

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, 18 September 2025 at 6.30 pm

A G E N D A

1. **Apologies for Absence**

To receive and note apologies for absence.

2. **Declarations of Interest**

At this point in the meeting, Members and co-opted 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. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

(1) *Members must consider their interests, and act according to the following:*

Type of Interest

You must:

*Disclosable
Pecuniary Interests*

Disclose the interest; not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

*Other Registrable
Interests (Directly
Related)*

OR

*Non-Registrable
Interests (Directly
Related)*

Disclose the interest; speak on the item only if the public are also allowed to speak but otherwise not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

Other Registrable

Disclose the interest; remain in the

Interests (Affects)
OR
Non-Registrable Interests (Affects)

meeting, participate, and vote unless the matter affects the financial interest or well-being:

(a) to a greater extent than it affects the financial interests of a majority of inhabitants of the affected ward; and

(b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest,

in which case speak on the item only if the public are also allowed to speak, but otherwise not do not participate in the discussion or vote, and leave the meeting, unless you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*

3. Minutes (Pages 15 - 42)

To approve and sign the minutes of the Council meeting held on 17 July 2025.

4. Civic Announcements

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

5. 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, 16 September 2025.**

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.

6. 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. Councillor Taylor regarding parking restrictions on Manor Drive South.
- ii. Councillor Orrell regarding a pedestrian and cycle crossing in Huntington.

7. Report of the Leader and Executive (Pages 43 - 56)

To receive and consider a written report from the Leader on the work of the Executive.

8. 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 B8.

9. Scrutiny - Report of the Chair of the Corporate Scrutiny Committee (Pages 57 - 58)

To receive a report from Councillor Fenton, Chair of the Corporate Scrutiny Committee, on the work of Scrutiny.

10. Recommendations of the Audit and Governance Committee (Pages 59 - 64)

To receive and consider for approval the recommendation of the Audit and Governance Committee, as set out in the attached draft Part B minute.

Meeting	Date	Agenda
Audit and Governance Committee	3 September 2025	https://democracy.york.gov.uk/ieListDocuments.aspx?Clid=437&MId=15009&Ver=4

a) Constitutional Changes - Updated Contract Procedure Rules and Planning Committee Changes (Pages 65 - 130)

Members will consider the updated Contract Procedure Rules and proposed constitutional changes to the Planning Committees.

b) Executive / Scrutiny Protocol for City of York Council (Pages 131 - 166)

Members will consider the proposed revision to Article 8 of the Council's Constitution to incorporate the Executive/Scrutiny Protocol for City of York Council.

11. Publication of Member's Addresses (Pages 167 - 178)

Members will consider the Council's approach to publishing Member's addresses.

12. Appointments and Changes to Membership (Pages 179 - 180)

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

13. Motions on Notice

i. From Cllr Steward

Planning Process Improvements

"Council believes with York now having a Local Plan and set to deliver much needed homes it is more important than ever that the planning system works with residents for residents, and it does not believe this is how many residents currently feel it to be the case.

Council notes there are set to be changes nationally in planning process and elsewhere on the agenda likely to be changes to committee working in York.

Council calls for a cross-party group to be set up to look at improvements to the planning and specifically the S106 process including the following:

- A review of outstanding S106 money and the plans to spend it (and absolutely ensure any risk of it needing to return it to developers is minimised)
- Improving the process of ensuring all consultees respond to S106 enquiries (noting for example a notable number of large applications which have received no NHS response)
- Creating a system for ward members to be consulted on S106 agreements
- Ensuring the monitoring of S106 agreements is rigorous and breaches are swiftly acted upon.”

ii. **From Cllr Healey
Fair Funding for York**

“Council notes that:

- The Government’s Fair Funding 2.0 consultation proposed major changes to the way local government funding is distributed, including a proposal to fully include the impact of mandatory discounts and exemptions in the measure of taxbase, which has not been updated since 2013/14
- In the Council’s official response, it has warned that the new funding model could increase York’s existing three-year budget gap by an additional £15 million.
- The Council also raised concerns that the new model risks locking the city into a position at the bottom of the funding league table
- When asked at Full Council on 17 July about representations made on York’s behalf, the Leader said “It is really hard to see exactly where we can lobby to have a positive impact for the benefit of York.”

Council believes that:

- The Government’s proposed changes, if implemented

unamended, would leave York taxpayers paying more while getting less in return

- Local government finance must be based on fairness and need, not a system which unfairly punishes York
- It would have been desirable for the council's response to the Fair Funding consultation to have been informed by input from Scrutiny
- Students deserve access to high-quality public services and should continue to benefit from the Class N Council Tax exemption. Local authorities with large student populations, however, should not have to disproportionately bear the cost of this exemption and any new or revised funding arrangements arising from the Fair Funding consultation must reflect this
- York's funding settlement from Government must include granular detail demonstrating how the value of the Class N exemption has been accounted for
- Although the Council has no unilateral power to impose one, a Council Tax increase above the current 4.99% ceiling would hit residents hard at a time when many are already struggling with the cost-of-living crisis
- The council administration must do more to lobby Government on York's behalf, in light of the devastating assessment of the Council's Finance Officer
- All political parties should unite in defending York from these flawed and damaging proposals

Council resolves to Call on the Council Leader to:

- make a formal representation to the Secretary of State for Housing, Communities and Local Government and the Chancellor of the Exchequer demanding that York is not left with a £15m shortfall under the new model
- rule out seeking powers to impose a Council Tax rise above the current 4.99% ceiling in any event
- engage with other local authorities with large student populations to make the case for funding allocations to fully take into account the impact of the Class N

exemption

- re-engage with the F20 group of the least well-funded Councils to lobby the Government to introduce a truly fair funding system.

iii. **From Cllr Baxter**

Tackling Pavement Parking to Promote Safe, Accessible Streets for All

“Council notes:

- that pavement parking can obstruct pedestrian paths, endangering older people, those who’re visually impaired, wheelchair users, parents and carers with pushchairs and others using mobility aids, and at its worst, forces people onto roads, creating serious safety risks;
- the law is confusing and unevenly enforced - with criminal and civil rules varying significantly across England, often leading to weak enforcement, while only 5% of drivers are fully aware of the laws around pavement parking;
- in 2025, Hansard reported that 80% of blind or partially sighted people face pavement parking difficulties at least weekly, with some injured through being forced onto roads;
- that pavement parking damages surfaces, creating trip hazards and repair costs that councils and Council taxpayers can ill afford;
- Scotland has introduced a nationwide ban on pavement parking, supported by strong enforcement;
- that parking on pavements, with certain exceptions, has been prohibited in Greater London since 1974;
- Living Streets and its supporters have repeatedly called on the Government to respond to the 2020 consultation on pavement parking and to legislate for a clear nationwide ban, but progress has stalled.

Council believes:

- Pavements are for pedestrians, not vehicles, and should be safe, accessible, and free of obstructions;
- Current laws are both inadequate and poorly understood, undermining enforcement and public confidence in what is and isn't permitted;
- The Council and the national Labour Government have a duty to lead on this issue, learning from good practice and legislation elsewhere;
- Stronger local and national measures, combined with public awareness-raising, are urgently needed.

Council resolves:

- to request the Executive Member for Transport writes to the Government, seeking publication of the long-overdue response to the 2020 pavement-parking consultation, undertaken by the previous Government, without delay and rapid subsequent action and/or legislation to include:
 - national prohibition on pavement parking with sensible local exemptions only where genuinely necessary; and
 - streamlining Traffic Regulation Order (TRO) procedures, making it easier, quicker, and less costly for local authorities to impose pavement parking restrictions where necessary; and
 - sufficient funding and resources for local authorities to implement and enforce the changes, given the significant initial resource burden;
- to empower council officers to explore the use of TROs on key streets suffering from excessive pavement parking, while noting the TRO process is currently lengthy and expensive;
- to support Living Streets' recommendation to accompany any new pavement parking law with a targeted national awareness campaign explaining the dangers and legal changes to the public;
- to work collaboratively with local organisations such as Living Streets, Walk York, York Civic Trust, York Disability Rights Forum and other walking and

disability advocacy groups to co-produce accessible guidance and communications on pavement parking rights and responsibilities, to raise greater awareness of the challenges pavement parking can cause;

- to write to both Members of Parliament for York and to the Mayor of York and North Yorkshire, seeking their support in urging the Secretary of State for Transport to publish the Government's pavement parking consultation response as soon as possible, to demonstrate its commitment to act on this important issue."

14. Urgent Business

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

Democracy Officer

Jane Meller

Contact details:

- Telephone – (01904) 555209
- Email democratic.services@york.gov.uk

Reasonable Adjustments and Alternative formats statement

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We can also translate into the following languages:

我們也用您們的語言提供這個信息 (Cantonese)
এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)
Ta informacja może być dostarczona w twoim własnym języku. (Polish)
Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)
یہ معلومات آپ کی اپنی زبان (ہولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

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

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

Contact details are set out above.

Cllr Waudby	Cllr Knight	Cllr Smalle	Cllr Wann	Cllr Orrell	Cllr Hook	Cllr Cullwick	Cllr Fisher	Cllr Cuthbertson	Cllr Watson
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Cllr Hollyer	Cllr Mason	Cllr Fenton	Cllr Healey	Cllr Ayre	Cllr Widdowson	Cllr Waller	Cllr Runciman	Cllr Vassie
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Cllr Nicholls
Cllr Steward

Cllr Warters

Cllr Wells
Cllr J Burton

Cllr Taylor
Cllr Baxter

Cllr Coles
Cllr Wilson

Cllr Myers
Cllr Melly

Cllr Whitcroft

Cllr Crawshaw

Cllr Rose

Cllr B Burton

Cllr Merrett
Cllr Nelson

Cllr Moroney
Cllr Clarke

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

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Cllr Webb	Cllr Kent
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Cllr Lomas	Cllr Kilbane
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Cllr Dougla	Cllr Steels- Walshaw
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Cllr Pavlovic	Cllr Ravilious
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D Mitchell,
Chief Finance
Officer

I Floyd, Chief
Operating
Officer

Cllr Rowley
BEM, Lord
Mayor

B Roberts,
Monitoring
Officer

G Close,
Democratic
Services Manager

Democracy
Officer

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City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in the Guildhall, York on Thursday, 17 July 2025, starting at 6.30 pm

Present: The Lord Mayor (Cllr Martin Rowley BEM) in the Chair, and the following Councillors:

Acomb Ward

Lomas
Rose

Bishopthorpe Ward

Nicholls

Clifton Ward

D Myers
Wells

Copmanthorpe Ward

Steward

Dringhouses & Woodthorpe Ward

Fenton
Mason
Widdowson

Fishergate Ward

Whitcroft
Wilson

Fulford and Heslington Ward

Ravilious

Guildhall Ward

Clarke
Melly

Haxby & Wigginton Ward

Cuthbertson
Hollyer
Watson

Heworth Ward

B Burton
Douglas
Webb

Heworth Without Ward

Ayre

Holgate Ward

Kent
Steels-Walshaw
K Taylor

Hull Road Ward

Baxter
Moroney
Pavlovic

Huntington and New Earswick Ward

Cullwick
Orrell
Runciman

Micklegate Ward

J Burton
Crawshaw
Kilbane

Osballdwick and Derwent Ward

Warters

Rawcliffe and Clifton Without Ward

Wann
Waudby

Rural West York Ward

Hook
Knight

Strensall Ward

Fisher
Healey

Westfield Ward

Coles
Nelson
Waller

Wheldrake Ward

Vassie

Apologies for absence were received from Councillors Merrett and Smalley.

13. Apologies for Absence (6.37 pm)

Apologies for absence were received from Cllrs Merrett and Smalley.

14. Declarations of Interest (6.37 pm)

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.

In respect of Agenda item 14 (Motions on Notice), specifically the motion titled 'Supporting York's small businesses', Cllr Kilbane declared a pecuniary interest in a business trading on Bishopthorpe Road, noting that having sought advice from the Monitoring Officer, he had clearance to participate in debate on the motion. The Monitoring Officer confirmed that as the item under debate was a general point about 30-minute parking restrictions across wherever they may have been, rather than specifically relating to Bishopthorpe Road only, there was not a direct impact on Cllr Kilbane's interest.

In respect of Agenda item 14 (Motions on Notice), specifically the motion titled 'Non-proliferation of fossil fuels', Cllr Knight declared a pecuniary interest as an employee of Northern Gas Networks.

15. Minutes (6.40 pm)

Resolved: That the minutes of the Council meetings held on 27 March 2025 and 22 May 2025 be approved and then signed by the Chair as a correct record.

16. Civic Announcements (6.40 pm)

The Lord Mayor provided Council with an update on the activities of the Civic Party over his first eight weeks of office. He noted that 110 engagements had been undertaken, thanking Cllr Wells for undertaking a number of these as Deputy Lord Mayor. He noted that highlights included meeting people of all ages, ethnicities and backgrounds across a range of events that demonstrated York's

traditions, diversity, links with the armed forces, and the city's sporting achievements.

With reference to his commitment to visit every school and college in the city, the Lord Mayor confirmed he had visited 20 so far and had been touched by the reception and questions from schoolchildren. He thanked officers, especially the Civic Party's PA, for their support and guidance in the discharging of civic duties.

17. Public Participation (6.46 pm)

It was reported that eight members of the public had registered to speak at the meeting under the Council's Public Participation scheme.

Flick Williams spoke on Agenda item 8 (Questions to the Leader or Executive Members) in relation to the impact of the government's legislative agenda on disabled citizens of York. Noting the fears felt by many, she questioned the absence of the Disability Pride flag from the Mansion House and highlighted a rise in disability hate crime.

Gwen Swinburn spoke in relation to governance matters, highlighting the support of businesses in the Groves for a statutory challenge to increases in parking charges. Noting increased parking pressures in the area, she suggested that the charges were unlawful and presented a parking review request to the Lord Mayor.

Phil Pinder, participating remotely, spoke in relation to increased car parking charges. Expressing concern over the impact of increases on city centre residents and businesses, he noted a fall in retail sales and customer numbers, especially among York residents, warning that a city centre solely for tourists was neither sustainable nor desirable.

Emma Hardy spoke regarding the implications for Council services of the Supreme Court's recent ruling on biological sex under Equality Act. Highlighting the safeguarding of single-sex spaces, she criticised the Council Leader's comments at a protest against the ruling and called on Members to hold the Council to account in this area.

Virginia Shaw spoke in relation to the motion on fossil fuel non-proliferation at Agenda item 14 (Motions on Notice). Urging support for the Non-Proliferation Treaty, she highlighted the importance of a just and equitable transition away from fossil fuel use, noting that York would be the first council in Yorkshire to endorse the Treaty.

Charlotte Freeman spoke regarding the same motion at Agenda item 14 on behalf of the Parents for Future York group. Emphasising that climate change was a global emergency of which fossil fuel use was the primary driver, she highlighted the importance of setting an example, and children's right to a safe and liveable planet.

Sarah Perkin of Parents for Future York also spoke in relation to the motion on fossil fuel non-proliferation, noting that climate change was becoming more extreme and unpredictable. Highlighting the need for systemic change, she noted the relevance of York's Human Rights City status, urging Council to support the Non-Proliferation Treaty.

Sean Hagan spoke in support of the motion and amendment on improving equality of access to elections, also at Agenda item 14. Drawing attention to the issue of voter disengagement and the erosion of trust in democracy, he called on Members to support the proposal to introduce a proportional voting system for both national and local elections.

18. Petitions (7.11 pm)

Under Rule B6 the following petitions were presented for consideration by the relevant decision maker, in accordance with the council's petition arrangements:

- a) Cllr Warters regarding the maintenance of Fulford Cemetery.¹
- b) Cllr Warters regarding capping the numbers of university students in the city.²
- c) Cllr Mason regarding parking charges.³
- d) Cllr Hook regarding a 20mph speed limit in Poppleton.⁴
- e) Cllr Fenton regarding replacing the zebra crossing on Beckfield Lane in Acomb with a push button crossing.⁵

- f) Cllr Clarke, on behalf of Cllr Merrett, regarding parking charges and Traffic Regulation Orders in relation to parking in the Groves.⁶
- g) Cllr Hollyer regarding dualling York's Outer Ring Road.⁷

Action Required

- | | |
|--|----|
| 1. Keep updated the petitions log in relation to the maintenance of Fulford Cemetery. | CL |
| 2. Keep updated the petitions log in relation to capping the numbers of university students in the city. | CL |
| 3. Keep updated the petitions log in relation to parking charges | LC |
| 4. Keep updated the petitions log in relation to a 20mph speed limit in Poppleton | LC |
| 5. Keep updated the petitions log in relation to replacing the zebra crossing on Beckfield Lane in Acomb with a push button crossing | LC |
| 6. Keep updated the petitions log in relation to parking charges and Traffic Regulation Orders in relation to parking in the Groves. | LC |
| 7. Keep updated the petitions log in relation to dualling York's Outer Ring Road. | LC |

[The meeting adjourned between 7.19 pm and 7.30 pm].

19. Report of the Leader and Executive (7.30 pm)

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

Cllr Douglas was joined by the other Group Leaders in welcoming the Lord Mayor to his first ordinary Council meeting in the Chair, and in paying tribute to the Chief Operating Officer, Ian Floyd, who was due to retire in 2026 after 17 years' service to the Council.

It was also noted that the recent Ofsted inspection had rated the Council's Children's Services as Outstanding in all areas, and congratulations were offered to the Director and officers.

Following a point of order being raised by Cllr Nelson pursuant to Rule B19 (1) (b) in relation to the language used by Cllr Steward, Cllr Steward withdrew a comment in relation to paternity leave.

20. **Questions to the Leader or Executive Members (7.42 pm)**

Members were invited to question the Leader or Executive Members. Questions were received from the floor from the following Members, and replied to as indicated:

Questions to Cllr Douglas, Leader of the Council

Armed Forces Day

From Cllr Healey: It was reported in the *Independent* that the Peace Pledge Union threatened to protest the Armed Forces Day if military equipment was displayed. Will the Council Leader condemn these threats and ensure that in future years we properly honour our Armed Forces?

Response: I'm afraid I can't really give you a full answer as quite frankly it is just fake news. So much of what was printed was absolutely, totally and utterly not the case at all, and I would say to Cllr Steward as well on that note, the fact that you said there was a ban on military vehicles is just absolutely not the case. So, what can I say – fake news, nothing to answer.

Supplementary from Cllr Healey: A surprising answer, I must say. Could the Council Leader please elaborate then on whether there were residents' concerns, and who those residents were, particularly if they were part of an organisation, and whether any directive, advice, conversations therefore happened with the military organisations about equipment as certainly one of the cadet forces have relayed on to myself that they were asked by the media not to bring equipment?

Response: I can say to you that of course there were resident concerns made about the presence of military vehicles and also decommissioned arms on Council land, yes there were, but they weren't from any organisations, they were from individuals who wrote to me, just as I'm sure they wrote to many people across the chamber about concerns that they have. And what I did was I decided to take a balanced approach and thought about the potential for any protest for people with concerns about that, no particular organisation, and on balance with discussion with our military partners we decided that it was the best thing to ask the Queen's Own Yeomanry to see if they would be consenting of not bringing that equipment. And so that is the conversation that was had, it was a reasonable conversation, it was balanced, and unfortunately what we have at this point in time is a press that once they think that there is a wedge issue that can drive division in our communities and they see this issue as one of those, then

they started to print fake news, and that's where we ended up. So I think we all need to think about the language that we use. There was no ban on anything, I must have said this numerous times; it was a reasonable conversation between participants, there was a decision made, unfortunately the Queen's Own Yeomanry therefore decided not to attend. They were more than welcome to, and that is all I can tell you. There is nothing more to it.

Supplementary from Cllr Mason: Will the Leader commit to a cross-party review for next year's Armed Forces Day to make sure we can get an appropriate location, get it on the date that everyone else is celebrating it, a plan something that we feel is appropriate for a city with such a military history and with so many veterans living here?

Response: Yes. On that, I don't know whether others were aware, but the plan was to have a similar day as happened in 2024, the football game at the Community Stadium which was really well attended. Unfortunately because of the Women's Rugby World Cup coming to York this year, the stadium had to raise the pitch and reseed earlier than they would do in an average year, hence that event couldn't take place. So the officers and the team have already booked that date in for a similar time period, it will be in early July I believe, and everybody is thoroughly looking forward to getting back to that. I also must mention to everybody that our military partners – the garrison, the Armed Forces Covenant Liaison Officer from Imphal Barracks – there was a joint decision made a couple of years ago now that Armed Forces Day in York should be about a day that people who are armed forces and their families can come together and have a day that gives them a day off from their work, so anything that requires them to bring equipment or participate in a parade was actively decided against in order to have a more informal, fun day to allow people to celebrate and enjoy with their families. We're looking forward to getting on with that next year and the arrangements are in place already.

Point of order from Cllr Steward: That was in no way the question that was asked, the question that was asked was would there be a cross-party working group set up, not can the Council Leader list lots of potential events that may occur.

Response: It's already organised. Unfortunately, the horse has bolted on this one.

Fair Funding Review

From Cllr Fenton: The government's fair funding review is currently taking place. Can the Leader tell us what representations she has made to the government on this, and if, in the event that

we are not successful in lobbying for York's interests, she will be in a position where she has to raise council tax above the current maximum threshold?

Response: I imagine from that question that you likely have been briefed by officers on the work that they are carrying out at the moment around the likely impact of the fair funding review on York. That is still under assessment as I think you likely know. At this point it is really hard to see exactly where we can lobby in order to have a positive impact for the benefit of York but rest assured, that work is taking place and over the next week or so we will have a better view of that. As far as speaking to other authorities goes, I am speaking to partners, other leaders in other parts of the country, and also to the LGA just to try and understand as much as we possibly can about the fair funding review, and the impact on other authorities as well, if there are any. There will be some losers, and there will be some winners. I am talking to our MPs and our Mayor. We're just waiting for the final assessment as to how to best go about responding to the consultation, but also speaking to government where it's appropriate.

Supplementary from Cllr Ayre: The second part of that question – will you categorically, yes or no, if the government allows you, rule out raising council tax above the current 4.99%?

