillors in the planning process with the likelihood that many applications going in front of planning committees will no longer do so, a clear reduction in role for councillors.

As for Scrutiny Committees there would be no need for such committees under the modern committee system of governance as I stated to the

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<sup>1</sup> *Note: in relation to the petition referred to above, the advice which was provided was that the petitioners would be better off petitioning the Combined Authority (which actually has the policing function) rather than CYC. ... as they acknowledge themselves, much of this is outside [CYC's] control, and therefore the petition should be directed to the combined authority, for the attention of the Mayor and the Deputy Mayor for Policing, Fire and Crime.*

recent scrutiny review, another compelling reason to look at reduction of CYC Council size.

There are plenty of reasons to advocate for a meaningful reduction in Council size in York leaving aside those above, the front line functionality of this and of course all other Local Authorities is much reduced, the effects of which are very noticeable to the people of York.

Shouldn't the size of the Council membership be reduced to reflect that new reality?

Shouldn't the question of reducing the size and cost of maintaining a huge political councillor system be put to the people who actually fund this? Questions asked directly by the LGBCE to the public rather than an 'arms length' CYC 'consultation' via a council grouping with a vested interest in maintaining the status quo?

I will be strongly advocating that CYC sets an example for the rest of the country and puts forward a significant reduction in Council membership to reflect the reduction in duties it has and services it provides - a sensible figure would seem to be 25.

Perhaps then with a committee system of governance there might be the opportunity for sensible and effective working which has clearly not been evident for many years under the current system.

This LGBCE review provides another opportunity for a sea change in direction of CYC, will that opportunity be taken?

I think most know the answer.

As a related matter - just what has happened to the 'Community Governance Review' here in York? it seems to be years out of time and without the review of Parish Boundaries and indeed the requests to create new Parish/Town Councils will cause a good degree of confusion should the LGBCE review tinker with Ward Boundaries across Parish Boundaries.

Councillor Mark Warters.

July 2nd 2025

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