Response: I have absolutely no idea that that will be necessary, it's just not really a question that has any bearing on our calculations at the moment. But we cannot raise it more than 4.99%, and until we get the go-ahead I really don't see that we'll even be asking for it. Would we be able to do it? It's not really based in any sense of truth or reality at this point in time.

York Central

From Cllr Taylor: Obviously Leeman Road has been rerouted which is a massive and significant development, and probably the first thing that residents in the area can see about the area that's going to change for the rest of their lives. There's been a lot of history around that, there are still live views on it and there's still work to be done to address some of the issues around that, but looking ahead, what work is being done to keep bringing the overall development forward, and what next big things can residents expect to see, and when?

Response: It was absolutely great to see that the travel routes through York Central have now been opened, but of course we're all alert to the challenges that will continue for those communities that are immediately around the development to make sure that they feel that York Central is delivering for them and they are heard within that. I know that engagement from the York Central

Partnership has been taking place and I would really welcome hearing from residents as to how they think that's going. As far as the development goes, I hope that people have taken the opportunity to go and use those travel routes that are open now, there's fantastic cycle paths and footways, bus lanes and also the road, and I think you can see the scale of the project that is ahead for us. We had absolutely commitment from the government about the civil service building that is going to go on there and that is a key part of the development, it's a key anchor tenant and it will drive innovation and also investment into the site, so we should start to see that coming up out of the ground soonish because of course that already has planning permission. The other elements that are going forward are the NRM expansion, that has been given the funding that allows that to take place as well, so that should be starting before the end of the year, in November I think they are hoping to get the spades in the ground on the next stage of their work. And then also the developers on York Central are going to be bringing forward phase one planning applications towards the beginning of 2026, so that we can see up to a thousand homes, including affordable homes, commercial space, green space, so it really is moving ahead. There's always going to be tonnes of work to do, there will always be issues that we need to sort out together. We want to hear from residents as that progresses, so please do get in contact, but it's looking very rosy at the moment.

Supplementary from Cllr Taylor: Thanks for the answer, I suppose one of the big outstanding to-dos on the list is the riverside path upgrade which bumped up the priority list significantly as a result of York Central, so can yourself or maybe the Executive Member for Transport provide an update on where that project is to reassure residents that it's very much still at the top of the agenda and that it will be seen through by this administration?

Response: Absolutely, it is very much a priority, Cllr Ravilious will be better placed to give an update on that.

Additional response from Cllr Ravilious, Executive Member for Transport: Yes, I had a briefing from officers recently, and I'm very happy to talk to you further about that as I can only say a short amount now. We're progressing to detailed design by the end of this year, and in the meantime they're carrying out embankment stability, looking at reinforcing the concrete of the riverbank which needs to be done in parallel. That's getting started this summer, and they are also looking at removing some sort of underground storage with the Environment Agency, which is also taking place this summer. They are doing all the groundwork, and

moving forward with the Traffic Regulation Order as well, so that will come to a Decision Session soon. So it's all progressing, we've got the officers in place, and we are trying to bring that forward as fast as possible.

Supplementary from Cllr Widdowson: Just building on Cllr Douglas' answer, can you confirm that the civil service jobs that are being brought to the site are new civil service jobs, they're not being moved from one place to another?

Response: 2,600 jobs is the capacity of that building, we at this point are expecting that there will be a majority of new jobs in York, but there are already civil service jobs in York, particularly at King's Pool, and so we are waiting to see what's being moved over to York Central, but those plans haven't been finalised yet; it's still a good chunk of new jobs which is great.

Questions to Cllr Kent, Executive Member for Environment and Climate Emergency

Parks Investment

From Cllr Coles: I understand that this week, and it's in her report, that there has been some budget allocation to spend on parks in the city. I think it's up to a million pounds to invest in park improvements, and pride in place is a really big priority for my Westfield colleague Cllr Nelson and I, and we were at Chesney Fields Park at the weekend. We think there would be a very strong case for Chesney Fields to benefit from this new investment, but I wondered if the Executive Member could set out the types of investment that might be seen through the parks investment fund?

Response: I'm delighted to do so. First of all, if I could just clarify, the investment fund is £500,000, but because officers have done a lot of work on looking at section 106 and third party funding that we can put towards this, it increases it by at least another £200,000, and I'm hoping it will amount to around a million or just under a million in the end, but that last part has still got to be worked through. The criteria that we've set out to use it are fivefold, they're based mainly on areas of indices of multiple deprivation, so areas which have most need, as you'd expect. We are also looking at age since last investment, so areas which haven't had any funding for many years. Some of our playgrounds and parks have not had anything spent on them for over twenty years, some items of equipment are over twenty years old, and you can tell, they are uninspiring to say the least. We need to address some key infrastructure. Because one of our criteria is accessibility for any project that we are able to undertake, we want to make it as accessible to as many people as possible, and part of that is key

infrastructure, things like footpaths. It doesn't sound exciting but it really is exciting if it means you can get into and out of a park safely and easily. It may include removing structures which block sightlines or which make people feel unsafe in the park, and we'll talk to communities about that and also work on the great work that Make Space for Girls has done in looking at how areas are laid out can make people feel that it's inhospitable or that they might feel trapped in corners, so if we can open spaces up or make them feel more friendly and usable we'll focus on that. We also have a priority to try and increase the number of Green Flags in our city, that was a manifesto promise. It was great that we saw Rowntree Park regaining its Flag this week; it missed out last year because of the extended flooding when planting couldn't get done in time. We're now back up to four and I very much hope we'll add to that in the next couple of years with the assistance of this fund. As for Westfield, I myself was out at Chesney Fields with one of the council officers looking at various bits of equipment. Westfield scores quite highly on all of those criteria, so I'd be surprised if there isn't some love and attention paid there which it thoroughly deserves, and I look forward to talking to the communities about that.

Supplementary from Cllr Baxter: Following Cllr Coles' question you won't be surprised that I'm going to ask about Hull Road Park. It's a brilliant park and thanks to the Friends of Hull Road group, they've got a real chance of doing the improvements there that they want, so I wondered if Cllr Kent could highlight what benefits that could bring to my park, and especially in terms of accessibility; we have a great accessible rail which is fantastic for the park, it'd be great to see some more of that throughout the city.

Response: I know your and Cllrs Pavlovic and Moroney, your ward colleagues' love of the park. I've gone along to a Friends of Hull Road Park meeting to meet you there and talk to residents, and I've been there on other occasions where it's so fantastic to see the tennis courts full of people of all ages playing and a thriving community, not least the TCV volunteers who do huge amounts of work there, and I'd really like to offer my thanks to them. I can't definitively say because no projects have been chosen yet what exactly will happen, but again Hull Road Park does score highly on those criteria. The accessibility trail there is great, but you might know that one of the footpaths there actually has a gap in the middle of it, which means you can get so far but not beyond it, and various bits of fencing in Hull Road Park are also needing attention; I think some of the play equipment is also rather old, to put it mildly, so I hope that all those sorts of things can be looked at. As we all know, all these things are expensive

and although this is a once in a generation investment of £500,000 it won't cover everything, but I'm really sure we're going to make significant improvements to make as many parks as we can fun, beautiful and accessible to all.

Questions to Cllr Pavlovic, Executive Member for Housing, Planning and Safer Communities

Neighbourhood Policing

From Cllr Warters: Under community safety I note the Executive Member referring to an extra twelve police officers and nine PCSOs shortly to join York and Selby Neighbourhood Policing teams. An increase in officers all well and good you may think, but it's 21 extra officers across a huge, enormous, ridiculously sized geographical area. Can the Executive member indicate what this actually translates to in terms of neighbourhood policing officers on the ground in York? For example, using York Outer East – that's a police designation – as a good demonstration, a mere five officers cover from Tang Hall to Gate Helmsley, Kexby, Elvington, Wheldrake, Escrick, Acaster Malbis and all places in between. The constant theme from residents is lack of visible policing. It is a physical impossibility for five officers to cover an area like this properly. So how many to York, and how many on the ground in any particular shift please? I appreciate the Executive Member will take some time to answer but at least he is taking the responsibility to answer when the Monitoring Officer amazingly states that such matters are nothing to do with the City of York Council any longer.

Response: I'm a bit non-plussed not being the Chief Constable, but I'll give it my best shot. Over the York and Selby Division, as I put in my report, there will be an extra twelve PCs and nine PCSOs. There will be a significant uplift; as you know, there's a new neighbourhood policing Inspector. Neighbourhood policing forms the basis of much of my discussions with the Divisional Commander, with the Deputy Mayor for Policing; it comes up regularly at the Police and Fire Panel where we hold the Deputy Mayor to account, so although the Monitoring Officer is right in that I don't influence the operational deployment of either PCSOs or PCs, it is incredibly important. I get the point he is trying to make, we need to see more neighbourhood policing. The government have put an extra £2million into additional neighbourhood policing in North Yorkshire; that money is being spent, officers are being recruited, they will be operational. I will endeavour to find out exactly what number it is that will be deployed within the York element of the York and Selby Division, but the point is well made

that we want to see neighbourhood policing in those areas where crime and antisocial behaviour is at its highest.

Supplementary from Cllr Warters: My brief supplementary question, thanking the Executive Member for trying to answer, is: is he content that five police officers in a geographical area like York Outer East is at all consistent with neighbourhood policing and will the addition of these officers make any measurable difference to that situation?

Response: I can't answer the first part of the question because I can't confirm or deny that there are five neighbourhood officers; I'll take his word for it until I've got definitive figures. The point of the question is, is neighbourhood policing important? Yes, it is. Is there going to be additional resource to it? Yes, there is. Will it make a difference? It will, I firmly believe that, but there are challenging situations, from a policing perspective, from a council perspective, and we will do everything we can to work together with our colleagues in the police to develop joint problem-solving approaches, because whilst we can't do everything ourselves, we are always better when we work together. I hope that you will also support that intention, because I know that this is a matter of significant concern to you; you copy me in to all of the emails that you send to the Chief Constable which are many and varied.

Questions to Cllr Steels-Walshaw, Executive Member for Health, Wellbeing and Adult Social Care

Healthwatch

From Cllr Cullwick: Scrapping local Healthwatch, Wes Streeting said 'patients do not need ventriloquists'. Will the Council Leader and Executive Member condemn this and recognise Healthwatch's vital role in this city and elsewhere amplifying patient voices, including those who can't speak up or write to the government urging a rethink?

Response: When I saw the NHS 10 Year Plan, like everyone else, I was really, really shocked how it spoke about Healthwatch, and I would like to say, before I go into this any further, that we really are mindful that there are staff and volunteers at Healthwatch at the moment who are going through a really difficult, uncertain time. I will try and be really mindful of them, and say that everyone in York truly, truly does value Healthwatch; they provide a huge contribution to our community. When I first came into this role, I found that I valued their reports, I still really value them; they were able to show a way of understanding and hearing people's voices and people's voices were so clear, they were done in a respectful, accurate picture throughout. These relationships with our charities

and organisations in York cannot be underestimated, they are so valuable and they also provide a fantastic service. They are not just the reports; they are signposting, and I want to be really clear that we want to continue to engage and identify issues. Our Health and Care Partnership in York is a brilliant example of success and everyone on this board goes above and beyond in providing for York and reducing health inequalities, working for the people of York. We have been in discussions with the ICB and they have been very clear that what we are doing at our Health and Care Partnership is fantastic and shows really effective examples of joined-up working. They have been really clear with us that as long as we are meeting our statutory duties, we can design our pathways and services, and we would love to see Healthwatch be maintained. We recognise the new structures are needed but we will do our very utmost to maintain that independent voice for our residents. It's too early to say exactly how this is going to look, but as a Health and Care Partnership we will do our very best to continue listening and innovating for people.

Supplementary from Cllr Cullwick: I'm very pleased to hear the Executive Member taking the stand that she is, and I'm pleased that she disagrees so strongly with Wes Streeting; I'm sure you'll communicate that to him. Do you agree also that pushing people to provide feedback through an app and only through an app will only serve to widen health inequalities and disenfranchise millions of patients?

Response: Of course I am concerned about digital exclusion of people, and this is also something that's very clear in the 10 Year NHS Plan, that yes, absolutely there will be more going towards digital, but also my hope through reading it is that will free up extra support to be available for those people who absolutely are unable to use digital. I will continue to advocate to people that digital is not the only way, that people do need to have access in alternative ways.

Questions to Cllr Webb, Executive Member for Children, Young People and Education

Children's Services Ofsted inspection

From Cllr Clarke: There has been much made in recent months of the Council's Outstanding in all areas Ofsted judgment for Children's Services. It's been mentioned a few times, I'll mention it again – Outstanding in all areas. While this is fantastic and very welcome news can the Executive Member outline some of the areas that needed addressing to ensure our services matched what we expect for our children and young people?

Response: I'm obviously very, very happy to talk about our Outstanding Ofsted result. I was gutted that I couldn't talk to you about it at the last Council meeting – I know that all councillors at that point did know about it but we weren't allowed to for timing reasons. It's important to remember that the last inspection under the Liberal Democrats and the Greens was a Requires Improvement judgment. We're the only authority in nine years to move from Requires Improvement to Outstanding. The key thing, the key change that took place that's really important for members is around corporate parenting, and that's something that is important to mention here. I have mentioned corporate parenting before, that we should all take it incredibly seriously. In the inspection, it stated that political leaders and the Chief Operating Officer are well informed about priorities and challenges that come through our Corporate Parenting Board. In the previous inspection the voice of the child was clearly not where it needed to be, and I'm so glad that we've transformed the Corporate Parenting Board so that I have two young people co-chairing with me, and they lead on most of the items, it's a much more inclusive meeting now and that's really, really positive from our point of view. I'll just finish with responding to Cllr Ayre and Cllr Steward – thank you for acknowledging that this happened, I think it's really positive. Cllr Ayre, I knew you'd claim it; it was inevitable that you would claim it, but that seems to be what you do. Thank you Cllr Steward for just praising, I thought that was very kind, thank you.

Supplementary from Cllr Crawshaw: You mentioned corporate parenting and I just thought that it's an opportunity to reiterate some of the work that's going on around foster placements and placement sufficiency, and in particular what we're doing to help support fostering in the city?

Response: What I would say on that is that since this Labour administration came into power – we committed in our manifesto to reviewing fostering services and supporting those who are most vulnerable – one of the things that we've changed is basically the pay of our foster carers firstly, so now if you're on the lowest rate of foster carer pay you're actually paid more, and now it's become competitive with other areas in the region. That is a big step forward in an expensive city like York. We've moved to four bands which are based around the needs of the children presenting into those foster carers, and we've increased the support for those foster carers in times of hardship, which inevitably they will face. I think it's a great opportunity to finish with celebrating Sue and Martin Hill who recently you might have seen in the press. They have been fostering children in this city for forty years; they've been fostering for longer than I've been alive. I know that's a

surprise to a lot of you, but no, they've been fostering for forty years. That is amazing, and I want to put on record and personally thank them for what they do. Thank you very much.

[Cllr Vassie arrived at 7.58 pm during this item].

21. Audit and Governance Committee - Chair's Annual Report 2023/24 and 2024/25 (8.20 pm)

A written report was received from Cllr Hollyer, Chair of the Audit and Governance Committee, on the work of the Committee.

22. Scrutiny - Report of the Chair of the Corporate Scrutiny Committee (8.21 pm)

A written report was received from Cllr Fenton, Chair of the Corporate Scrutiny Committee, on the work of the Committee.

23. Annual Report of the Joint Standards Committee 2024/25 (8.22 pm)

A written report was received from Cllr Runciman, Chair of the Joint Standards Committee, on the work of the Committee.

24. Recommendations of the Licensing and Regulatory Committee: Primate Licensing (8.22 pm)

Council received a report which presented the recommendations of the Licensing and Regulatory Committee at its meeting held on 10 April 2025, as contained in the reports set out in the Council agenda from page 85. Cllr Melly moved, and Cllr Cuthbertson seconded, the following recommendation contained in the report:

“That in accordance with Option 1, Council approves the new fee as recommended by Members of the Licensing and Regulatory Committee.”

Reason: To meet the legislative requirements of the Animal Welfare (Primate Licences) (England) Regulations 2024.

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. Note approval of the recommendation and take any action required. LC

25. Appointments and Changes to Membership (8.24 pm)

Resolved: That the appointments and changes to membership set out the agenda papers at page 93 and supplementary papers at page 3, subject to the correction reported verbally by the Lord Mayor, be noted.

Action Required:

1. To note approval of the appointments list, make the changes on the system and inform organisations as required. JP

[The meeting adjourned from 8.25 pm to 8.37 pm. Cllr Warters left the meeting during the adjournment].

26. Motions on Notice (8.37 pm)

i. Improving equality of access to elections

Moved by Cllr Rose and seconded by Cllr Coles:

“Council notes:

- its approved council motions in recent years on voter engagement and participation, including the December 2022 motion opposing new rules imposed on electors, including the new photo ID requirement, in March 2024 backing the ‘My Vote My Voice’ campaign on equal access to voting, and in July 2024 highlighting disenfranchisement problems resulting from a flawed postal vote system;
- Elections Act 2022 nationality requirements resulting in a lottery of who can vote in different elections, with different treatment of different EU and other citizens in different domestic elections;

- that groups that are more likely to be disenfranchised than others include those with physical mobility challenges, mental health challenges, learning disabilities and neurodivergence; younger people; people from poorer backgrounds; people with fewer educational qualifications; ethnic minorities; residents with other nationalities and primary languages; and private tenants in high-turnover-rate areas (such as high rent or high short-term-lets rates areas);
- that according to 2021 census data York has many people in more highly disenfranchised groups, with a population that are approximately 20% private renters, 17% disabled people, 16% with bad or middling health, 14% 18-24 year olds, 14% social renters, 11% born overseas, 6% widowed, 4% single parents, 4% non-white British, 4% non-white non-British, 3% white non-British, and 0.3% Gypsy, Roma or Traveller;
- the January 2025 IPPR report: Modernising Elections: How To Get Voters Back that recommended many changes including automatic voter registration, removal of Photo ID requirements, non-working day elections, voting rights for permanent residents, compulsory voting, £100k limits for political donors, votes for 16-17 year olds, and sortition for poll workers;
- That Scotland and Wales have implemented residence-based voting rights that give equal rights to vote to all residents, with Manchester, Cambridgeshire, several London boroughs, Liverpool, Sheffield and others all supporting the same rights for England.

Council believes all residents should have equal rights and access to voting, and that the creation of new barriers to voting through the Elections Act 2022 was wrong. Complex voting eligibility and voter ID requirements have since disenfranchised voters.

Council further believes that the government and local authorities should fully engage with the IPPR recommendations and maximise support and encouragement for engaging with democratic processes, and that partners including educational institutions and landlords should do more to encourage voter registration and participation.

Council resolves:

- to request the Council Leader writes to the Secretary of State for Housing, Communities and Local Government, the Deputy Prime Minister, making the case that local election franchising

- be applied equally to all residents in England, in line with Scotland and Wales;
- to request the Council Leader writes to letting agencies and landlords with significant numbers of properties in York, the University of York and York St John University, seeking greater support in registering more residents to vote, including consideration of automatic registration;
 - to request the Council, through the appropriate committee, considers those recommendations of the IPPR in which there is local discretion, and any other viable opportunities to increase voter participation, before making recommendations to the Returning Officer for their consideration, prior to the Local Elections in 2027.”

Cllr Hollyer then moved, and Cllr Knight seconded, an amendment to the above motion, as follows:

“Under ‘Council notes’, add four additional bullet points after the sixth bullet point:

- ‘That Scotland, Wales and the London Assembly all adopted Proportional voting systems.
- That in 2022 the Electoral Reform Society published research that showed on average that countries that use PR have significantly higher turnout than those that use First-Past-the-Post, with 77% for PR countries vs 67% for non-PR countries.
- That Labour in the 2024 General Election received the lowest vote share of any majority government post-World War Two.
- That the government has recently published the English Devolution and Communities Empowerment Bill that seeks to re-introduce the supplementary vote system for Mayors. This comes after the 2025 Mayoral Elections where no Mayor received majority support and the WECA Mayor was elected on just 25% of the vote.’

Delete the words ‘Council further believes’ and reorder “Council believes” section as two bullet points. In first new bullet point, delete after ‘Complex voting eligibility’ and replace with ‘, First Past the Post and voter ID requirements have disenfranchised voters.’

Add third bullet point under ‘Council Believes’:

- ‘All votes should count equally, therefore the council should support the introduction of a proportional voting system ahead of the next set of local and national elections.’

Under 'Council resolves', first bullet point, delete ';' and replace with ' , as well as requesting that the voting system used in local and national elections be changed to a proportional system;”.

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

Following debate, a vote was taken on the substantive motion, which was declared CARRIED and it was

Resolved: That the above motion be approved.¹

ii. Supporting York's small businesses

Under Rule B15 (2) Cllr Mason sought Council's consent to alter his motion to update the final bullet point under 'Council notes' to delete 'of 30,000 people from May 2024 to May 2025' and replace with 'of 90,000 people from May and June 2024 to May and June 2025' after the word 'footfall'. Council did not consent to the alteration.

Moved by Cllr Mason and seconded by Cllr Fenton:

“Council notes:

- The Labour Government's increase to employer's contribution to National Insurance from 13.8% to 15%, and a reduction in the threshold of which they start to pay it from £9,100 to £5,000 per year.
- The Liberal Democrat campaign to urge Britons to buy locally made products to support businesses in the wake of Donald Trump's tariffs
- The adoption in November 2024 of the City of York Council Local Transport Strategy Implementation Plan which included commitments to:
 - review parking capacity within a 2km radius of the city centre on an off street, within the Council's ownership and managed by the private sector, the demand for that parking and the charges for that parking; and
 - then specify the parking provision which is needed and the charges which should be levied
- Feedback from the 2025/26 council budget-setting consultation which indicated a preference among respondents for a balanced

- approach which included revenue-raising, efficiency improvements, and making cuts only as a last resort
- The adoption through the 2025/26 council budget of significantly increased parking charges
 - The subsequent Executive decision to amend some of these charges at some locations and to increase the discount for the Minster Badge to 30 per cent of the standard parking charge, at an estimated cost of £115,000
 - The petition signed by over 8,000 people prompted by the Bishopthorpe Road parking charge increase which calls on the council to engage meaningfully with local residents, traders and community groups to find a fairer, balanced solution that supports sustainable travel without punishing people
 - The campaigns that have been established in response to concerns about the impact on local businesses of higher parking charges in areas such as Micklegate, East Parade and The Groves
 - The reduction in city centre footfall of 30,000 people from May 2024 to May 2025

Council believes:

- That efforts to reduce car dependency, tackle congestion and improve public transport reliability in and around York are to be welcomed
- That key to the success of these efforts will be the availability of affordable, reliable, accessible and safe alternatives to private car use
- That it was a mistake to have significantly increased parking charges without first having undertaken the promised review of parking provision and demand for that provision
- That businesses were not adequately consulted prior to the detail of the parking charge increases being agreed
- That the triple hit of National Insurance increases, Donald Trump's tariffs and increased parking charges have put serious strain on local businesses

Council resolves:

- To request the Executive to instruct officers to undertake an urgent piece of work to estimate the cost of restoring a lower cost 30-minute stay option at on-street parking sites where this had been available prior to April 2025

- To request that Executive (or an Executive Member Decision Session) seeks a decision paper within 3 months, setting out options for the reinstatement of a lower cost 30-minute stay at these locations
- To ask that the Executive works with local business groups and representative organisations, such as the York Business Improvement District and the Federation of Small Businesses, to understand the impact of recent National Insurance changes in order to be able to lobby Government for mitigation measures.”

Cllr B Burton then moved, and Cllr Webb seconded, an amendment to the above motion, as follows:

“Under ‘Council notes’:

- After bullet point 3, at the second sub-bullet point add after the word ‘levied’: ‘to ensure demand does not exceed capacity;’ and add a third sub-bullet point:
 - ‘ensure that parking charges reflect and match the cost of travel by other means – particularly fares for Park and Ride and other local bus services;’
- At the seventh bullet point, delete ‘calls’ and replace with ‘called’, and after the word ‘people’ add: ‘- engagement the Executive and council officers have subsequently undertaken before approving adjustments to charges in response to public concerns;’
- At the ninth bullet point, delete the word ‘reduction’ and replace with ‘increase’; after ‘footfall,’ add ‘based on the council’s own city centre CCTV monitoring,’ delete ‘30,000’ and replace with ‘almost 18,000’; after ‘people,’ add ‘when comparing the months of’; delete ‘from’ before the words ‘May 2024’, delete ‘to’ from before the words ‘May 2025’ and replace with ‘and’;
- After the ninth bullet point, add three additional bullet points:
 - An evidence review, carried out by Sustrans for the Dept for Transport, found that retailers overestimate how many of their customers travel by car by a factor of 100%;
 - latest [Centre for Cities](#) data showing York’s estimated unit vacancy rates are the fourth lowest in the UK at 9.2%, while the council’s own data shows York’s city centre vacancy rate is even lower, at just 5.9%;
 - analysis within the same report that states: *“those places with strong high streets have risen to the challenge of out-of-town shopping and online retail by pivoting from retail towards food, swapping redundant shops for cafés and restaurants”*.

Under 'Council believes':

- At the first bullet point, after 'welcomed,' add 'but could be significantly undermined by stimulating short, frequent trips through the reintroduction of a 30 mins parking charge option;'
- At the second bullet point, after 'will be' add 'incentivising people to use sustainable travel through';
- At a new third bullet point:
 - 'that York should take inspiration from strategies elsewhere that consider parking alongside other priorities for public highways use such as climate resilience measures, outdoor space for businesses and improved active travel opportunities;'
- At the original third (now fourth) bullet point, delete 'That it was a mistake to have' and add 'that moving to'; after 'parking charges delete 'without first having undertaken the promised review of parking provision and demand for that provision' and replace with 'in some areas has felt too much, too soon for many traders and their customers;'
- At the original fourth (now fifth) bullet point, after 'That' add 'while the council undertook its most comprehensive and biggest budget consultation ever, some'; and after 'businesses' add 'felt they';
- At the original fifth (now sixth) bullet point, delete 'the triple hit of'; after 'have' delete 'put serious strain on' and replace with 'caused concerns for some'; and after 'businesses' add 'but economic data shows York remains a vibrant, high performing and competitive local economy.'

Under 'Council resolves':

- At the first bullet point, after 'officers' delete 'to undertake an urgent piece of work'; and after 'April 2025,' add 'and to assess whether this supports the objectives of the council's approved Local Transport and Climate Strategies;'
- At the second bullet point, after 'Executive' delete '(or an Executive Member Decision Session) seeks a decision paper within 3 months,' and add 'considers'; after 'locations,' add 'following the conclusion and findings from its trader-instigated Review of Parking Charges (under Traffic Management Act 2004 powers);'."

On being put to the vote the amendment was declared CARRIED.

Following debate, on being put to the vote, the amended motion was declared CARRIED and it was

Resolved: That the above motion, as amended, be approved.²

In relation to a point of order raised by Cllr Ayre pursuant to Rule B19 (1) (e), the Monitoring Officer confirmed that he had provided advice, rather than a dispensation, to Cllr Kilbane regarding the interest he had declared in relation to the above motion.

iii. Non-proliferation of Fossil Fuels

As the guillotine had fallen, the below motion submitted by Cllr B Burton on behalf of Cllr Merrett was deemed moved and seconded:

“Council notes its 2019 approved motion declaring a Climate Emergency, supported at that time by each of the council’s main political parties. Much good work has taken place here in York since that time, across multiple council administrations, in the transition towards becoming a net zero city.

Council notes York’s position as one of only 112 cities globally with an A rating from the independent Carbon Data Programme, for the third year running this year.

Council further notes:

- that the impacts of climate change affect everyone everywhere, including York, through hotter summers, longer periods without rain and more flood events;
- improvements made nationally in UK energy consumption, with a trend away from fossil fuels towards renewables and low carbon energy sources;
- and welcomes the ambition for energy security and renewables embodied in Great British Energy;
- the UK’s still significant reliance on gas and oil, which represent around 75% of the UK’s total energy consumption;
- the role advanced economies should play in the transition towards cleaner energy generation and consumption;
- the ongoing Non-Proliferation Treaty on Fossil Fuels campaign, as part of national and international efforts to achieve a just transition to net zero, and to ensure global warming does not

exceed 1.5 degrees above pre-industrial levels (COP21 Paris Agreement);

- The campaign's three key fossil fuel aims of non-proliferation, a fair phase out and a just transition.

Council:

- believes all Local and Combined Authorities should do all they can to progress this transition;
- welcomes the Government's position on stopping new licensing of fossil fuel extraction;
- believes use of fossil fuels needs to be phased out and therefore opposes any new extraction of fossil fuels, including the 'proppant squeeze' gas extraction method currently proposed in North Yorkshire.

Council resolves to request the Council Leader:

- give York's written support to the Non-Proliferation Treaty on Fossil Fuels campaign, confirming York's position to the Secretary of State for Energy and Net Zero;
- write to the Mayor of York and North Yorkshire and the city's two MPs confirming the council's position on non-proliferation of fossil fuels, and seeking their support in achieving this goal, through both regional decision-making, national energy policy and support for the MP for York Central's Early Day Motion 111 in support of the above Treaty."

A point of order was raised by Cllr Widdowson pursuant to Rule B19 (1) (e), highlighting that Cllr Knight, who had earlier declared an interest in relation to the above motion, had left the meeting while the motion was under consideration.

The below amendment to the above motion, submitted by Cllr Steward, was deemed moved and seconded:

"Under 'Council;', at the third bullet point, delete the words 'opposes any' and replace with 'seeks to limit'.

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

A vote was then taken, without debate, on the substantive motion. This was declared CARRIED and it was

Resolved: That the above motion be approved.³

Action Required:

- | | |
|---|----------|
| 1. To note approval of the motion on improving equality of access to elections and take the appropriate action. | CD/NW/BR |
| 2. To note approval of the motion (as amended) on supporting York's small businesses and take the appropriate action. | CD/NW/GT |
| 3. To note approval of the motion on non-proliferation of fossil fuels and take the appropriate action. | CD/NW/CF |

Cllr Martin Rowley BEM
LORD MAYOR OF YORK

[The meeting started at 6.31 pm and concluded at 9.51 pm]

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Leader of the Council, Cllr Claire Douglas**Our City, Our Community**

It was a great honour to attend alongside the Lord Mayor, veterans, other councillor colleagues, local military representatives, local community representatives and His Majesty's Lord-Lieutenant of Yorkshire Mrs Johanna Ropner the service to commemorate and reflect on the 80th anniversary of the end of World War 2. This is a tremendously important year with regard to World War 2 with key dates commemorating the ceasing of hostilities in May and August. Many of us have parents, grandparents or other family members who served for our country across the world in 1939 to 1945. We must all take the time to remember their service and sacrifice and reflect on the devastating impact of war on civilian populations both then and in current conflicts across the world.

There has been an amazing buzz around the city as we've welcomed the Women's Rugby World Cup 2025 to York during August and early September. The Welcome Ceremony for the national teams of Canada, Fiji, New Zealand and Spain was a joyous event starting the tournament off in fine style in mid-August. The Lord Mayor and I had the pleasure of welcoming the team captains from each team along with an exchange of gifts. It really has been a fantastic show of the skill, team spirit and competitive drive of these world class female athletes.

I've since attended both the games between Canada v Fiji and New Zealand v Spain. Both amazing and highly energising spectacles. The York Community Stadium was abuzz with families and spectators from across the world. Many of them travelling thousands of miles to support their teams. York has since hosted a further 4 group games and welcomed 10 international teams in total. I'd like to thank World Rugby and the RFU for choosing York as a venue for the group stages of the tournament, it is without doubt an event that our city will remember for years to come and has stimulated a surge in women and girls taking up the sport or attending live rugby games for the first time.

July saw the fantastic news that York Museums Trust (YMT) and particularly the Yorkshire Museum secured funding from both the National Heritage Memorial Fund and public donations to acquire the Melsonby Hoard. A collection of over 800 Iron Age artefacts dating back to 2,000 years ago, found by metal detectorists in a North Yorkshire field. I would thoroughly recommend that everyone visits the Yorkshire Museum to see some of the items and learn more about this nationally significant find that has been secured for our city and the nation. Thank you to everyone across YMT and other supporting organisations for your collective work and expertise that has made this acquisition possible.

You may recall that I reported via Full Council in July the initiation of a network of York based residents and organisations active in humanitarian work in Ukraine. We have recently met for the second time. The network has been named the York Ukraine Bridge. Members are frequently visiting Ukraine and particularly Lviv. Working with local representatives and civic leaders to support in the rebuilding of the country and getting resources to support medical and civilian life on a day-to-day basis. If anyone in York, involved in humanitarian work in Ukraine is interested in joining the group please let me know and I can introduce you to our network of exceptional volunteers and professionals.

York Central Development Update

Following the opening of the impressive travel routes through the development in July adjustment from both cyclists, pedestrians and road users has gone well. Homes England are working with the Council's highways teams to permanently close a section of Leeman Road. This will enable the National Railway Museum to start constructing the long awaited and much anticipated new Central Hall. McLaren Arlington, the York Central developers, have been holding public engagement events with local communities over the summer. This is in preparation for the submission of the Reserved Matters planning application for Phase 1 of the development. Network Rail also continue to make good progress towards the submission of the planning application for the new, accessible Wilton Rise Bridge. Both planning applications are pivotal for the successful delivery of the project and are expected to be submitted to the Planning Authority in the coming months.

York and North Yorkshire Combined Authority

In July two important funds were approved by the members of the Combined Authority. They both sit within the Mayoral Investment Fund and drive delivery of the Combined Authority's Economic Framework. They will be launched for applications over the coming months:

Movement, Activity and Sport Investment Fund

The £2.75m programme has been co-designed by a steering group of sector experts and specialists and sets out a series of proposals to drive positive change through sport.

The steering group explored a wide range of options to arrive at a recommended approach to seize the opportunities from movement, activity and sport in York and North Yorkshire in driving economic regeneration of the region. The fund has a focus on ensuring the readiness and welfare of the workforce and improving the health of residents to remain or become more economically active. In the wider community setting this work aims to support community cohesion, mental wellbeing, youth engagement and positive diversion away from anti-social behaviour and crime.

The steering group has determined four key priority actions/interventions:

Behaviour Change Campaign:

Developing and implementing a behaviour change campaign to promote the use of movement, activity and sport as a mechanism for improving well-being and reduced inequalities. Additionally, to influence decision makers, policy makers and funders (those who have the potential to effectuate and perpetuate long-term, sustainable change). Creating a shared narrative and building a broad campaign around 'Healthy and Thriving Communities', with an emphasis on the movement, activity and sport ambitions within the identified priority groups. Elevating and amplifying what is strong and available at present.

Additional Support for Police Fire and Crime Community Funds:

Enhancing the Community Fund and the Community Safety/Serious Violence Fund with a boost to their annual grant funding investment - supporting a targeted call for projects relating to prevention and early intervention that are routed in 'movement, activity and sport.

Open Grant Programme – supporting early intervention and prevention (health), participation for women and girls, rural isolation and disability sports and inclusion. Supporting traditional and non-traditional settings to increase and develop sustainable opportunities for priority groups to engage.

Workforce Development – A programme of workforce development will be developed to ensure inclusion is maintained beyond the lifetime of the fund, supporting traditional and nontraditional settings - encouraging collaboration and the sharing of skills, knowledge and experience.

And:

Men's Mental Health Investment Fund

The £715,000 programme has been co-designed by a steering group of sector experts and specialists and sets out a series of actions to drive positive change through men's mental health awareness raising and additional interventions. National and local research data reports the leading cause of death for men under the age of 50 as suicide (and 3 in 4 suicides being men), and men's mental health being the principal cause of male sickness absence.

In York and North Yorkshire poor mental health among men is also a major contributor to long-term sickness absence, reduced workforce participation, and increased pressure on local NHS, criminal justice, and social care systems. Four key areas of work have been identified, that inter-relate and will explore and extend understanding and contribution to improving men's mental health across the region.

- 1) **Mapping what's out there:** An early and rapid exercise to identify what provision exists (formally and informally).
- 2) **Behaviour change campaign:** Utilise behaviour change campaign methodology, and an influencer led campaign to encourage local dialogue, breakdown cultural barriers and ensure the region is given a distinctive voice in shaping the national strategy by demonstrating regional leadership in this area.
- 3) **Testbed and Innovation:** Leading by example. Proposal for a workplace pilot within the CA (and possible roll-out of a framework to other major public sector employers). Ensuring the CA is maximising its potential to learn from its own 'male dominant workforces,' for example within the police or fire services, in the first instance.
- 4) **Investing in Men's Mental Health:** Responsive Grant Fund. Considering the developments above, a grant pot has been ringfenced to support interested organisations make transformational change to their practice and offer - designed to invest in infrastructure changes and opportunities to embrace positive, sustainable actions/activities that support and strengthen the collective male workforce.

Chief Executive Recruitment Update

Recruitment of the new Chief Executive of the Council, who will come into post in April 2026, has begun. It goes without saying that this is a hugely important appointment for the Council and our city. Applications for the role have now closed and with almost 40 applications it will prove to be a highly competitive process. Interviews, assessments and panels will be taking place across September and October. I hope that by the time of my next report I will be able to make a recommendation to Council for an appointment.

Delivering for our City

The following seven Executive Member reports highlight the breadth and depth of work going on across the Council to deliver for the citizens of York on a daily basis. Many thanks to all the council officers who support this programme and deliver programmes, projects and services tirelessly day in and day out. None of this would happen without you.

Executive Member for Economy and Culture, Cllr Pete Kilbane

The economy of York continues to outperform most other parts of the UK. This was confirmed last week when York topped the table of 50 UK Cities in the Demos-PwC Good Growth Index¹. The report looked at a whole host of economic indicators including thriving high streets, housing, transport, and access to skills. It describes these as “factors that make a place feel invested in, future-focused and full of opportunity”. It says successful cities create “the conditions and public priorities that can inform these choices, and the principles that help put place-led, inclusive growth into practice.”

We are pleased that the strategic direction of our administration has helped create the conditions for economic success, but we understand that the real work is done by the businesses, networks, civic institutions and council staff who, day in and day out, deliver for our city. My thanks go out to all of them.

As Keynes pointed out, our “animal spirits” drive business growth as much as cold hard analysis. Given the success of the city, in the face of some national trends, it is incumbent on all Members to help maintain confidence in our economy by continuing to be positive about the future. The temptation some may have to talk York down for short term political gain must be resisted for the long term good of all our residents. With this in mind, we continue to work hard to ensure everyone living in the city benefits from its economic success.

Deprivation, poverty and inequality can be found in many parts of York. We are currently engaging on our anti-poverty strategy and are clear that growth in our economy needs to be inclusive. The public consultation is open until 29th September and we encourage all residents and organisations to have their say.

As another successful summer in the city, with many cultural highlights, draws to a close we look forward to an exciting autumn. Haunted York is already upon us and the York Food Festival starts tomorrow. In November, running alongside the globally renowned Aesthetica Film Festival and UNESCO EXPO, will be the UK Film Production Summit. Over 100 major UK production companies (e.g. Paramount, BBC, ITV, Channel 5, Channel 4, Aardman) will all be here, showing that we mean business for the creative industries in York. This presents an enormous opportunity for investment in York and North Yorkshire and further bolsters our status as a UNESCO City of Media Arts.

Thanks go out again to Cherie Federico and Aesthetica for organising all these great, and internationally relevant, events which has York teeming with artists and creatives from all over the world. We are a city that welcomes strangers and celebrates diversity. At a time when many are trying to divide us by ethnicity and create conformity, creative culture smashes down those walls and highlights, probes and celebrates everything that makes us all human.

¹ <https://www.pwc.co.uk/industries/government-public-sector/good-growth.html>

Executive Member for Education, Children and Young People, Cllr Bob Webb

Since the last report there have been several opportunities to celebrate the excellent work of our young people and partners.

Firstly, towards the end of July, York Youth Festival took place in Rowntree Park. This event was led by York Youth Council and was the result of the 'Make Your Mark' campaign and vote that takes place in schools across the country. Children are asked to vote for their top priorities and in York young people voted to prioritise culture, leisure and sport. The event included live music provided by young people, sports activities and, of course, free food.

July concluded with a visit to St. Nick's and the Forest School to see the brilliant work they are doing to link very young children with nature. This event was co-produced with Parent Champions and the Parents Forum. It was a hugely successful example of the Council listening to local people with lived experience and giving them the support to make events happen in the community.

At the beginning of August, we saw the annual celebration event for Children in Care and their carers. It was certainly the best attended so far and thanks go to the Community Stadium for hosting and to council staff who worked tirelessly to make a great day for the young people and their family, friends, foster carers and loved ones.

SEND Hub

This weekend will see the launch of the SEND Hub based at the Clifton Family Hub. This is another example of co-production that we should all celebrate. Working with the Parent Carer Forum, Charities, Young People, Health, Education and other partners we are in the position to open a space to help parents and young people find the support they need, all in one place.

This is a great example of how this administration has brought different bodies together for the good of people in York. I hope that if local councillors receive concerns about SEND, they can direct residents to council staff and to the support available through the SEND Hub.

Executive Member for Environment and Climate Emergency, Cllr Jenny Kent

Beautiful York for people and pollinators

We made a commitment to take meaningful action on our Pollinator policy in 2023. I am really delighted to report that our sustainable planting has continued to prove its worth; it looks great, it has survived both the wettest Spring in 2024 and one of the hottest, driest Summers on record, it has helped feed our precious pollinators which sterile bedding plants do not, and it has saved money and carbon emissions by cutting vehicle use to repeatedly plant and rip up plants twice a year, not to mention the importation and green housing of the plants themselves, and the additional watering they required.

<https://www.york.gov.uk/environment-animals/buzz-york#:~:text=The%20'Buzz'%20About%20York'%20initiative,and%20the%20difference%20we%20make>

And how beautiful are the wildflowers on Station Rise? We continue to see people stopping to admire them and take photographs. I want to thank the Bar Walls team, St Nicks, The Grand Hotel, York Cares, the UoY for the fantastic collaboration that produced our York Walls in Bloom wildflower display, and the many volunteers who will come back to help scythe the area shortly, in preparation for another burst of colour next year. We have been contacted by local schools and people wanting to do the same thing; I look forward to seeing projects like this crop up all over the City.

<https://www.bbc.co.uk/news/articles/cn862vnq36po>

<https://www.yorkpress.co.uk/news/25298366.drought-puts-pressure-york-bar-walls-wildflowers/>

Climate

The wildfires on North York Moors have affected 25 square km of precious natural habitat. Huge thanks and gratitude are due to the firefighters who worked continuously to put these fires out and avert further damage. But this is a grim reminder that our climate is already changing and makes every step we take to reduce emissions and restore nature around us, so important.

Over the summer we have:

- 1) Approved the outline business case for a green energy park at Harewood Whin to progress to a full business case. This is a flag in the ground for York's journey to becoming an energy independent City, protected from market shocks and the whims of leaders across the world who may not have York's or the UK's best interests at heart, and a step towards reducing energy costs for York people. It also showcases the benefits of devolution, and partner working with the Mayor of York and North Yorkshire. I want to thank the careful, detailed thinking of the team, who have ensured that all future development is externally funded and at no risk to CYC.
- 2) Launched the sale of passivehaus homes at Duncombe Place. The scheme was developed by the previous administration, and we have changed requirements so that all future development on council land will be both Passivhaus standard and 100% affordable, but the reduced cost of energy bills, comfortable temperatures, self-generating energy from solar pv and air source heat pumps, and continuous freshly filtered air which will make pollutants and mould a thing of the past, alongside tree planting, community green spaces and vegetable gardens, is a legacy to be celebrated. We are excited to continue with the largest Passivhaus development projects in the UK across our other sites, for 100% affordable housing.

- 3) Been granted an additional £205k from Mayoral DESNX funding for solar, battery/EV. This is in addition to funds to decarbonise Yearsley swimming pool, Acomb Explore library and Joseph Rowntree School, and a tribute to the team's efficiency and timely completion of previous projects and will be applied to St Marys, Wigginton and Elvington Primary schools, York Crematorium and Moor Lane Youth Centre.
- 4) Welcomed the White Rose Forest and representatives from across the country to York at England's Community Forest conference in July. We showcased the York Community Woodland, local volunteer and school tree planting, our tree walks and our six county Champion Trees in the Museum Gardens. These are the biggest examples in Yorkshire identified by the Tree Register and are between 80 and 150 years old.

Environment and Place

York has had another busy summer and the environmental services teams have worked hard to keep the city looking good. I look forward to bringing news of our new Neighbourhood Caretakers Team, who will be out and about in our communities shortly, in the next Executive Report.

We are shortly launching 'For Your Convenience', a refresh of the 'Take a Seat' initiative, in partnership with local businesses and organisations, and sponsorship from our toilet contractor Healthmatic and the York Bid. 52 participating spaces will display a sticker in their window describing accessibility, step free access, seating and toilet provision, free for those that need them. Huge thanks to our accessibility team who have done painstaking work to get this right, the Toilet Stakeholder Group and Place Scrutiny Committee who helped inform this, and equally huge thanks to our City businesses who are helping make York an easier place to spend time, for everyone. The list of partners can be found here:

<https://www.livewellyork.co.uk/FYC> and we would love to hear from any organisation who would like to sign up.

I also want to mention our **Environmental Protection** team. Complaints of noise and odours often rise in the summer months, and this year was no exception. We have a very small team, who, despite summer holidays, have pursued resident concerns with dedication and professionalism.

In total, we have the three original applications:

- Yearsley Swimming Pool
- Acomb Explore Library
- Joseph Rowntree School

with a total grant allocation of £216,000 and five supplementary sites that we've applied for:

- St Mary's Primary; Wigginton Primary; Elvington Primary; York Crematorium; Moor Lane Youth Centre, with a total ask of £205,000.

Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion, Cllr Katie Lomas

Quarter 1 Monitor

The financial monitor shows that we have a projected overspend and Officers are working hard to realise savings to prevent this. The ongoing work to manage spend and transform the organisation is vital to ensure that we can eliminate the overspend by the end of the financial year.

Transforming an organisation is not easy but we are determined to do this in a transparent and efficient manner.

Major Projects

I am grateful to the work of scrutiny in exploring some of the issues relating to the Station Gateway project, and also to Officers for finding solutions that have allowed us to move forward towards completion of the project, despite the delays and increases in costs.

Amended plans for the revised Castle Gateway Project have been submitted to Planning following work to reprofile the scheme to achieve the aims set out by the Executive including more green space, sustainable planting, accessible play and seating areas and retaining Blue Badge holder parking spaces to protect access to the city centre. The design is sympathetic to the historic setting as well as the sensitivities of aspects of the site including Clifford's Tower and the former women's prison.

Financial Inclusion

The recent Welfare Benefits Outturn demonstrated the excellent work being done by the Council and partners across our city to support those who need it most.

We continue to use the data provided by the Low Income Family Tracker (LIFT) platform to directly target residents who could be in need of more support. All those who seek or are approached for help are offered the benefit of holistic support including debt management advice, benefits advice and support and other support that makes it far more likely that the financial assistance will help them to resolve the difficulties they are facing.

The table below shows a summary of the schemes operated and the value of the support as well as the number of awards made:

Discretionary support schemes	Spend 2024/25	No of awards
YFAS scheme	£231,036	408
HSF 5 & 6 Discretionary Grants Scheme	£162,439	1,114
HSF 5 direct payments working age CTS customers	£507,840	4,545
HSF 6 direct payments working age CTS customers	£398,130	3,426
Food & Fuel Vouchers 24-25	£203,598	3,294
Total	£1,503,043	12,787

The Government has announced that the Household Support Fund (HSF) will end and be replaced by the Crisis and Resilience Fund which will also incorporate other funds and grants. We do not yet have the details of this fund.

Anti-Poverty Strategy

The draft strategy is currently being consulted on, following an extensive process of consulting with organisations across the city to put the draft together. The Anti-Poverty Strategy will pull together work being done across our city to address both causes and symptoms of poverty. The strategy has three objectives, to help people struggling right now, to make sure fewer people end up in poverty and to make York a more equal and affordable city for the long term. The consultation ends on 29 September.

Human Rights and Equalities Board (HREB)

The public meeting of the Board will happen on 3 November. This is an important event in the HREB Calendar, where partners from the Board will share the work being done to advance Human Rights and respond to elements of the Human Rights City Network Indicator Report. This year the meeting will focus on the pay gaps that exist across employers in the city, healthy life expectancy and perception of Human Rights.

Executive Member for Health, Wellbeing and Adult Social Care, Cllr Lucy Steels-Walshaw

City of York Council accepts £1 million from the Trailblazer programme

City of York Council has accepted £1m as part of the Trailblazer programme to support people who are not working due to health-related issues into work. This fund will support people who have been unable to work and unpaid carers with routes into employment. Joining up systems through health, skills and employment shows a commitment to creating workplaces that value wellbeing and diversity. There are 15 identified schemes ranging from mentoring to mental health support where people will be provided with support tailored to their needs. Employers will also be supported to create inclusive workplaces, as well as receive support around inclusive workforce development which will advise on adaptations and additional requirements in the workplace. Working to reduce isolation will lead to healthier outcomes across the whole city.

Strategy launched to support Autistic and ADHD residents

‘A City That Works for All’ was released in draft form earlier this year. This strategy is about working with people with ADHD and Autism and moving forward with embedding the strategy across the city. I was really pleased to see that strategy taking into account views and situations from a wide range of residents and the amount of co-production that has gone into creating the draft strategy. This report sets the vision for an increase in an inclusive, supportive and understanding York.

The strategy has been developed with neurodivergent residents, families and organisations. The draft public consultation was open throughout Summer with a range of opportunities and ways for people to feed into this. From the consultations there are over 200 comments and the final version which takes these into account will be available this Autumn. This strategy sets the way for the whole city, we are aware that there is a huge underdiagnosis in people with Autism and ADHD and want to create a city that works for everyone, for those both with and without a diagnosis.

A Health Needs Assessment – Telling the Story of Women’s health in York

At the July Health and Wellbeing Board the Women’s health needs assessment was discussed. This assessment presents a strategic overview of women’s health in York, shaped around six key themes to promote gender equity and wellbeing. While women tend to live longer than men, they often experience poorer health outcomes.

Historically, healthcare systems and treatments have not fully accounted for women’s specific needs. The Board focussed on where City of York Council and partners can influence change through commissioning, funding, and collaborative action.

This assessment is a starting point, not a final answer. Data gaps hinder full understanding of unmet needs. Immediate care and long-term physical and mental health challenges require sustained attention. We remain committed to listening to women’s voices in York, deepening our understanding, and working collaboratively to shape services that reflect the lived experiences and which support the health and wellbeing of women.

Executive Member for Housing, Planning and Safer Communities, Cllr Michael Pavlovic

Council will be pleased to hear that the process to introduce a Community Infrastructure Levy (CIL), which was proposed during the development of the Local Plan, is now close to being finalised. Following an extensive consultation, the public hearing with an independent inspector took place earlier this month and we are now waiting for the report of his findings. Hopefully the recommendation to introduce CIL in York for the first time will be presented to a future Full Council shortly. It will see significant additional funds coming into the city for infrastructure projects and will be used by not just the council itself but also by Parish Councils, areas with a Neighbourhood Development Plan and non-Parished areas. Details of the proposals will be announced as soon as the Inspector's Report is received.

The development at Duncombe Place is now being completed and is one of the largest Passivhaus housing projects in the country and the first in York. Whilst the development itself was instigated and contracted by the previous Liberal Democrat/Green Coalition Administration and therefore contains a number of market sale properties as well as the shared ownership and social rent homes, the project itself has enabled us to learn a great deal that we can apply to our future Housing Development Programme schemes. It was therefore both surprising, yet unsurprising to hear the Liberal Democrat Group Leader decrying the merits of the market sale homes at Executive recently, homes his administration instigated; a perfect example of why the public lose trust in politicians.

We commend all our incredibly skilled and committed teams who have worked on this and our other very exciting 100% affordable housing projects. They should be rightly proud of a beautifully designed and constructed scheme, where the social aspects of the community living there as well as health and wellbeing of residents have been the focus of the design.

The housing development at Burnholme is also close to being completed and will complement the design principles of Duncombe and shortly announcements regarding the Ordnance Lane, Willow Bank and other schemes and the pipeline of York's most ambitious affordable council housing for generations will be presented to the Executive shortly for approval. The need to not only meet the requirements of an ageing population, given the evidence we already have from the change between the censuses of 2011 to 2021, but the reduction in numbers of young people and families, mean the importance of delivering the homes people can actually afford is vital. We therefore make no apologies for ensuring that every project we commit to is deliverable within the budget and meets the needs of the community we serve.

Officers have also been working on the report for scrutiny on the Local Delivery Neighbourhood Model in which services and engagement with residents will be focused on where and when they need them. The cross-party support for this approach is very much welcomed during a number of earlier scrutiny meetings and we want to continue to discuss the proposals with all colleagues, external stakeholders and the public, not just during the preparation phase but also as it is rolled out.

Executive Member for Transport, Cllr Kate Ravillious

The transport and highways team have had a challenging few months with vacancies and sickness leave leaving the team thinly stretched. I'm really grateful to the entire team for stepping up to the challenge and keeping everything running smoothly during this period, and in particular to those officers who helped to cover some of the vacant positions. I'm glad to report that the team is now nearly back up to capacity and in August we were delighted to welcome Dave Atkinson into the role of Director of Environmental and Regulatory Services, and Joshua Singer as Head of Transport Projects. We are now confidently moving forward and have an exciting Capital Programme to deliver.

York Station Frontage continues apace and it's fantastic to see the new public realm emerging. This month work has begun on Tea Room Square, redesigning this area into a more pedestrian friendly space. The remaining bus stops are being relocated into their new area in front of the station. Everything is on track for this phase of the project to be complete by spring of 2026.

The City Centre Sustainable Travel Corridor plans will be going out to public consultation soon, but have been delayed due to some design challenges that needed to be resolved. I'm looking forward to introducing this exciting project to the city and listening and responding to the feedback we receive.

At my September Decision Session I'll be considering options for the Bishopthorpe village 20mph scheme. I'm delighted to see how successful this scheme has been in reducing traffic speeds and creating a safer village environment. The majority of residents have expressed support for the lower speed limit and report how they feel more comfortable walking, wheeling and cycling which is good to hear. We made a commitment in our Local Transport Strategy to make travel safer for pedestrians, wheelers and cyclists, and lower speed limits are a key tool in achieving this outcome. We're grateful to Mayor Skaith for funding a speed reduction programme in the most recent local transport settlement and we'll now be using our learnings from Bishopthorpe village to start delivering similar benefits elsewhere.

Throughout September we've been supporting 'Catch the Bus month', encouraging everyone to try the bus and enjoy some of the fabulous things to do and places to go in York. The longer operating hours for our Park and Ride services have gone down well and we're really pleased to see people embracing bus travel as a convenient way to get around. Working together with BetterPoints – a free mobile app rewards system for walking, cycling and bus travel – we're motivating everyone by offering extra rewards which can be used in high street stores and cafes, or donated to charity, when you travel by bus this month.

And if this isn't encouragement enough, we're also offering inspiration to get out and about in our wonderful city this month with the York Walking Festival. Running until 28th September, the festival offers over 30 guided walks taking place throughout the city and with routes suitable for all ages and abilities. The iTravel team have done a fabulous job in co-ordinating and promoting the festival and I warmly recommend joining a walk, discovering new places and making new friends.

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Report of the Chair of the Corporate Scrutiny Committee – September 2025

1. With support from Democratic Services, the Scrutiny Review Working Group has continued to make good progress. The draft Shared Vision for Scrutiny and Executive / Scrutiny Protocol were shared for review with the Leader and Deputy Leader on behalf of the Executive, and the final versions were agreed recently at Audit & Governance (Protocol) and Corporate Scrutiny (Shared Vision).
2. The three Scrutiny Committees now have in place work plans for this municipal year, with a focus on informing policy development and undertaking pre-decision scrutiny. Task and Finish Groups are underway and the first all-member briefing session will take place in early October. Officers are investigating training opportunities for scrutiny members.
3. The new ways of working in Scrutiny will be subject to review, and there is still work to do to document the new arrangements so that councillors, officers and residents are clear about how this all should work. but I'm pleased with the start that has been made and would like to thank all members for playing their part. Crucially, we now have a dedicated Scrutiny Officer in place to guide and support the committees' work. I'd like to welcome James Parker to his new role and look forward to continuing to work with him.

Corporate Scrutiny Committee

4. At its 7 July meeting the committee considered an update on the progress of the Outline Business Case to create a Green Energy Park on the former landfill site at Harewood Whin, and agreed proposals to establish Task and Finish Groups to provide scrutiny of the budget setting process and the Medium-Term Financial Strategy, and to examine the Boundary Commission Electoral Review into Council Size.
5. At its 8 September meeting the committee considered a report providing the 2024/25 Finance and Performance Outturn. The committee also considered and provided feedback on the draft 10-year anti-poverty strategy, and the York Prospectus for securing

investment in the city. Members also noted that the Shared Vision for Scrutiny would sit in the charge of the committee.

People Scrutiny Committee

6. At its 9 July meeting the committee considered and provided comment on a draft of the York Inclusion and Belonging Special Educational Needs and Alternative Provision Strategy 2025-2030. Members also agreed that the Task and Finish group on proposed changes to long-term sickness and disability benefits would report to the committee, and that the work of the Food Insecurity Task and Finish group set up under the previous Children, Culture and Communities Scrutiny Committee would be reported to the committee once completed.

Place Scrutiny Committee

7. The committee has not met since the last report to Full Council.

City of York Council

Committee Minutes

Meeting	Audit and Governance Committee
Date	3 September 2025
Present	Councillors J Burton (Vice-Chair), Fisher, Merrett, Rose, Watson and Whitcroft (Substitute)
Officers in Attendance	Bryn Roberts - Director of Governance and Monitoring Officer Debbie Mitchell - Director of Finance David Walker - Customer Finance Risk & Insurance Sara Storey - Corporate Director – Adult Social Care and Integration Becky Eades - Head of Planning and Development Services
In Attendance	Councillor Pavlovic – Executive Member for Housing, Planning and Safer Communities
Apologies	Councillor Coles and Independent Member Mr Binney

Part B Minute – Matters Referred to Council

22. CONSTITUTION CHANGES (18:18)

The Director of Governance first introduced the Contract Procedure Rules changes which were presented for noting, prior to consideration at Full Council. It was confirmed that the changes to the Contract Procedure Rules were within the delegated powers of the Director of Finance, having been made to reflect changes in legislation.

The Head of Planning and Development Services outlined the proposed Planning Committee changes. She noted that the proposed changes would aim to deliver robust planning procedures while speeding up the planning process. It was also confirmed that officers had reviewed procedures at other Councils to ensure the Council would be in line with best practice in its planning procedures. Members asked why the

Council was seeking to make changes to its planning procedures prior to Government changes to planning. Officers stated that these changes would ensure the Council addressed a range of issues in its current planning procedures including the Council's capacity to process applications and provide cost savings to the Council. Officers confirmed that they did not expect these changes to be out of line with Government proposals.

Officers confirmed that currently 96% of all planning applications were considered by Council officers. From March 2024 to March 2025, it was confirmed 54 applications had gone before a Planning Committee; 19 of these were from call-ins, and in only 4 of those 19 applications did Members not follow the officer recommendation for approval or rejection. Two of these applications were approved by Members, and two were refused; of the two refused applications, one has since been overturned, with the second currently under appeal.

The Committee asked about the proposed exemptions on the ability to call-in planning applications and why these exemptions were being proposed. Officers outlined that they had reviewed the Council's previous call-ins and proposed exemptions for things that currently were not going to Committee. The proposals would also assist in creating more support to ensure call-ins include clear planning reasons within their proposal. Members also enquired as to why they would not expect to have Reserved Matters applications at Planning Committee. Officers confirmed that Reserved Matters applications could still be called in, however, Committee time would be better focused on outline applications where they would be considering the principles of any development.

Members enquired as to whether due to the proposed changes, if the period for Ward Councillors to call-in an application could be extended to 14 days. Officers and the Executive Member for Housing, Planning and Safer Communities supported this proposed change to the call-in process.

The Committee asked whether the planning process could be sped up by having more items at each committee meeting or more meetings scheduled. Officers noted that large applications were frequently taking as long as five hours at Committee and therefore it was not possible to schedule lots of items on individual meetings. Officers also noted that there would be

significant challenges to officer time to try and schedule lots more meetings to meet the Council's workload, and would risk not meeting deadlines related to applications.

Members enquired as to whether the Council had consulted externally on the proposed changes with Parish Councils, other organisations, or the public. Officers noted that the Council had not held any consultation on the proposed changes and was not required to do so; they confirmed that it was the Council's role to review and amend its Constitution and determine how it dealt with administrative applications in the Council's operating procedures. Members asked if this was in line with the Council's Parish Charter, and it was confirmed that the Parish Charter did not require the Council to consult them on these proposed changes. Members also asked about whether Parish Councils would have the automatic right to speak at planning applications in their area. It was confirmed that Parish Councils, and their planning panels', abilities to engage with the planning process would not change, there was currently no reserved space for Parish Councils to speak on applications at Committee and this would not change, they would be able to continue to register to speak on an application as was currently the case.

The Committee discussed the procedures relating to public participation including the number of speakers per item. It was noted that the proposals would provide the opportunity for 3 speakers in favour and 3 against alongside Ward Councillors, there would also be the opportunity for pooling of time. It was also confirmed that the chair would maintain the power of discretion as to how public participation would be administered.

Members asked about the threshold of 40 dwellings before an application would routinely be considered at a Planning Committee meeting. It was confirmed that 40 was the current outlined number for consideration at Planning A Committee meetings and had not been proposed to be changed. Councillors asked whether the Council could be taken advantage of by applicants that could attempt to submit smaller applications several times on a site to avoid requiring a committee meeting. Officers noted that Planning Officers would be expected to identify such issues and address these appropriately, as they currently do. As an example, it was noted that if an applicant wanted to build 30 houses on a site capable of building 60, the Council would be expected to challenge that

application on grounds such as not meeting required density for a site of that size.

Members debated the proposed Planning Committee changes. Those in favour of the changes noted that they believed, as outlined by officers, that the proposed changes would allow the Council to address issues relating to planning, such as the time taken to consider applications, while maintaining democratic oversight of important applications at Planning Committee and the ability to call-in applications. They noted that the Council already had 96% of applications considered by planning officers. They highlighted that with the Council now having approved its Local Plan it was important that applications are dealt with in a more efficient manner. It was also proposed that the Committee should request that a review of any changes if approved by Full Council be brought to the Audit and Governance Committee after a year to consider their effectiveness.

Other Members noted their concerns relating to the proposed changes. These concerns included a reduction in Member led decision making on planning applications with more applications delegated to officers for decision, they noted that Members were experts in their local area and ensured applications meet the needs of the city. They highlighted concerns that the changes could lessen public support in the city's planning processes. They stated that speeding up consideration of planning applications would not increase the speed of house building in the city, as this was determined more by market factors rather than if enough sites have approval. They noted that they felt that the Council should await the Government's changes to planning legislation before making changes to York's procedures.

The Committee therefore noted the changes to the Contract Procedure Rules that would be presented to Full Council.

The Committee also voted in favour (4 in favour and 3 against) of recommending to Full Council the proposed Planning Committee changes with an additional amendment to the Call-in procedure to be extended to 14 days, and that a review of the changes, if approved at Council, be brought to the Audit and Governance Committee in a year.

Breakdown of vote relating to recommending to Full Council the proposed Planning Committee changes, including the associated amendments to the Scheme of Delegation.	
In Favour	Against
Cllr J Burton	Cllr Hollyer
Cllr Rose	Cllr Fisher
Cllr Merrett	Cllr Watson
Cllr Whitcroft	

Recommended to Council:

- i. Approval of the amended Contract procedure Rules;
- ii. Approval of the proposed changes to Planning Committees, including the associated amendments to the Scheme of Delegation, with the additional inclusion of extending the call-in deadline to 14 days and that a review of the changes, if approved at Council, be brought to the Audit and Governance Committee one year after the implementation of any changes.

Reason: To allow the Council to determine the proposed Constitutional changes.

23. **EXECUTIVE / SCRUTINY PROTOCOL FOR CITY OF YORK COUNCIL (20:15)**

The Director of Governance introduced the report containing proposed revisions to Article 8 of the Council's Constitution to incorporate the Executive / Scrutiny Protocol for City of York Council. The Committee noted the proposed changes and agreed to recommend them to Full Council.

Recommended:

- i. That Council approve the proposed revision to Article 8 of the Council's Constitution to incorporate the Executive / Scrutiny Protocol for City of York Council.

Reason: To strengthen the scrutiny function and to fulfil the recommendation endorsed by Council in March 2025 in relation to a refreshed Executive / Scrutiny Protocol.

Cllr Hollyer, Chair

[The meeting started at 5.30 pm and finished at 8.24 pm].



Meeting: Full Council
Meeting Date: 18 September 2025
Report of: Director of Governance and Monitoring Officer
Portfolio of: Executive Leader – Councillor Claire Douglas

Decision Report: Constitutional Changes – Updated Contract Procedure Rules and Planning Committee Changes

Summary

1. To provide updated Contract Procedure Rules, and proposed constitutional changes to the Planning Committees, to Council for approval.

Contract Procedure Rules

2. As members will be aware, the recently-implemented Procurement Act 2003 changed how the Council undertakes procurement exercises. The changes introduced by the 2003 Act gave rise to necessary changes in the Council's Contract Procedure Rules.
3. As the amendments relate to statutory changes, the Director of Finance has delegated authority in the following terms:

“To undertake any revisions or amendments to the Financial Procedure Rules including the Contract Procedure Rules as required as a consequence of amendments or variations to legislation, or the implementation of new legislation. Such amendments to be retrospectively approved by Council” (Appendix 1, Paragraph 16k, page 42, of the Constitution).

4. Council is therefore asked to retrospectively approve the changes.

Planning Committee Changes

5. As members will no doubt be aware, Central Government has indicated that it is considering a national delegation scheme for planning, in order to improve planning performance; whilst there is currently no sign of when such changes will be introduced, they are a strong indication of the direction of travel for planning committees, and it is therefore appropriate to consider a revised

structure and operating model for the Council's planning committees, to more closely align to this direction of travel. These changes will also serve to ensure more efficient and effective decision-making in the planning service.

6. To that end, the following changes are proposed:
 - Planning Committee B will be abolished;
 - Planning Committee A will be renamed Planning Committee;
 - The Scheme of Delegation for planning will be amended, so that the only applications considered by Planning Committee are:
 - Outline planning applications for 40 dwellings or more;
 - Full detailed applications for residential development of 40 dwellings or more;
 - All applications for development submitted by or on behalf of Councillors or Chief Officers;
 - All applications for development submitted by or on behalf of The Council, for its own major planning applications;
 - Any called-in applications accepted by the Chair in conjunction with the Vice Chair in accordance with the new procedure; and
 - Any application that is deemed necessary to be considered by the Committee by Director for Planning, Chief Planner or Chair of Planning Committee;
 - All remaining applications will be delegated; and
 - Public participation would be in accordance with the rules adopted by Planning Committee.
7. The proposed amendments were debated at Audit and Governance Committee on 3 September 2025 and were endorsed by a vote of the committee (4-3 in favour).
8. They are therefore commended to Council for approval, to take effect from 1 October 2025. It is also important to note that an additional call-in period of 14 calendar days, from that operational date of 1 October 2025, will be allowed for ward members to call in applications which will be impacted by the changes, after which the agreed call-in arrangements outlined at Annex 2 will take effect.
9. Should the proposed amendments be approved, there will be a consequent adjustment to the political balance calculations for the Council, shown at Annex 3. Members will note that the deletion of

Planning Committee B does not change the political balance for the remainder of the Council's committees.

Implications

Financial – There would be a small saving arising from the loss of one SRA for the Chair of Planning Committee B.

Human Resources (HR) – None directly arising from this report.

Equalities – None directly arising from this report.

Legal – None directly arising from this report.

Crime and Disorder, Information Technology and Property – None directly arising from this report.

Recommendations

10. It is recommended that Council:
 - a. Retrospectively approve the amended Contract procedure Rules, attached as Annex 1;
 - b. Approve the proposed changes to Planning Committees, including any associated amendments to the Scheme of Delegation, attached as Annex 2, with effect from 1 October 2025;
 - c. Approve the revised political balance calculations, attached as Annex 3; and
 - d. Delegate authority to the Director of Governance to make the necessary amendments to Article 13, Appendix 1, and Appendix 8 of the Constitution to reflect the changes contained in Annex 2.

Reasons for the Recommendation

11. To update the Constitution in respect of legislative changes to procurement, and to ensure more efficient and effective decision-making in the planning service.

Author and Chief Officer responsible for the report: Bryn Roberts, Director of Governance and Monitoring Officer

**Report
Approved**

☒

Date 9 September
2025

Wards Affected: List wards or tick box to indicate all

All ☒

For further information please contact the author of the report

Background Papers:

- None

Annexes:

- Annex 1 – Revised Contract Procedure Rules
- Annex 2 – Planning Application Call-In Arrangements
- Annex 3 – Revised Political Balance



CITY OF YORK COUNCIL

CONTRACT PROCEDURE RULES

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Contract Procedure Rules

These Contract Procedure Rules (**CPRs**) set out the key responsibilities and actions that Members, Officers and Directors must follow when undertaking procurements.

All procurements and contracting arrangements made by or on behalf of the Council must be carried out in accordance with these CPRs. Rule 26 sets out the only circumstances in which the other Rules are specifically excluded or may be waived. Appendix A contains a series of definitions. Any term which is defined is shown in the CPRs beginning with a capital letter.

Maintained Schools

Where Maintained Schools enter into Contracts, they do so as agents of the Council. Accordingly Maintained Schools must follow these CPRs in addition to the York Scheme for Financing Schools (the **Scheme**), except where specifically stated otherwise. Where any conflict exists between these CPRs and the Scheme, the rules of the Scheme shall prevail.

Specific governance thresholds for Maintained Schools are set out in Appendix B. These are to be used in place of the thresholds contained at Rule 8.

For the purposes of these CPRs, the Authorised Officer for a Maintained School shall be the Head Teacher and the Chief Officer and/or Director shall be the Governing Body.

1. Basic Principles and Compliance

All procurement procedures and every Contract entered into by the Council must:

- 1.1 realise value for money by achieving the optimum combination of whole life costs, and quality of outcome;
- 1.2 be consistent with the highest standards of integrity;
- 1.3 operate in a transparent and open manner;
- 1.4 ensure fairness in allocating public contracts;

- 1.5 comply with all legal requirements including the Procurement Regulations and any other applicable international treaty principles of proportionality, mutual recognition, transparency, non-discrimination and equal treatment;
- 1.6 comply with the Council's Constitution, these CPRs and the Council's Financial Regulations;
- 1.7 comply with the Council's strategic objectives and policies, including the Council's Procurement Strategy and the Council's Employee and Member Codes of Conduct; and
- 1.8 comply with the guidance set out in the Procurement Toolkit which should be read in conjunction with these CPRs;

These CPRs are applicable to the contracting activities of any Strategic Partnership for which the Council is the Accountable Body unless the Council expressly agrees otherwise.

2. Officer Responsibilities

2.1. Authorised Officers

2.1.1 Authorised Officers must comply with these CPRs, the Council's Constitution and all UK and applicable international legal requirements. Authorised Officers must ensure that any agents, consultants and contractual partners acting on their behalf also comply with these requirements.

2.1.2 Authorised Officers must:

- (i) consult and seek advice from Commercial Procurement in relation to any proposed procurement prior to any work commencing;
- (ii) ensure, in relation to any proposed procurement, that the proposed procurement expenditure is contained in the Procurement Pipeline (<https://data.yorkopendata.org/dataset/cyc-procurement-pipeline>) and contained within an approved budget secured prior to commencement of the procurement in accordance with the Financial Regulations;

- (iii) keep the records required by Rule 5 of these CPRs;
- (iv) take all necessary procurement, legal, risk & insurance, financial, data protection and professional advice, taking into account the requirements of these CPRs;
- (v) prior to carrying out a procurement process or letting a Contract on behalf of the Council, check whether:
 - (A) the Council already has an appropriate Contract in place on the Contract Register; or
 - (B) an appropriate national, regional or other collaborative contract is already in place. Commercial Procurement and Legal Services must be consulted prior to any work commencing
- (vi) ensure that if the Council already has an appropriate Contract in place, that it is used, (unless it can be established that the Contract does not fully meet the Council's specific requirements (to be determined on a case-by-case basis)), following consultation with Commercial Procurement and Legal Services;
- (vii) ensure that if an appropriate national, regional or collaborative contract is available, consideration is given to using this, provided the contract offers Best Value. Authorised Officers must consult with Commercial Procurement to discuss;
- (viii) ensure that when any employee, either of the Council or of a Supplier, may be affected by any transfer arrangement, then any TUPE issues are considered and legal and HR advice from within the Council is obtained prior to any work on the procurement exercise commencing;

- (ix) consult with all relevant stakeholders including trade unions and service users where TUPE may apply to identify and assess all options to ensure the Council's required outcomes are achieved;
- (x) in consultation with Commercial Procurement establish a written specification and evaluation criteria (where competition is involved) and procurement methodology which must be formally approved at the relevant governance thresholds outlined in Rule 8 - Powers and Key Decisions (note the relevant decision-making body as identified in the governance thresholds may give Authorised Officers written delegated authority to define the specification and evaluation criteria themselves);
- (xi) consult and seek advice from Legal Services prior to beginning a procurement where:
 - (A) TUPE applies; and/or
 - (B) the procurement exceeds £150,000 in aggregate for the whole contract period (including any extensions).
- (xii) consult and seek advice from the Information Governance team prior to beginning a procurement where the service to be procured involves personal data.
- (xiii) Inform Commercial Procurement of all completed procurements with a value of £5,000 or more for information to be uploaded on the Contract Register.

2.1.3 Failure to comply with any of the provisions of these CPRs, the Council's Constitution, UK law or other applicable international legal requirements will be brought to the attention of the Head of Procurement, Monitoring Officer, Head of Internal Audit, or relevant Director as appropriate. Depending on the nature of the non-

compliance this may result in disciplinary action being taken.

2.2 Chief Officers

Chief Officers must:

- 2.2.1 ensure their service area complies fully with the requirements of these CPRs;
- 2.2.2 ensure contracts are recorded on the Contract Register as held and maintained by Commercial Procurement;
- 2.2.3 work with Commercial Procurement to identify the total expenditure relating to a particular category of spend by developing a Category Plan;
- 2.2.4 ensure that their service area provides the requisite information to allow Commercial Procurement to maintain and update the Forward Procurement Plan;
- 2.2.5 ensure all procurement activity is undertaken by suitably skilled and experienced staff;
- 2.2.6 ensure all contracts have a dedicated Contract Manager for the duration of the contract;
- 2.2.7 ensure all officers report through the Gateway process where this applies
- 2.2.8 report any breaches of these CPRs to the Monitoring Officer and Head of Procurement.

3. Relevant Contracts

- 3.1 All Relevant Contracts must comply with these CPRs. A Relevant Contract is any arrangement made by, or on behalf of, the Council for the carrying out of works or the provision of supplies or services. These include arrangements for:
 - 3.1.1 the supply or disposal of goods;
 - 3.1.2 the carrying out of building or engineering works;
 - 3.1.3 the hire, rental or lease of goods or equipment;

- 3.1.4 the delivery of services;
 - 3.1.5 land and property transactions involving those elements set out in Rule 3.3 below; and
 - 3.1.6 the delivery of shared services and/or collaboration arrangements between the Council and other public authorities and/or public bodies and/or related overarching arrangements.
- 3.2 The following will not be classed as Relevant Contracts:
- 3.2.1 contracts of employment which make an individual a direct employee of the authority (whether on a permanent or temporary basis) and/or secondment arrangements;
 - 3.2.2 subject to Rule 3.3, agreements relating solely to the acquisition, disposal, or transfer of land (to which the Financial Regulations apply);
 - 3.2.3 subject to Rule 4, the payment of grants to third parties; or
 - 3.2.4 those contracts/arrangements which are specifically excluded in accordance with Rule 25.9 below.
- 3.3 Any acquisition, disposal, or transfer of land which involves elements requiring the supply of works, goods and/or services to or on behalf of the Council will be treated as Relevant Contract and these CPRs apply to all aspects of the procurement of those works, goods and/or services. Officers must ensure that they consult with Legal Services and Property Services as appropriate to ensure compliance with this Rule 3.3.

4. Grants

Grants given by the Council

- 4.1 Where the Council is required to carry out works or deliver goods or services, the Council cannot elect to award a Grant where the sole purpose for doing so would be to avoid conducting a competitive tender process in accordance with these CPRs.

- 4.2 Taking into account Rule 4.1 above, Directors shall consider when procuring the provision of services, supplies or works whether a Grant would be a preferable means to achieving its objectives rather than following a competitive tender process. Consultation must be had with Commercial Procurement and Legal Services.
- 4.3 A Grant may only be awarded in circumstances where:
- 4.3.1 there is the legal power to make a Grant for the purpose envisaged; and
 - 4.3.2 the making of the Grant does not contravene UK, EU or any other applicable international rules on state aid or subsidy control.
- 4.4 Where the value of a Grant is less than £500,000 over 3 years, the Director shall have the discretion to conduct a competitive Grant application process for the award of that Grant if doing so demonstrates best value for the Council. If a Director is not conducting a competitive Grant application process then the Best Value Grant Form must be completed to capture the rationale for the decision. Directors must consult with Legal Services for rules and advice on subsidy control prior to commencing.
- 4.5 Where the value of the Grant exceeds £500,000 over 3 years but is less than the relevant Procurement Threshold a competitive Grant application process must be completed in consultation with Commercial Procurement. The opportunity must be advertised on the E-Sourcing System in consultation with Commercial Procurement.
- 4.6 Legal Services must be consulted in relation to drafting an appropriate Grant agreement. The Authorised Officer shall take all such steps as are appropriate to monitor and review the performance of the Grant agreement, having regard to its value, nature, duration and subject matter. As part of the Grant monitoring and review process the Authorised Officer shall maintain adequate records of performance and details of review meetings with the Grant recipient.
- 4.7 All Authorised Officers must complete the Best Value Grant form which is available from the Commercial Procurement team.

Grants received by the Council

- 4.8 Where a Grant is being received by the Council, Legal Services must be consulted at the application stage in relation to:
- 4.8.1 any Subsidy Control implications
 - 4.8.2 the Grant agreement
- 4.9 The Authorised Officer shall take all such steps as are appropriate to monitor and review the performance of the Grant agreement to ensure the Council is fulfilling any obligations contained within it.
- 4.10 Where a procurement process is funded, in whole or part, by external funding which has been awarded to the Council by an external funding body, the Authorised Officer must consult with Commercial Procurement and Legal Services to ensure that any rules or conditions imposed by the funding body are adhered to in addition to the requirements of these CPRs.
- 4.11 Where there is any conflict between these CPRs and the rules or conditions imposed by the funding body, the stricter requirement should be followed.

5. Records

- 5.1 The Procurement Regulations require Contracting Authorities to maintain the following comprehensive records of procurement activities:
- 5.1.1 contract details including value;
 - 5.1.2 selection decision;
 - 5.1.3 justification for use of the selected procedure;
 - 5.1.4 names of bidding organisations, both successful and unsuccessful;
 - 5.1.5 reasons for selection and rejection;
 - 5.1.6 reasons for abandoning a procedure;
 - 5.1.7 details of sub-contractors;

- 5.1.8 conflicts of interest identified and action taken.
- 5.2 The outcome of any competitive procurement process must be recorded in electronic format on the E-Sourcing System. Information from the E-Sourcing System will also be used for the tracking of procurement savings, sustainability benefits, and other data.
- 5.3 Commercial Procurement maintains the Contract Register which records key details of all Contracts (including contract reference numbers) with an aggregate value of £5,000 or more.
- 5.4 Full records of all contract documentation, quotations, estimates, tenders and any other correspondence pertinent to the award or acceptance of a Contract must be kept by Commercial Procurement for the duration of the Contract and a minimum of six years after the Contract has expired or twelve years after the Contract has expired where it is executed under common seal as a deed.
- 5.5 It is the responsibility of Chief Officers to ensure that all Contracts are properly entered into, administered and controlled to safeguard the Council's interests, secure Best Value and minimise the risk of theft, fraud, collusion and corruption.
- 5.6 Officers must comply with any Council requirements to record decisions on the Officer Decision Log.
6. **NOT USED [KEEP PLACE HOLDER UNTIL CLAUSE REFERENCES ARE RE-NUMBERED]**
7. **Advertising**
- 7.1 Officers must liaise with Commercial Procurement to ensure that the minimum advertising requirements are met in line with the Procurement Regulations when conducting any procurement process (including Framework Agreements, Dynamic Purchasing Systems or Dynamic Markets). Officers should refer to the further guidance in the Procurement Toolkit.
- 7.2 Where Contracts with a value of £30,000 (including VAT) and above are advertised **anywhere**, they must first be advertised on Contracts Finder.

- 7.3 Where Contracts have a value above the relevant Procurement Threshold they must be advertised on Find a Tender, the Central Digital Platform.

8. Powers and Key Decisions

- 8.1 This Rule does not apply to Maintained Schools, who must consult the governance thresholds contained at Appendix B.
- 8.2 In consultation with the Monitoring Officer, Directors must ensure that the Council has the legal power to enter into any Contract.
- 8.3 Directors must ensure that they have delegated powers to enter into any Contract or to grant another Officer authority to do so.
- 8.4 No Contract will be entered into unless an adequate budget is in place.
- 8.5 Where a decision has already been made by Executive or an Executive Member and the budget is in place to permit a course of action then further approval is not required to award Contracts necessary to implement that decision.
- 8.6 Where schemes are included in the Capital Programme this has already been approved and further Executive approval is therefore not required. However, officers must follow the Procurement Challenge Board process to seek approval to procure and any other Gateways deemed necessary. Approval to proceed on any scheme must be given by the Chief Finance Officer.
- 8.7 It is recommended that any approval sought includes a specific delegation to the Authorised Officer to award the Contract at the conclusion of the procurement. In other circumstances the procedure set out in Rules 8.9 to 8.11 below must be followed.
- 8.8 Where the aggregate contract value (including any extension) is £250,000 or less Directors may agree or authorise another Officer to enter a Contract under their delegated powers.
- 8.9 Where the aggregate contract value (including any extension) is between £250,000 and £500,000 then the decision to enter the contract requires the approval of an Executive Member or the

Executive unless the procurement is treated as Routine as defined in Rules 8.12 and 8.13 below.

- 8.10 Where the aggregate contract value (including any extension) exceeds £500,000 the decision will be regarded as a Key Decision unless the Chief Finance Officer acting in consultation with the Monitoring Officer has approved the procurement as Routine in accordance with Rules 8.12 to 8.13 below.
- 8.11 A Routine procurement is any arrangement that represents a low commercial and legal risk to the Council and involves the procurement of goods, services or works with a clearly defined specification that clearly relate to core administrative, infrastructure or business functions of the Council (a set list of such services is set out in Appendix C). A Routine Procurement request form must be completed alongside an Officer Decision Form.
- 8.12 A procurement which relates to the carrying out of a statutory function of the Council shall not be considered Routine.
- 8.13 Where Officers consider a procurement process may be Routine, they must complete the Routine Procurement request form and submit to the Head of Procurement. Authorisation to treat a procurement as Routine must be sought before the procurement process commences. Any requests received after the event, will be recorded as a breach.
- 8.14 A Director may enter into a Contract regardless of value where the procurement has been treated as Routine and an officer decision form must be completed and published.
- 8.15 A register of Routine procurements will be maintained and reported to the Executive Member for Finance, Performance, Major Projects & Equalities.
- 8.16 In relation to all Key Decisions, Authorised Officers must ensure that all authorisations are in place before the procurement process begins.
- 8.17 Notice of every Key Decision must be published on the Council's Forward Plan.

8.18 The Executive scheme of delegation requires that all Key Decisions are reserved to the Executive unless specifically delegated to an Executive Member or an Officer or where the Leader and Chief Operating Officer are acting in case of urgency.

8.19 This Rule 8 applies to all Relevant Contracts and all call-offs from Framework Agreements, Dynamic Purchasing Systems or Dynamic Markets.

9. Pre-Tender Market Testing, Consultation and Deciding on the appropriate Procurement Route

9.1 The Council may consult potential Suppliers by conducting a Pre Market Engagement Event following publication of the associated notice, prior to the issue of the Invitation to Tender or Request for Quotation, in general terms about the nature, level and standard of the supply, contract packaging and other relevant matters, provided this does not prejudice any other potential Supplier.

9.2 When engaging with potential Suppliers, the Council must not seek or accept technical advice from them on the preparation of an Invitation to Tender or Request for Quotation where this may prejudice the equal treatment of all potential Suppliers or otherwise distort competition.

9.3 In the case of the re-procurement of an existing Contract sufficient care must be taken to ensure that the process is fair and is seen to be fair. The objective is to ensure a level playing field for all potential Suppliers, whilst acknowledging that any incumbent Supplier has an inherent advantage due to having previously worked for the Council. Advice must be sought from Commercial Procurement to ensure the specification is clear and unambiguous.

9.4 In undertaking any market testing activities or consultation with potential Suppliers, the Authorised Officer, in consultation with Commercial Procurement, must publish a Preliminary Market Engagement Notice on Find a Tender, the Central Digital Platform.

- 9.5 If a Preliminary Market Engagement Notice is not published on to Find a Tender, the Central Digital Platform, justification must be provided and published within the procurement Tender Notice.

10. Framework Agreements, Dynamic Purchasing Systems and Dynamic Markets

- 10.1 Call-off contracts or orders made under Framework Agreements, Dynamic Purchasing Systems or Dynamic Markets must be operated in accordance with these CPRs and/or the requirements of the Framework Agreement or Dynamic Purchasing System or Dynamic Market themselves. **Further advice must be sought from Commercial Procurement.**

- 10.2 Where a Framework Agreement with more than one supplier provides an option for a direct call-off to one Supplier, this can only be done if all the following conditions are met:

10.2.1 The Framework Agreement's process for doing so is followed;

10.2.2 A transparency notice is published on Find A Tender, the Central Digital Platform

10.2.3 The aggregate Contract value (including VAT) and including any extension) is less than £500,000;

10.2.4 Where the aggregate Contract value (including any extension) exceeds £500,000, the relevant Chief Officer has approved the direct call-off method after advice from the Authorised Officer and Commercial Procurement; and

10.2.5 Conditions for Direct Award under Procurement Regulations are met

Establishment of Framework Agreements and Dynamic Purchasing Systems and Dynamic Markets

- 10.3 Authorised Officers (in conjunction with Commercial Procurement and Legal Services) may establish a Framework Agreement, Dynamic Purchasing System or Dynamic Market. The Head of Procurement must agree to the establishment of any Framework Agreement, Dynamic Purchasing System or

Dynamic Market prior to any selection or procurement processes being undertaken. The Framework Agreement, Dynamic Purchasing System or Dynamic Market is otherwise treated as any other procurement and will follow the same levels and process as required by the value and object of the Framework Agreement, Dynamic Purchasing System or Dynamic Market. Note, there are additional requirements under the Procurement Regulations for the establishment and further use of a Framework Agreement, Dynamic Purchasing System or Dynamic Market, and advice must be sought from Commercial Procurement to ensure the Procurement Regulations are adhered to.

- 10.4 A Framework Agreement, Dynamic Purchasing System or Dynamic Market can be established jointly with other Contracting Authorities.
- 10.5 Any future call-off from the established Framework Agreement, Dynamic Purchasing System or Dynamic Market requires authorisation in accordance with the governance thresholds set out in Rules 8.9 to 8.11.
- 10.6 All call-offs and direct award under a Framework Agreement must adhere to the provisions set out within the Procurement Legislation
- 10.7 Where a Framework Agreement has been established by the Council, any extension or termination thereto shall be governed by Rules 20 and 21 below in addition to the Procurement Regulations.

11. Procurement Competition Requirements

11.1 Competition Requirements

- 11.1.1 The Authorised Officer must establish the total value of any Contract, including whole life costs, annual cost and incorporating any potential extension periods which may be awarded. The value of the Contract must be considered as the sum of all payments made to the Supplier during the whole life of the Contract, including extensions. The Authorised Officer must have particular regard to the rules relating to aggregation contained

within the Procurement Regulations (further details on which can be found in the Procurement Toolkit).

- 11.1.2 Authorised Officers must ensure that values are not split in an attempt to avoid the applicability of these CPRs or the Procurement Regulations. This will result in a breach, and reported to Audit & Governance Committee.

11.2 Contract value up to and including £5,000 – Best Value

- 11.2.1 In relation to all Contracts with a value up to and including £5,000, it is the responsibility of the relevant Authorised Officer to check whether there is an Internal Service Provider, existing Contract, Framework Agreement, Dynamic Purchasing System or Dynamic Market which can be used.
- 11.2.2 Where no appropriate Internal Service Provider, existing Contract, Framework Agreement, Dynamic Purchasing System or Dynamic Market exists the invitation of quotations should be invited where appropriate.
- 11.2.3 If the Authorised Officer believes that it represents Best Value for the Council to make a direct appointment without the need for competition, they may do so providing a written record of the decision (including reasons) is kept by them.

11.3 Contract value over £5,000 and up to £30,000 – Three Quotations

- 11.3.1 In relation to all Contracts with a value between £5,000 up to £30,000 Officers should, in conjunction with Commercial Procurement, consider whether there is an appropriate Internal Service Provider, existing Contract, Framework Agreement, Dynamic Purchasing System or Dynamic Market which can be used.
- 11.3.2 Where no appropriate Internal Service Provider, existing Contract or approved Framework Agreement, Dynamic Purchasing System or Dynamic Market exists, a minimum of three written quotations must be invited from suitable potential Suppliers. Efforts should be made to ensure that

a diverse group of Suppliers are asked to quote using the following principles:

- (a) Where possible, ensuring Small and Medium Enterprises (SMEs) are invited to quote;
- (b) Where possible, ensuring local Suppliers are invited to quote;
- (c) Where possible, not just inviting the same group of Suppliers who have previously quoted for this or previous similar work;
- (d) Where possible, looking for novel or new Suppliers.

11.3.3 The written quotations must be obtained and documented in accordance with proper record keeping set out in Rule 5 and in accordance with the requirements of Rule 13. The Procurement 3 quote form must be completed and returned to Commercial Procurement so details can be published onto the Contract Register,

11.3.4 All potential Suppliers invited to submit quotations will be provided in all instances with identical information and instructions.

11.3.5 The evaluation of the quotations will be carried out by Authorised Officers.

11.3.6 If costs received exceed the threshold stated in 11.3, the procurement must be abandoned, and a formal process conducted through the E-sourcing system.

11.3.7 All associated procurement tender notices must be published on Contracts Finder and where applicable, on Find a Tender, the Central Digital Platform before, during and after the procurement exercise.

11.4 Contract value over £30,000 and up to £100,000 – Three Quotations via the E-tendering portal

11.4.1 In relation to all Contracts with a value between £30,000 up to £100,000 Officers should, in conjunction with Commercial Procurement, consider whether there is an

appropriate Internal Service Provider, existing Contract, Framework Agreement, Dynamic Purchasing System or Dynamic Market which can be used.

11.4.2 Where no appropriate Internal Service Provider, existing Contract or approved Framework Agreement, Dynamic Purchasing System or Dynamic Market exists, a minimum of three written quotations must be invited from suitable potential Suppliers via the E-tendering system. Efforts should be made to ensure that a diverse group of Suppliers are asked to quote using the following principles:

- (a) Where possible, ensuring Small and Medium Enterprises (SMEs) are invited to quote;
- (b) Where possible, ensuring local Suppliers are invited to quote;
- (c) Where possible, not just inviting the same group of Suppliers who have previously quoted for this or previous similar work;
- (d) Where possible, looking for novel or new Suppliers.

11.4.3 The written quotations must be obtained and documented in accordance with proper record keeping set out in Rule 5 and in accordance with the requirements of Rule 13.

11.4.4 All potential Suppliers invited to submit quotations will be provided in all instances with identical information and instructions.

11.4.5 The evaluation of the quotations will be carried out by Authorised Officers.

11.4.6 All associated procurement tender notices must be published on Contracts Finder and where applicable, on Find a Tender, the Central Digital Platform before, during and after the procurement exercise.

11.5 Contract value over £100,000 – Invitation to Tender

- 11.5.1 In relation to all Contracts with a value in excess of £100,000 Officers should, in conjunction with Commercial Procurement, consider whether there is an appropriate Internal Service Provider, existing Contract or Framework Agreement, Dynamic Purchasing System or Dynamic Market which can be used.
- 11.5.2 Where no appropriate Internal Service Provider, existing Contract, approved Framework Agreement, Dynamic Purchasing System or Dynamic Market exists, at least four written tenders must be invited from potential Suppliers. Efforts should be made to ensure that a diverse group of potential Suppliers are asked to tender using the following principles:
- (a) Where possible, ensuring Small and Medium Enterprises (SMEs) are invited to quote;
 - (b) Where possible, ensuring local Suppliers are invited to quote;
 - (c) Where possible, not just inviting the same group of Suppliers who have previously quoted for this or previous similar work;
 - (d) Where possible, looking for novel or new Suppliers.
- 11.5.3 Where it has not been possible to identify four potential Suppliers or less than four responses to the invitation to tender have been received, approval to continue with the procurement must be sought from the Head of Procurement.
- 11.5.4 The tendering process must be conducted in accordance with the Council's detailed procedure rules set out in the Procurement Toolkit. Authorised Officers must consult with Commercial Procurement to establish the most appropriate tendering process/procurement route which will be determined on a case by case basis (depending on a number of factors including but not limited to the

scope, value and technical requirements of the procurement).

11.6 Contract value over the Procurement Threshold

11.6.1 Where the estimated Contract value reaches the relevant Procurement Threshold, Officers are required to procure the Contract in accordance with the Procurement Regulations and these CPRs. In all such circumstances appropriate advice must be sought from Commercial Procurement.

11.6.2 The current Procurement Thresholds are available from Commercial Procurement.

11.7 Assets for Disposal

Assets for disposal must be dealt with in accordance with the Financial Regulations.

11.8 Concession Contracts

11.8.1 Concession Contracts may be established by Authorised Officers in conjunction with Commercial Procurement. Generally, Concession Contracts will result in an income to the Council. The thresholds set out in Rule 8 will also apply to Concession Contracts.

11.8.2 For the purpose of Rule 8 the value of a Concession Contract is defined in the Procurement Regulations. That is the value shall be the total turnover of the concessionaire generated over the duration of the Contract, net of Value Added Tax, as estimated by the Council, in consideration for the works and/or services which are the object of the Concession Contract and for the supplies incidental to such works and services.

11.8.3 Contracts below the relevant thresholds defined in the Procurement Regulations may be let using a three quotation process as outlined in Rule 11.3. Contracts above the relevant thresholds must be let in accordance with the process outlined in the Procurement Regulations. Commercial Procurement will advise on the appropriate

route and process to follow when letting Concession Contracts.

- 11.8.4 All associated procurement tender notices must be published on to Find a Tender, the Central Digital Platform before, during and after the procurement exercise.

12. Evaluation Criteria and Standards

12.1 Evaluation Criteria

- 12.1.1 In any procurement exercise (regardless of overall Contract value) the successful tender must be the one which offers either:

- (i) the most advantageous tender based on “price or cost” using a cost effectiveness approach, such as, life cycle costing; or
- (ii) the most advantageous tender balanced between quality and price.

In the latter case, the Council will use criteria linked to the subject matter of the Contract to determine that an offer is the most advantageous, for example: price, quality, technical merit, aesthetic and functional characteristics, environmental & sustainability characteristics, social value (including but not limited to compliance with wider Council obligations such as membership of the Living Wage Foundation and sourcing fair trade where appropriate), running costs, cost effectiveness, after-sales service, technical assistance, delivery date, delivery period and period of completion.

- 12.1.2 The price element of an evaluation shall be 40% or greater unless:

- (a) the relevant contract is being procured using a Framework Agreement, Dynamic Purchasing System or Dynamic Market which provides for an alternative weighting system; or

(b) the Authorised Officer has, in consultation with the Head of Procurement and Finance, determined that an alternative weighting system would be more appropriate due to either the size, value and/or available budget, risk-profile and/or nature of the procurement. The Authorised Officer must submit reasonings supported by Commercial Procurement to the Head of Procurement and Finance for approval prior to the procurement exercise being advertised.

12.1.3 Issues that are important to the Council in terms of meeting its corporate objectives can be used to evaluate tenders provided that such criteria relate to the subject matter of the Contract and is objectively quantifiable and non-discriminatory. The criteria can include, for example, sustainability considerations, support for the local economy or the use of sub-contractors. The potential Suppliers' approaches to continuous improvement and setting targets for service improvement or future savings could also be included.

12.1.4 The procurement documentation must clearly explain the basis of the evaluation decision to potential Suppliers, making it clear how the evaluation criteria specified in the process will be applied, the overall weightings to be attached to each of the high-level criteria, how the high-level criteria are divided into any sub-criteria and the weightings attached to each of those sub-criteria.

12.1.5 Once the tender documentation has been issued to the market, changes to the evaluation criteria shall only be permitted in exceptional circumstances following approval by the Head of Procurement. There is no scope to change the evaluation criteria once quotations or tenders have been received. If quotations or tenders received mean the original evaluation criteria are no longer able to achieve the most advantageous tender, then the procurement process must be abandoned and treated as market engagement before a new procurement exercise is established with new evaluation criteria. In such a case, no award will be made from the original

procurement exercise and Commercial Procurement must be consulted.

12.1.6 A procurement termination notice must be published on Find a Tender, the Central Digital Platform.

12.2 Standards

Relevant British, EU and International standards which apply to the subject matter of the Contract, and which are necessary to properly describe the required quality must be included within the procurement documentation, the specification, and the Contract.

13. Invitation to Tender / Request for Quotation

13.1 Invitations to Tender/Requests for Quotation must be issued in accordance with the requirements of these CPRs and where applicable, Procurement Regulations.

13.2 All procurement documentation must be issued electronically. All procurements with a value over £30,000 must be conducted through an E-Sourcing System.

13.3 Where the E-Sourcing System is used, all communications with Suppliers must be undertaken exclusively through the E-Sourcing System. This includes any clarification questions asked by the potential Suppliers and responses provided by the Council.

13.4 In exceptional cases, where specific circumstances mean that a procurement process cannot be carried out electronically or, for example, where there is a failure of the E-Sourcing System, permission to conduct a procurement process by alternative means must be obtained from the Head of Procurement.

14. Submission, Receipt and Opening of Tenders / Quotations

14.1 Opening of Tenders and Quotations

14.1.1 Tenders and Quotations, except those which have been approved as exempt from electronic tendering in accordance with Rule 13.4, must be submitted

electronically via the E-Sourcing System. Tenders submitted by any other means must not be accepted.

14.2 Hard Copy Arrangements

14.2.1 If approval to conduct a tender process outside the E-Sourcing System has been obtained in accordance with Rule 13.4 and “hard copy” tenders are to be accepted, these must be submitted, sealed, in the envelope provided with the procurement documents and addressed to the Head of Procurement without any mark revealing the bidding organisation’s identity.

14.2.2 All hard copy tenders will be held by the Head of Procurement until the tender opening date/time has been reached.

14.2.3 All hard copy tenders for the same Contract will be opened at the same time by the Head of Procurement and Legal Services. A register of tenders received will be kept by Commercial Procurement and will be initialled on each occasion by the Authorised Officers who are present at the opening of the tenders.

14.2.4 If approval to conduct a quotation process outside the E-Sourcing System has been obtained in accordance with Rule 13.4 and hard copy quotations are to be accepted these must be submitted in a plain envelope marked “Quotation for ...” followed by a description of the goods, works or services being procured.

14.2.5 All hard copy quotations must be opened together once the official return date/time has been passed.

15. E-auctions

15.1 Where a tender is to be carried out by way of a collaborative e-auction process the following procedures will apply:

15.1.1 approval for this approach must be sought in advance of the auction from the Head of Procurement;

- 15.1.2 the auction must be provided through a recognised managed service provider approved by the Head of Procurement;
- 15.1.3 the process for selecting potential Suppliers must be agreed in advance with the Head of Procurement;
- 15.1.4 the tender evaluation process must be agreed in advance with the Head of Procurement;
- 15.1.5 the time limit for the auction must be set in advance, clearly notified and be appropriate to the nature of the auction;
- 15.1.6 a minimum of two Authorised Officers must be in attendance at the managed service provider's viewing room to ensure the process is conducted fairly and in accordance with the Procurement Regulations. One of the Authorised Officers must be an independent observer and have had no involvement with the exercise. They should not leave the room during the auction.
- 15.1.7 prior to start of the auction, Officers attending must satisfy themselves that the correct quality weightings (if applicable) have been loaded into the software and that the software is working correctly;
- 15.1.8 the final scoring of all the bidders needs to be documented and counter signed by each Officer immediately after the close of the auction;
- 15.1.9 the e-auction summary report which is normally produced by the e-auction provider (within a week of the auction) must be cross referenced to the Officers own records and both must be kept on file;
- 15.1.10 a signed copy of both these records must be passed to Head of Procurement ; and
- 15.1.11 if the lowest price bidder is not successful approval for the award of a Contract must be sought in line with these CPRs.

15.2 The application of these e-auction procedures exempts the tender from the opening rules set out at Rule 14. It does not exclude compliance with any other regulations as set out elsewhere in these CPRs.

15.3 The Council will arrange for award notices to be sent to the successful Supplier (following an 8 working day Standstill Period) and brief the unsuccessful Providers. A copy of the award notice must be kept on file.

15.4 The Council must ensure that a discrete Contract complying with the Council's standard terms and conditions is put in place with each successful Supplier prior to any work or services commencing.

16. Clarification Procedures

16.1 The Council can ask bidding organisations for clarification of any details submitted as part of their bid. However, any such clarification must:

- (i) not involve changes to the basic features of the bidding organisation's submission; and
- (ii) be issued and responded to by Commercial Procurement through the e-tendering portal.

16.2 When requesting clarification, the Authorised Officer must follow any guidance provided by Commercial Procurement. It must not be used to negotiate or re-negotiate Contract terms. Authorised Officers are required to take all necessary procurement and/or other relevant professional advice if they are in any way unsure of what may or may not constitute a 'clarification' under the Procurement Regulations.

16.3 All clarification questions raised by bidding organisations must be considered and responded to by Commercial Procurement.

16.4 If any amendments are required to the tender documentation or contract terms and conditions as a result of clarifications these must be approved by Commercial Procurement and/or Legal Services as appropriate and changes made must take place during the tender period.

17. Evaluation, Financial Appraisal, Award of Contract and Debriefing of Organisations

17.1 Evaluation

The evaluation of bids must be conducted in accordance with the evaluation criteria set out in the relevant procurement documents (see Rule 12 above) provided to bidding organisations, and in line with any guidance detailed in the Procurement Toolkit. The evaluation must consist of a minimum of 3 Officers and all records of evaluations must be taken. Assessment summaries must be provided to all bidders in relation to the contract.

17.2 Financial Appraisals and Credit Reports

Credit Reports must be completed in respect of all third parties submitting bids for Contracts in excess of £100,000. The credit reports will be produced by Commercial Procurement and issued to the relevant Finance Manager to take necessary steps to check all financial information available. It is the responsibility of the Authorised Officer in consultation with the relevant Finance Manager to take all steps reasonably necessary (having regard to the subject matter, value and duration of the Contract and any other relevant factors) to conduct an assessment and confirm financial stability.

17.3 Award of Contract

- 17.3.1 The Council is required to notify successful and unsuccessful bidders of the outcome of a procurement process, in writing, in as timely a fashion as possible.
- 17.3.2 Where mandated by the procurement process used, an 8 working day Standstill Period must be included in the procurement timetable and observed before the Contract can be awarded.
- 17.3.3 Authorised Officers must consult with Commercial Procurement in relation to the Standstill Period requirements and associated documentation to be issued to bidders.

- 17.3.4 Where a Standstill Period applies, successful and unsuccessful bidders will be sent a Contract award letter containing all the debrief information required under the Procurement Regulations. A copy of each Contract award letter must be kept on file.
- 17.3.5 Following successful completion of the Standstill Period, the successful bidder(s) will be issued with their Contract to sign.
- 17.3.6 Provided the winning bid:
- (i) is the most advantageous;
 - (ii) is within the financial budget made for it;
 - (iii) complies with the Council's proposed terms and conditions; and
 - (iv) meets the Contract specification,
- it may be accepted by the relevant Authorised Officer.
- 17.3.7 Where a tender is not:
- (i) the most advantageous (if payment is to be made by the Council); or
 - (ii) the highest tender (if payment is to be received by the Council),
- the award of the Contract must be passed to the Chief Finance Officer for decision clearly setting out the reasons why this is required.
- 17.3.8 Once approved, all proposed Contract awards over £100,000 must be recorded in the Officer decision log on the mod.gov system.
- 17.3.9 The approval of the relevant Executive Member and Chief Finance Officer must be given if a tender received as part of a capital scheme results in the scheme or project exceeding the approved financial budget by 10% or

£50,000 (whichever is the lower) and this cannot be accommodated within the original financial budget.

17.3.10 All Contracts with a value of £5,000,000 and above, a redacted version of the Contract must be published on Find a Tender, the Central Digital Platform within 90 days of the Contract being entered into.

17.4 Debriefing

The Authorised Officer must, consult with Commercial Procurement to create assessment summaries to all tenderers who submitted a bid about the characteristics and relative advantages of the successful bid(s). All assessment summaries must be issued through the e-tendering portal where appropriate and records kept. This will usually include:

17.4.1 how the award criteria were applied;

17.4.2 the prices or ranges of prices submitted, but not in either case correlated to the tenderers

Authorised Officers must consult with Commercial Procurement prior to issuing any feedback to bidders.

18. Post Tender Negotiation

18.1 Post tender negotiations must not be undertaken where the value of the Contract exceeds the relevant Procurement Threshold.

18.2 Post tender negotiations with selected Suppliers, where the value of the Contract is below the relevant Procurement Threshold, may be carried out where:

18.2.1 permitted by law; and

18.2.2 the procurement strategy and route allowed for negotiations; and

18.2.3 the relevant Chief Officer in consultation with Commercial Procurement and Legal Services considers that added value may be obtained; and

- 18.2.4 the post tender negotiations are conducted by a team of suitably experienced officers approved by the relevant Chief Officer and who have been trained in post tender negotiations. Commercial Procurement and Legal Services must be invited to attend any negotiation; and
- 18.2.5 a comprehensive, written record of the negotiations is kept by the Council; and
- 18.2.6 a clear record of the added value to be obtained as a result of the post tender negotiations is incorporated into the Contract with the successful Supplier.

19. Contract Documents

19.1 Form of Procurement Documents

The Council's standard procurement documents, which accompany the contract documents, must be used wherever possible and appropriate. Where there is any deviation from the standard procurement documents, the documents to be used must be reviewed by Commercial Procurement before being issued. These documents are available from Commercial Procurement.

19.2 Form of Contract

- 19.2.1 Contractual commitments can only be made by Officers who are formally authorised to do so in the relevant directorate scheme of delegated authority. An up-to-date record of delegated authorities across the Council is kept by Finance.
- 19.2.2 Should the Council be utilising a particular Framework Agreement, DPS or Dynamic Market for the first time, Legal Services must be engaged to approve the form of Call-Off Contract or Order Form, the Call-Off terms and conditions and any other associated documents.
- 19.2.3 Unless subsequent Call-Offs require further amendment in accordance with the Procurement Regulations, they can proceed without additional approval from Legal Services.

19.2.4 For the sake of clarity however, if any Call-Off terms require any amendment at any stage of a Procurement (as part of a mini-competition or otherwise), approval must be sought from Legal Services and Commercial Procurement.

19.2.5 If the Council intends to make a direct award under a Framework Agreement, DPS or Dynamic Market no amendments are permitted to the Call-Off terms and conditions. The Council will not accept Suppliers' terms and conditions without Legal Services confirming that they are acceptable, and/or without any amendments required by Legal Services. If any case arises, a copy of the terms and conditions must be sent to Legal Services for approval.

19.2.6 Every Contract must be made in writing by either:

- (i) the issue of a purchase order and accompanying standard terms and conditions for the purchase or supply of goods, services and/or works with an aggregate Contract value (including any extensions) of not more than £100,000; or
- (ii) the preparation of formal written contracts for the purchase or supply of goods, services and/or works with an aggregate Contract value (including any extensions) of £100,000 and above or lower where the nature of the Contract requires a formal written contract.

19.2.7 With regards to:

- (i) Rule 19.2.7(i) above, no amendments requested by any Supplier to the purchase order standard terms and conditions will be accepted without the prior approval of Legal Services; and
- (ii) Rule 19.2.7(ii), any formal contracts must be drafted using either a template form of Contract previously approved and/or drafted by Legal Services, or a new bespoke document created by Legal Services. A Supplier's standard terms

and conditions must not be accepted except in accordance with Rule 19.2.6 above.

19.3 Deeds

19.3.1 All Contracts:

- (i) in excess of £500,000; or
- (ii) where the subject matter warrants an extended period of twelve years' protection; or
- (iii) for nil consideration; or
- (iv) where there is a legal requirement for the Contract to be executed as a deed;

must be executed as a deed under common seal by Legal Services in accordance with Article 24: Finance, Contracts and Legal Matters, unless agreed otherwise by the Monitoring Officer or except where indicated in Appendix B.

19.3.2 Contracts to novate, assign, vary or extend an existing contract:

- (i) must be executed as a deed where the original contract terms do not expressly permit such novation, assignment, variation or extension; or
- (ii) are not required to be executed as a deed where the original contract terms expressly permit such novation, assignment, variation or extension.

19.4 Contract Signature/Sealing

19.4.1 Contracts must:

- (i) where the Contract is in the form of a deed, be made under the Council's seal or electronic seal and attested by Legal Services as required by the Constitution; or
- (ii) where the Contract is to be signed underhand as a simple contract, be signed (either by hand or by electronic signature) by:

- (a) an Authorised Officer with the appropriate level of delegated authority as set out in the relevant directorate's scheme of delegation; or
- (b) Legal Services.

19.4.2 When submitted to Legal Services for signing or sealing, all Contracts must be accompanied by an Authorisation to Sign or Seal Form setting out the decision-making process and authority. This form can be obtained from Legal Services.

19.5 Legal Services Review of Contracts

19.5.1 To ensure the integrity of the procurement process:

- (i) where Officers intend to deviate from the Council's standard terms and conditions, all Contracts must be reviewed by Legal Services; and
- (ii) any proposed Contracts via an Open or Competitive Flexible Procedure process, which are deemed to be of medium or high risk, must be reviewed by Legal Services.

19.6 Bonds, Parent Company Guarantees and Liquidated & Ascertained Damages

19.6.1 Chief Officers (in consultation with Commercial Procurement and Legal Services) will consider whether to include provision for payment of liquidated & ascertained damages by a Supplier for delay or breach of contract where appropriate, taking into account the subject matter and risk associated with the Contract. Such consideration will be recorded in writing.

19.6.2 When considered appropriate by a Chief Officer the Supplier will be required to provide a performance bond to secure the performance of the Contract. Such performance bonds should provide for a sum of not less than 10% of the total value of the Contract or such other sum as the Authorised Officer (in consultation with a Finance Manager) considers appropriate.

19.6.3 Where considered appropriate by a Chief Officer, the Supplier will be required to provide a parent company guarantee in a form acceptable to the Council prior to entering into the Contract.

20. Contract Extension and Variation

20.1 Extensions

20.1.1 Commercial Procurement and Legal Services must be consulted in relation to any proposed Contract extension.

20.1.2 Contract extensions shall only be permitted if they are put in place before the Contract expiry date, the relevant notice has been given to the Supplier and where the proposed extension is in accordance with the contract terms.

20.1.3 Where the terms of a Contract expressly permit extensions, Commercial Procurement will support Officers to complete the required paperwork to give notice to the Supplier and document the extension in the agreed form in writing.

20.1.4 Where the terms of a Contract do not expressly permit an extension, Commercial Procurement and Legal Services shall advise whether it is possible to otherwise agree an extension by way of variation to the Contract. Any variations shall be carried out in accordance with Rules 19.6.3 and 20.2.

20.1.5 Approval for the extension must be given by an Officer with the appropriate level of delegated authority. This process must be recorded in writing.

20.1.6 Prior to seeking approval from the relevant Chief Officer to take up a contract extension the Authorised Officer must establish whether the extension will deliver Best Value.

20.1.7 Before taking an extension, the Authorised Officer must check the original spending authorisation decision (obtained in accordance with Rule 8) to confirm that

authorisation to extend the Contract is in place. Where the original decision does not contain authorisation for an extension of the Contract, further authorisation may be sought under Rule 8. The value of the decision used to determine the authorisation requirement shall be the original Contract value plus the value of the proposed extension.

20.1.8 All extensions to any Council contracts must be in writing and reported to the Head of Procurement in order that the E-Sourcing System can be updated.

20.2 Variations

20.2.1 Variations will be dealt with in accordance with these CPRs and the Procurement Regulations. Further guidance must be sought from Commercial Procurement and Legal Services.

20.2.2 All Contract variations must be carried out:

- (i) within the scope of the original Contract. Contract variations that materially affect or change the scope of the original Contract are not permitted; and
- (ii) following consideration as part of the Category planning process.

20.2.3 All Contract variations must be in writing (in the form specified by the Contract where applicable) and signed or sealed by both the Council (in accordance with Rule 19.3.2 and 19.4.1 above and the Supplier.

20.2.4 A Variation form must be completed, and submitted to the Head of Procurement for approval and a modification notice must be published on the Central Digital Platform.

20.2.5 Where appropriate (taking into account any change in contract value, contract term, range of services provided etc), Contract variations must be reported to the Head of Procurement in order that the E-Sourcing System can be updated.

20.2.6 A new procurement will be required in case of material change where one or more of the following conditions are met:

- (i) the variation introduces conditions which, had they been part of the initial procurement exercise, would have allowed for the admission of Suppliers other than those initially selected or for the acceptance of an offer other than that originally accepted or would have attracted additional participants in the procurement procedure;
- (ii) the variation increases the value of the Contract or the Framework Agreement substantially in favour of the Supplier in a manner which was not provided for in the original Contract or Framework Agreement;
- (iii) the variation extends the scope of the Contract or Framework Agreement considerably.

Further guidance must be sought from Legal Services where the Chief Officer considers there is any possibility that the proposed variation might fall under this Rule 20.2.5.

21. Termination of Contract

21.1 **Prior to terminating any Contract, Officers must consult Commercial Procurement and Legal Services.** It will only be possible for Contracts to be terminated early, where provided for within the Contract and if this action is authorised by the relevant Chief Officer through a Delegated Decision. A Termination Form for termination of any Contract exceeding £100,000 in aggregate for the whole of the contract period (including any extensions) must be sent to the Head of Procurement for monitoring purposes. All termination letters under this Rule must be drafted

and issued via Legal Services in conjunction with the Authorised Officer.

- 21.2 In the event a contract is terminated, a contract termination notice must be published within 30 days of the contract being terminated onto Find a Tender, the Central Digital Platform.

22. Prevention of Corruption

- 22.1 Rules and regulations pertaining to the prevention of corruption are outlined in the Financial Regulations and must be adhered to at all times.

23. Declaration of Conflicts of Interests

- 23.1 To ensure that persons involved in the procurement process are aware of and adhere to the principles of impartiality and professional standards when dealing with, and completing commercial undertakings, a Conflict-of-Interest Assessment must be completed by all Officers involved in the procurement process prior to commencement of the procurement process and submitted to the Head of Procurement. The forms are available from Commercial Procurement.
- 23.2 If an actual or potential conflict of interest arises during the procurement process a new Conflict of Interest Assessment must be immediately completed and submitted to the Head of Procurement.
- 23.3 If it comes to the attention of a Member, Authorised Officer or other Officer that a Contract in which they have an interest (determined in accordance with the Members' and/or Employee Code of Conduct as appropriate) has been or is proposed to be entered into by the Council, they shall immediately give written notice to the Monitoring Officer and the Head of Procurement.

24. Contract Management / Monitoring

- 24.1 All Contracts must have an appointed contract manager for the entirety of the Contract. The responsible Chief Officer must ensure a contract manager is designated prior to contract award.
- 24.2 Contract management, monitoring, evaluation and review must be conducted by the appropriate Contract Manager.

25. Contracts valued £5,000,000 and over:**25.1 All Contracts with a value of £5,000,000 and over, must**

25.1.1 contain details of **at least** 3 KPI's which must be published within the contract and tender documentation. These must then be published onto Find a Tender, the Central Digital Platform.

25.1.2 Be monitored during the term of the Contract, against those KPIs by the Contract Manager who must publish a Contract Performance Notice every 12 months (per annum of the contract) onto Find a Tender, the Central Digital Platform.

25.1.3 Be published in a redacted format on to the Central Digital Platform within 90 days of the Contract being entered into.

25.2 In the event a Contract with a value of £5million or over is modified (varied):

25.2.1 a Contract Change Notice must be published onto Find a Tender, the Central Digital Platform within 90 days of the modification being made.

25.2.2 a redacted copy of the modification made must be published onto Find a Tender, the Central Digital Platform within 90 days of the modification being entered into.

25.2.3 The responsible Officer shall take all such steps as are appropriate to monitor and review the performance of the Contract, having regard to its value, nature, duration and subject matter. As part of the monitoring and review process the responsible Officer shall maintain adequate records of Contract performance and details of review meetings with the Supplier. Such relevant records and details shall be made in any relevant Gateway Process report (see section XXXX?)

26. Waiver and Exemptions

Waivers

26.1 Except where the Procurement Regulations apply, these CPRs may be waived where the circumstances are certified by the Head of Procurement and Monitoring Officer, subject to meeting any of the following criteria:

26.1.1 for supplies purchased or sold in a public market or auction;

26.1.2 for works, supplies and/or services which, after the testing the market, are found to be only available from one organisation that are not available on a framework (either due to their highly specialised nature, the use of innovative technology or service models, or any exclusive proprietary rights belonging to the relevant supplier), provided that:

(a) this can be properly evidenced by the Authorised Officer (including confirmation that no other viable alternative works, supplies and/or services are available), and

(b) Commercial Procurement are satisfied that the Council has not artificially narrowed its requirements to avoid conducting a competitive tender process in accordance with these CPRs;

26.1.3 involving such extreme urgency, that it would not be possible to comply with the competitive procurement procedures and timescales set out within these CPRs. For the sake of clarity, this ground will **not** apply where said extreme urgency has come about due to circumstances that can be attributed to any action, inaction and/or delay on the part of the Council;

26.1.4 for the purchase of a work of art or museum specimen, or to meet the specific requirements of an arts or cultural event which cannot be procured competitively due to the nature of the requirement;

- 26.1.5 in relation to time limited grant funding from an external body, where the time limitations will not allow a competitive procurement process to be completed and where the grant conditions allow this;
 - 26.1.6 in relation to external grant funding that has been awarded on the condition that a specific Supplier be appointed by the Council;
 - 26.1.7 where relevant UK or other applicable international legislation not otherwise referred to in these CPRs allows another procurement process to be undertaken;
 - 26.1.8 where officers from Finance, Commercial Procurement and Legal are satisfied that there is a significant risk to the statutory functions of the Council, or to its governance, audit or finances, a significant safeguarding risk, or a significant risk of failure in the case of an immediate statutory inspection, if the Supplier is not engaged (such confirmation in all cases to be confirmed in writing by the relevant Chief Officer).
- 26.2 If a waiver of these CPRs is required, the Authorised Officer will complete and submit a waiver form, using a template document obtained from Commercial Procurement. The waiver form must set out the detail of the specific Rule(s) being waived and confirmation of the Rule within 26.2 under which the waiver is being sought along with the financial, legal, risk and equality implications of the waiver sought.
- 26.3 The process to be followed in respect of waivers is available on Colin, internal web pages.
- 26.4 In relation to Maintained Schools, the Governing Body shall have the power to waive any requirement of these CPRs where the Head Teacher has submitted a waiver form in accordance with Rule 26.3 confirming that any of the criteria listed at Rule 26.2 apply.
- 26.5 If the waiver is approved the Authorised Officer can then proceed with the waiver to these CPRs. Officers are only authorised to incur expenditure up to the amount included in the final agreed

waiver. Should any additional expenditure or further service be required a new waiver must be requested.

26.6 With the exception of those relating to Maintained Schools, every waiver form will be recorded on a master register maintained by Commercial Procurement. Each Maintained School must maintain their own master register of waiver forms.

26.7 Where a waiver is being requested, Authorised Officers are required to seek waivers at the outset of any procurement process or, where relevant, at such time during a procurement process that it becomes apparent that it is not possible to comply in full with the competition procedures outlined in Rules 11.3 and 11.4. No Contract resulting from a waiver being requested will be entered into without a waiver authorisation being in place. If such contracts are entered into, these must be terminated.

26.8 Authorised Officers are not required to seek waivers in the case of an Emergency or as a result of an Emergency where there is danger to the safety of persons or serious risk of loss or damage to the Council's assets or interests, or the interests of another party. In such circumstances, the Authorised Officer may enter into such Contracts as necessary by means that are reasonable under the circumstances and inform the Head of Procurement and Monitoring Officer.

Exemptions

26.9 These CPRs do not apply to Contracts:

26.9.1 for the execution of mandatory works by statutory undertakers (i.e., companies and agencies which have been given general licence to carry out certain development and highways works, such as utilities and telecoms companies or nationalised companies such as Network Rail);

26.9.2 for legal services in respect of specific matters which are in contemplation of:

(a) arbitration conciliation;

(b) Judicial proceedings before the courts;

26.9.3 for the provision of legal advice given in preparation for any of the proceedings referred to in Rule 26.10.2(a) or (b) above, or where there is tangible indication and high probability that the matter to which the advice relates will become the subject of such proceedings.

26.9.4 which have been procured on the Council's behalf:

- (i) through collaboration with other local authorities or other public bodies, where a competitive process which complies with the CPRs of the leading organisation has been carried out; or
- (ii) by a national or regional contracting authority where the process followed is in line with the Procurement Regulations;

26.10.5 to cover urgent special educational needs, urgent social care needs or urgent operational needs, if in the opinion of the relevant Director (in consultation with the Head of Procurement) the exemption is considered to be in the Council's interests or necessary to meet the authority's obligations under relevant legislation. Use of this exemption by the relevant Director must be preceded by a written report under Rule 26.3 using the waiver form, setting out the reason for such urgency, how it complies with the Procurement Regulations and any other relevant legislation, and represents Best Value. For the sake of clarity, this ground will **not** apply where in the opinion of the Head of Procurement (with advice from Legal Services where necessary) said urgency has come about due to circumstances that can be attributed to any action, inaction and/or delay on the part of the Council;

27. Breaches of CPRs

27.1 Breaches of the CPRs are extremely serious matters and will be fully investigated and reported on following referral or discovery. All Directors are responsible for reporting all known or discovered breaches of these CPRs to the Head of Procurement as soon as they become aware of it in practice. Any Director can be called to Audit & Governance Committee to explain any breach.

27.2 Breaches identified are reported to the Head of Procurement and recorded. Training needs will be identified and provided to officers across the Council. Should repeated breaches be made, an investigation to remove an Officer's delegated authority will commence.

27.3 Breaches are reported to Governance, Risk & Assurance Group to identify where improvements need to be made and to ensure training is provided where necessary.

28. Data Protection

28.1 Where a Contract involves data processing by the Supplier either as both joint or independent controllers or as processor on behalf of the Council then sufficient due diligence must be undertaken to ensure that the Council only uses Suppliers who provide guarantees to implement appropriate technical and organisational measures in such a manner as to meet the requirements of the UK GDPR and Data Protection Act 2018 and other relevant UK data protection and privacy legislation such as appropriate and protect the rights of individuals.

28.2 Every written Contract that involves the processing of personal data, special categories of personal data and/or criminal offence data by a Supplier either as both joint or independent controllers or as processor on behalf of the Council, must set out the relevant data protection clauses to reflect the data protection relationship between the Council and Supplier including where required, the subject matter and duration of the processing, the nature and purpose of the processing, the types of data and categories of data subjects, plan for return or destruction of the data, and obligations and rights of the controller(s). In particular the Contract must contain clauses that meet the requirements of Article 28(3) of the General Data Protection Regulations. Authorised Officers should consult with Legal Services as per Rule 2.1.2(x)(c).

28.3 Authorised Officers should consult with the Information Governance team at the outset of a procurement process to:

(a) discuss the data protection implications and obligations set out in Rule 28.2 above and as much information as possible

should be included in the Contract prior to the publication of tender documentation;

(b) establish whether a Data Protection Impact Assessment is required in relation to any proposed Contract involving the processing of personal data.

APPENDIX A - DEFINITIONS

Accountable Body	means where the Council is held accountable by the Government for a particular sum of money which actually may not be managed by, or be in the control of, Council Officers;
Authorised Officer	means a person authorised by the relevant Chief Officer to act on the Council's behalf;
Best Value	means the optimum combination of whole life costs, quality and benefits to meet the customer's requirement;
Category	means each category identified in the category overview table which is set out in the Council's Procurement Strategy;
Category Plan	means strategic planning of the category, at a category or sub-category level, including review of the current position, constraints and opportunities, desired outcomes, options and actions. The template plan should be used in all cases except where an alternative approach (having the same effect) forms part of external funding or joint procurement requirements;
Chief Finance Officer	means the Council's section 151 Officer currently the Chief Finance Officer or their nominated deputy;
Chief Officer	means the head of the procuring directorate and includes the Chief Operating Officer, Corporate Directors, Directors, Assistant Directors and officers with

	appropriate delegations and sub-delegations;
City of York Scheme for Financing Schools	means the scheme which sets out the financial relationship between the Council and Maintained Schools;
Commercial Procurement	means the Council's Commercial Procurement team;
Concession Contract	has the meaning given in the Procurement Regulations
Constitution	the Council's constitution which is available on the internet and sets out the rules that the Council and all Council employees and Members must follow;
Contract(s)	means an agreement between the Council and a Supplier made by formal agreement or by issue of a letter of acceptance or official order for goods, services and/or works;
Find a Tender, the Central Digital Platform	means the web-based portal provided for the purposes of the Procurement Regulations by or on behalf of the Cabinet Office;
Contract Manager	means the officer responsible and accountable for overseeing the entire lifecycle of a contract within the Authority
Contract Register	means the register of all Contracts maintained by Commercial Procurement;
Contracting Authorities	has the meaning given in the Procurement Regulations;
Corporate Procurement Board	
Council	means City of York Council;

CPRs	means these Contract Procedure Rules;
Delegated Decision	means a formal decision taken in accordance with the Council's Constitution and sub-delegation schemes. It is for the Officer seeking the Delegated Decision to decide which type of decision is required in accordance with the Constitution;
Director	means an Officer of the Council designated as a director;
Dynamic Purchasing System or DPS	means a completely electronic process for making commonly used purchases that meet the requirements of a Contracting Authority, which is limited in duration and open throughout its validity to any economic operator which satisfies the selection criteria and has submitted an indicative tender that complies with the specification and requirements of the relevant Contracting Authority;
Dynamic Market PA23	means a completely electronic process for making commonly used purchases that meet the requirements of a Contracting Authority, which is limited in duration and open throughout its validity to any economic operator which satisfies the selection criteria and has submitted an indicative tender that complies with the specification and requirements of the relevant Contracting Authority;

Emergency	means an urgent situation or crisis created as a result of a natural disaster (such as flooding or an earthquake) or tragedy (such as an explosion or plane crash);
E-Sourcing System	means the Council's chosen E-sourcing system (currently YORtender), an e-sourcing mandated for access to a specific framework or an approved alternative;
Executive	has the meaning given in the Council's Constitution;
Executive Member	has the meaning given in the Council's Constitution;
Financial Appraisals	means checking the financial status including the credit rating of a Supplier;
Finance Manager	means a manager from the Council's internal finance team;
Financial Regulations	means the governance rules and regulations relating to the management of the Council's financial affairs, set out in Appendix 10a of the Constitution;
Framework Agreement	means a framework agreement with one or more Contracting Authorities and one or more Suppliers which establishes an arrangement for: <ul style="list-style-type: none"> i. Multiple orders to be placed with one economic operator (a single supplier framework); or ii. A framework of multiple economic operators to engage in further

	<p>competitions or direct awards (a multiple supplier framework);</p> <p>that has been set up either by the Council or an organisation other than the Council and has been authorised by Commercial Procurement for use in Council procurements;</p>
Procurement Pipeline Plan	<p>means practical planning of the procurement, or group of similar procurements, including approach, resourcing and timetable. This involves identifying major projects within each category of spend to be maintained by the relevant Chief Officer. It also provides a basis for information for Commercial Procurement to meet the Council's reporting obligations. The Forward Procurement Plan will be in such format as prescribed by the Head of Procurement except where an alternative approach (having the same effect) forms part of external funding or joint procurement requirements;</p>
Procurement Challenge Board	<p>Means the Procurement Challenge Board gateway process officers must go through on all procurements over £100,000</p>
Governing Body	<p>has the meaning given in the City of York Scheme for Financing Schools;</p>
Grant	<p>means funding awarded to a third party organisation for the purpose</p>

	of helping deliver community cohesion or providing complementary activities to those carried out by the Council;
Head of Procurement	means the Officer who is responsible for the procurement function on behalf of the Council;
Internal Service Provider	means any internal service area for example Building Services, Yorkcraft, Commercial Procurement, or Legal Services etc;
Invitation to Tender	means an invitation by the Council to a potential Supplier to tender for the provision of goods, services and/or works;
Key Decision	has the meaning set out in Rule 8.11 of the CPRs;
Leader	means the Leader of the Council;
Legal Services	means the Council's internal legal team;
Maintained Schools	Means the schools maintained by the Council as set out in the City of York Scheme for Financing Schools;
Member(s)	means elected member(s) of the Council;
Monitoring Officer	means the Council's principal solicitor currently the Director of Governance;
Officer(s)	means employee(s) of the Council;
Officer Decision Log	means the section of the Council's website where decisions made by senior officers are recorded;

Participants	means a person or entity participating in a procurement process, who has expressed an interest in tendering for a Contract or who has tendered for a Contract;
Procurement Regulations	means the Procurement Act 2023 and any successor, amending or enabling legislation implemented to govern the award of public contracts;
Procurement Strategy	means the Council's published procurement strategy setting out its ambition for procurement and confirming a category management and whole lifecycle approach to procurement;
Procurement Threshold	means the designated threshold above which the Procurement Regulations shall apply to a Contract;
Procurement Toolkit	means the manual that accompanies these CPRs which provides detailed guidance on procurement techniques, considerations and the effect of these CPRs;
Procurement Notices	means all associated notices required to be published under Procurement Regulations as set out in Appendix D.
Relevant Contract	has the meaning set out in Rule 3 of these CPRs;
Request for Quotation	means a request by the Council to a potential Supplier for a quotation for the provision of goods, services and/or works;

Routine	has the meaning set out in Rules 8.11 and 8.12;
Rule(s)	means any rule contained in these CPRs;
Standstill Period	means an 8 working day standstill period before a Contract can be awarded to the successful bidder to allow an unsuccessful bidding organisation an opportunity to challenge the proposed contract award;
Strategic Partnership	means a partnership with an organisation that the Council has a long term arrangement with for the provision of goods, works and / or services;
Supplier(s)	means the person or entity with whom the Council has a Contract;
TUPE	means the Transfer of Undertakings (Protection of Employment) Regulations 2006 and any successor, amending or enabling legislation;

APPENDIX B - ARRANGEMENTS FOR SCHOOLS

Maintained Schools must use the following governance thresholds instead of those found in Rule 8.

Contract Value	Authorisation Required By
£500,000 and above	Council Executive (decision)
£250,000 up to £499,999.99	Governing Body (minute or decision)
£50,000 up to £249,999.99	Chair of Governing Body or relevant governing committee (written instruction)
£1 up to £49,999.99	Head-teacher OR The Governing Body in conjunction with the Head-teacher may decide upon a scheme of delegation appropriate to each school and staffing arrangements.

APPENDIX C – ROUTINE PROCUREMENTS

The below table sets out the types of goods and services that may be considered Routine. This is included as a reference guide only and whether or not a procurement is Routine shall be determined on a case-by-case basis by the Head of Procurement in accordance with Rule 8.13.

Example of Routine Procurement	Approval Required
ICT hardware, software and / or services to maintain the security, integrity and statutory function of core or business systems	Head of Procurement
Utilities	Head of Procurement
Statutory subscription items such a TV licences	Head of Procurement
Stationery, postal services, and staff travel,	Head of Procurement
General financial services (banking, merchant processing or other comparable services) excluding audit	Head of Procurement

APPENDIX D – PROCUREMENT NOTICES

<u>Notice</u>	<u>Notice Reference</u>
Pipeline Notice	UK1
<u>Preliminary Market Engagement Notice</u>	<u>UK2</u>
<u>Planned Procurement Notice</u>	<u>UK3</u>
<u>Transparency Notice</u>	<u>UK5</u>
<u>Tender Notice, Below Threshold</u>	<u>UK4</u>
<u>Tender Notice, Above Threshold</u>	<u>UK4</u>
<u>Contract Award Notice</u>	<u>UK6</u>
<u>Contract Details Notice</u>	<u>UK7</u>
<u>Procurement Termination Notice</u>	<u>UK12</u>
<u>Dynamic Market Intention Notice</u>	<u>UK13</u>
<u>Dynamic Market Establishment Notice</u>	<u>UK14</u>
<u>Contract Performance Notice</u>	<u>UK9</u>
<u>Contract Change Notice</u>	<u>UK10</u>
<u>Contract Termination Notice</u>	<u>UK11</u>
<u>Dynamic Market Modification Notice</u>	<u>UK15</u>
<u>Dynamic Market Cessation Notice</u>	<u>UK16</u>
<u>Payments Compliance Notice</u>	<u>UK17</u>

Planning Committee Arrangements – Call-In Procedure

- Call-in requests:
 - must be submitted on the specified form;
 - must be received within the consultation period.
 - must indicate the grounds for the call-in, setting out the material planning consideration;
 - will be reviewed by the Chair, in conjunction with the Vice Chair, to consider the planning reasons for the call in along with the relevant planning policy and guidance and for the Chair to determine whether to accept the call-in request, in accordance with the criteria and guidance provided by the Chief Planning Officer/Appropriate Senior Planner.

Chief Planning Officer's Criteria and Guidance

The following items will not be considered for determination at Planning Committee even if a call-in is submitted:

- Any call-in request made which matches the recommendation of the Officer (e.g., if a member seeks to call-in an application on the basis they would like the application refused, and the Officer recommendation is already to refuse, then the call-in would not be valid).
- Applications for Certificates of Proposed or Existing Lawfulness.
- Applications for Advertisement Consent.
- Applications for Relevant Demolition in a Conservation Area.
- Applications for Listed Building Consent and other heritage consents.
- Applications made under the GDPO.
- Applications to vary or remove conditions (unless the permission was originally granted by the Planning Committee).
- Applications for Non-material amendments.
- Applications made under section 73 of the Town and Country Planning Act 1990
- Applications to discharge conditions.
- Tree Applications.

Planning Committee Public Participation Arrangements

Given the administrative nature of the decisions to be taken by Planning Committee, public participation will be limited to comments on individual planning applications. There will be a maximum of three speakers (including experts) in favour of any application, and three speakers (including experts) against, together with ward members (should they wish). All speakers must register to speak, and all registrations to speak must take place at least two working days before the meeting, by 5pm. Speakers will have no more than 3 minutes each to speak but may, at the Chair's discretion, pool (i.e., combine) their time on an application. The number of speakers will be limited by the number of applications to be considered at any committee meeting.

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Revised Political Balance

	Total	Cons	Labour	LibDem	Unallocated
Licensing and Regulatory Committee	15	1	8	5	1
Planning Committee	11	1	6	4	0
Corporate Scrutiny Committee	9	0	5	4	0
People Scrutiny Committee	9	1	4	4	0
Place Scrutiny Committee	9	0	5	4	0
Audit and Governance Committee	7	0	4	3	0
Joint Standards Committee	5	1	2	2	0
Health and Wellbeing Board	4	0	2	2	0
Combined Appeals Committee	5	1	2	2	0
Staffing Matters and Urgency Committee	3	0	2	1	0
Totals	77	5	40	31	1

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Meeting:	Full Council
Meeting date:	18/09/2025
Report of:	Director of Governance and Monitoring Officer
Portfolio of:	Executive Leader – Cllr Claire Douglas

Decision Report: Executive / Scrutiny Protocol for City of York Council

Subject of Report

1. On 27 March 2025 Council endorsed an action plan to implement recommendations arising from a Scrutiny Impact Review of City of York Council undertaken by the Centre for Governance and Scrutiny (CfGS). The approved recommendations included revisiting and refreshing the Executive/Scrutiny protocol, with this work to be taken forward by a cross-party working group for discussion and agreement with the Leader and Deputy Leader once proposals had been developed.
2. The cross-party Scrutiny Review Working Group established following Council's endorsement of the action plan considered and developed draft proposals for a refreshed Executive/Scrutiny Protocol during June 2025. Following consultation and agreement with the Leader and Deputy Leader, the Working Group approved an agreed draft Executive / Scrutiny Protocol for City of York Council at its meeting on 23 July for referral to Audit and Governance Committee, with the recommendation that the Protocol be approved for inclusion in the Council's Constitution.
3. At its meeting on 3 September 2025, the Audit and Governance Committee resolved to commend to Council for approval a proposed revision of the Council's Constitution to incorporate the Executive / Scrutiny Protocol for City of York Council into Article 8 – Scrutiny.

Financial Strategy Implications

4. None directly arising from this report.

Recommendation and Reasons

5. Council is recommended to approve the proposed revision to Article 8 of the Council's Constitution to incorporate the Executive / Scrutiny Protocol for City of York Council.
6. Reason: To strengthen the scrutiny function and to fulfil the recommendation endorsed by Council in March 2025 in relation to a refreshed Executive / Scrutiny Protocol.

Options Analysis and Evidential Basis

7. Members may choose to approve or not approve the proposed amendment to the Constitution.

Organisational Impact and Implications

8. The implications are as follows:
 - **Financial** - none directly arising from this report.
 - **Human Resources (HR)** - none directly arising from this report.
 - **Legal** - none directly arising from this report. The Council has a statutory duty to operate a scrutiny function.
 - **Procurement** - none directly arising from this report.
 - **Health and Wellbeing** - none directly arising from this report.
 - **Environment and Climate action** - none directly arising from this report.
 - **Affordability** - none directly arising from this report.
 - **Equalities and Human Rights** - none directly arising from this report.
 - **Data Protection and Privacy** - none directly arising from this report.
 - **Communications** - none directly arising from this report.
 - **Economy** - none directly arising from this report.

Risks and Mitigations

9. Not approving the proposed amendment would risk leaving the recommendation endorsed by Council in March 2025 in respect of a refreshed Executive/Scrutiny protocol unfulfilled.

Wards Impacted

10. All wards affected.

Contact details

For further information please contact the author of this Decision Report.

Author

Name:	Bryn Roberts
Job Title:	Director of Governance and Monitoring Officer
Service Area:	Governance, Corporate
Report approved:	Yes
Date:	09/09/2025

Background papers

- Article 8 – Scrutiny

Annexes

- Annex A – Revised Article 8 – Scrutiny (clean)
- Annex B – Revised Article 8 – Scrutiny (tracked changes)

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ARTICLE 8 – SCRUTINY**1 Role and Function of Scrutiny**

- 1.1 Effective scrutiny offers non-executive members the opportunity to propose policy changes, suggest improvements, commend good practice, involve communities and take a leadership role on issues of significant concern in local areas.
- 1.2 The Council will appoint the following Scrutiny bodies to discharge the functions conferred by section 21 of the Local Government Act 2000:
- Corporate Scrutiny Committee (will act as the Council's statutory scrutiny committee)
- 1.3 Standing Scrutiny Committees:
- People Scrutiny Committee
 - Place Scrutiny Committee
- 1.4 The Chairs and Vice Chairs of the Scrutiny Committees are appointed by Full Council.
- 1.5 The common functions and individual terms of reference for each of the Scrutiny Committees are set out below.
- 1.6 All Councillors, except Members of the Executive, may be members of a scrutiny committee. However, no Councillor may be involved in scrutinising a decision in which they have been directly involved.
- 1.7 Government Statutory Scrutiny Guidance (2019) promotes the four core principles for effective scrutiny originally proposed by The Centre for Governance and Scrutiny namely:
- Provide constructive 'critical friend' challenge;
 - Amplify the voices and concerns of the public;
 - Be led by independent people who take responsibility for their role;

-
- Drive improvement in public services.

1.8 Any efficiency reviews undertaken by a Scrutiny Committee should:

- a) be outcome focused and reflect the Council's corporate priorities;
- b) challenge assumptions about the Council's operational processes;
- c) ensure all feasible options for the future delivery of services are explored and appraised;
- d) encourage the involvement of interested parties and external partners;
- e) make relevant recommendations to the Executive or Council

1.9 For further information on how scrutiny fits into the Council's committee structure see Article 8, Appendix 5 and Appendix 7 of this Constitution

2 General Role

2.1 Within their terms of reference, the Scrutiny Committees will:

- a) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- b) make reports and/or recommendations to the full Council and/or the Executive and/or any policy, joint or area committee in connection with the discharge of any functions;
- c) consider any matter affecting the area or its inhabitants; and
- d) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive. A call-in request received will be considered

by the Corporate Scrutiny Committee in accordance with the procedures at Appendix 5 of this Constitution

3 Specific Functions

3.1 Policy development and review.

3.2 The Scrutiny Committees may:

- a) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
- b) conduct research, community and other consultation in the analysis of policy issues and possible options;
- c) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- d) question members of the Executive and committees and Senior Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects on the issues and proposals affecting the area; and
- e) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

4 Scrutiny

4.1 The Scrutiny Committees may:

- a) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
- b) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;

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- c) question members of the Executive and or committees and Senior Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
 - d) make recommendations to the Executive and/or appropriate committee and/or Council arising from the outcome of the scrutiny process;
 - i. review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address an Improvement and Scrutiny Committee and local people about their activities and performance; and
 - ii. question and gather evidence from any person (with their consent).

5 Best Value

- 5.1 To oversee specific Best Value reviews undertaken on the Council's functions; receive progress reports; and make recommendations for consideration by the Executive on measures to be implemented.

6 Annual Report

- 6.1 The Corporate Scrutiny Committee must report annually to full Council on their working and make recommendations for future work programmes and amended working methods if appropriate.

7 Proceedings of Scrutiny Committees

- 7.1 The Scrutiny Committees will conduct their proceedings in accordance with the Scrutiny Procedure Rules set out in Appendix 5 of this Constitution.

8 Impartiality

- 8.1 When considering any matter as a member of a Scrutiny body the party whip will not be exercised.

Note: the Party whip is defined as “any instruction given by or on behalf of a political group to any Councillor who is a Member of that group as to how that Councillor shall speak or vote on any matter before the Council and any committee or sub-committee or the application or threat to apply any sanction by the group in respect of that Councillor should they speak or vote in any particular manner.”

9 Access to Information

- 9.1 Requests for access to information by a Member of a Scrutiny Committee will be considered in accordance with the Access to Information rules at Appendix 7 of this constitution.

10 Corporate Scrutiny Committee

- 10.1 To act as the Council’s statutory scrutiny committee
- 10.2 To oversee and co-ordinate/support the work of the Scrutiny Committees in its capacity as the Council’s statutory scrutiny committee.
- 10.2 This will include:
- a) Allocating responsibility for issues which fall between more than one Scrutiny Committee;
 - b) Allocating, in consultation with the relevant Chair and Vice-Chair, urgent issues to be considered by an appropriate committee (including ad-hoc scrutiny committee), as may be necessary;
 - c) Reviewing progress against the work plans of the Scrutiny Committees, as may be necessary and receiving updates from Chairs of those scrutiny committees, as required;

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- d) Receiving periodical progress reports, as appropriate, on specific scrutiny reviews.
 - e) Considering and commenting on any final reports arising from completed reviews produced by the Scrutiny Committees, as required.
- 10.3 To provide an annual report to Full Council on the work of the overview and scrutiny function
- 10.4 To consider all post-decision Call-in for scrutiny in accordance with the Scrutiny Procedure Rules as set out in Appendix 5 of the Constitution and to question any Executive Member, as may be required
- 10.5 In consultation with the Monitoring Officer, to periodically review the scrutiny procedures to ensure that the function is operating effectively and recommend to Council any appropriate constitutional changes relating to the scrutiny structure or procedural rules.
- 10.6 To receive details of petitions received by the Council in line with the Council's published arrangements and responses or proposed responses to those petitions. To consider using its powers as a scrutiny committee to support the Council in responding appropriately to issues raised by such petitions and, in so doing, to promote public engagement.
- 10.7 To monitor progress and actions taken in response to motions approved by Full Council
- 10.8 Is responsible for monitoring performance of the following areas:
- a) Legal Services
 - b) Corporate Governance Team
 - c) Civic & Democratic Services
 - d) Electoral Services
 - e) Corporate Finance and Procurement
 - f) Human Resources and Organisational Development
 - g) Customer, Resident and Exchequer Services
 - h) Digital and ICT
 - i) To monitor major capital projects
 - j) To have strategic oversight of the Council's 10 year strategies

-
- k) Develop and maintain a closer working relationship with the council's Audit and Governance Committee
- 10.9 To have detailed oversight of the Council's Climate Change responsibilities and actions, specifically:
- a) The production and delivery of the Climate Change Strategy and Climate Change Action Plan, which provides the framework for the council and city to be net zero carbon and climate ready.
 - b) Annual emissions reporting to monitor progress against our climate change ambition, reviewing the Council's practices, policies, and procedures to understand our impact and identify improvements.
 - c) The development of projects and programmes that contribute towards the Council's climate change ambition, including resilience measures to enable communities to address the consequences of climate change, and the identification of resources that can contribute towards delivery of actions
 - d) Collaboration with local and regional stakeholders, including the York Climate Commission, and engaging communities to understand their needs and deliver direct benefits for them,
- 10.10 As part of the committee's Climate Change responsibility
- a) To review best practice across the UK and other international cities
 - b) To provide opportunities for the committee to contribute to reducing carbon emissions, in the context of environmental responsibility, economic prosperity, social equity and cultural vitality
- 11 Scrutiny Committees**
- 11.1 The Council will establish Standing Scrutiny Committees whose overarching functions are:
- 11.2 To exercise the powers of a Scrutiny Committee under section 21 of the Local Government Act 2000 by:

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- a) Promoting a culture of continuous improvement across specific service plan areas
 - b) Challenging and reviewing the performance of those services
 - c) Assisting in the development of appropriate council policy in relation to those services
 - d) Maintain an annual work programme and ensure the efficient use of resources

11.3 In accordance with the powers of the Council, the Executive and Corporate Scrutiny Committee and subject to the Scrutiny Review Procedural Rules in Appendix 5 of this Constitution:

- a) Review any issue that it considers appropriate or any matter referred to it by the Executive, Corporate Scrutiny Committee or Council and report back to the body which referred the matter.
- b) Identify aspects of the Council's operation and delivery of services, and/or those of the Council's statutory partners, suitable for efficiency reviews.
- c) Carry out efficiency reviews or set up a Task Group from within their membership to conduct a review on their behalf.
- d) Scrutinise issues identified from the Executive's Forward Plan, prior to a decision being made subject to the Pre-Decision protocol at Appendix 5 of this Constitution.
- e) Receive Executive Member reports relating to their portfolio, associated priorities & service performance when requested by the committee.
- f) Scrutinise the services provided to residents of York by other service providers, as appropriate.
- g) To make final or interim recommendations to the Executive and/or Council.

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- h) To report any final or interim recommendations to Corporate Scrutiny Committee, if so requested.
 - i) Monitor the Council's financial performance during the year.
 - j) Monitor progress on the relevant Council Priorities and advise on potential future priorities.
 - k) Initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to their service plan areas

11.4 In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusiveness and sustainability.

12 Scrutiny Service Plan Responsibilities

12.1 Each Scrutiny Committee is responsible for the following service plan areas.

12.2 People Scrutiny Committee:

- a) Develop & maintain close working with Corporate Parenting Board and York Schools & Academies Board and deliver complimentary agendas where appropriate;
- b) Children's Social Care
- c) The Virtual School for children in care
- d) Early Years and childcare
- e) School effectiveness and achievement, including school attendance and school safeguarding
- f) School services: School place planning and capital maintenance; School transport; Admissions; The School governance service and SENDIASS; Behaviour and attendance; Elective home education; Children missing education
- g) SEND services & Educational Psychology
- h) Skills, including monitoring of York Skills Board; York Learning
- i) Neighbourhood Working, Community Centres
- j) People & Neighbourhoods Strategy & Policy

-
- k) Community Safety including Safer York Partnership, Substance Misuse, Anti Social Behaviour
 - l) Youth Services
 - m) Voluntary Sector
 - n) Digital inclusion strategy
 - o) Develop & maintain close working with Health & Wellbeing Board in order to deliver complimentary agendas and avoid duplication; hold HWB board to account on HWB Strategy
 - p) Public Health
 - q) Maintain oversight of Health Services as appropriate to Scrutiny, including monitoring of the Integrated Care Strategy
 - r) Consider any substantial changes to Health service provision within the local authority area
 - s) Services for carers
 - t) Adult Safeguarding
 - u) Adult Social Care Provision
 - v) Adult Social Care Community Teams
 - w) Commissioning, Quality Improvement and Partnerships
 - x) Early Intervention and Prevention
 - y) Housing Revenue Account
 - z) Housing Services
 - aa) Housing - Building Services, Repairs and maintenance, Standards and Adaptations
 - bb) Older People's Accommodation Programme
 - cc) Landlord services
 - dd) Homelessness and rough sleeping

12.3 In addition to the general powers and delegated authorities of Scrutiny Committees of the Council, the People Scrutiny Committee is also responsible for:

- a) the discharge of the health and scrutiny functions conferred on the Council by the Local Government Act 2000
- b) undertaking all of the Council's statutory functions in accordance with section 7 of the Health and Social Care Act 2001, NHS Reformed & Health Care Professional Act 2002, and section 244 of the National Health Service Act 2006 and associated regulations, including appointing members, from within the membership of the Committee, to any joint scrutiny committees with other local authorities, as directed under the National Health Service Act 2006.

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- c) reviewing and scrutinising the impact of the services and policies of key partners on the health of the City's population
 - d) reviewing arrangements made by the Council and local NHS bodies for public health within the City
 - e) making reports and recommendations to the local NHS body or other local providers of services and to evaluate and review the effectiveness of its reports and recommendations
 - f) delegating functions of scrutiny of health to another Local Authority Committee
 - g) reporting to the Secretary of State of Health when:
 - i. concerned that consultation on substantial variation or development of service has been inadequate
 - ii. it considers that the proposals are not in the interests of the health service

12.4 Place Scrutiny Committee:

- a) 10 Year Economic Strategy, Economic Growth & Inward Investment
- b) 10 Year Transport Strategy
- c) Local Transport Strategy
- d) Accessibility in public areas including City Centre Access Strategy
- e) Parking Services (including Digital ResPark)
- f) Highways
- g) Planning & Development Services
- h) Strategic Housing Provision
- i) Regeneration & Asset / Property Management
- j) Public Realm
- k) Waste Services
- l) Fleet
- m) Public Protection (Trading Standards, Environmental Health, Food Safety Licensing)
- n) Client Management: Make it York, GLL
- o) Client Management: YorWaste
- p) Emergency Planning, Flood Risk
- q) Monitor Emissions Impacts across the City
- r) Consider MCA Joint Committee Decisions as relate to this Committee
- s) Culture, including York Theatre Royal, Museums, Music Venues Network (& elements of MIY)

t) Libraries & Archives

13 Task Groups

- 13.1 These will be formed from within the membership of an individual Scrutiny Committee to undertake a specific scrutiny review in accordance with the powers conferred by section 21 of the Local Government Act 2000. Where possible, task groups will be politically proportionate and aim to have a quorate membership.

14 Executive / Scrutiny Protocol for City of York Council

14.1 Introduction

- 14.1.1 This Protocol applies to all members of scrutiny committees, any member who may be a member of a Task and Finish Group and all members of the Executive.

14.2 Policy development, pre-decision scrutiny and review of policy implementation

- 14.2.1 The importance of early input from Scrutiny into policy development is recognised. Executive Members and/or officers should bring to the attention of the relevant scrutiny committee any policy that is being developed or is due for review to ensure timely input.
- 14.2.2 Policy development will be carried out through discussion at the relevant scrutiny committee or through a Task and Finish Group overseen by the relevant scrutiny committee. The Executive and relevant officers will consider the views of scrutiny members in the development of the policy and provide a response to the recommendations of scrutiny. The detail of scrutiny's involvement shall also be included within the body of the Executive report. The Executive/Full Council will continue to be responsible for approving and adopting policy.
- 14.2.3 Executive Members may wish to request views from Scrutiny members on a decision before it is taken in order to be able to

consider different views and perspectives prior to a decision being taken.

- 14.2.4 Scrutiny members may wish to review the implementation of new or revised policies, with a view to identifying best practice or lessons learned.

14.3 Holding the Executive to account

- 14.3.1 A key role of scrutiny is in holding the Executive to account for decisions taken and the performance of services. In holding the Executive to account Scrutiny members will:
- Consider decisions taken by the Executive, individually and collectively and items on the Forward Plan;
 - Review service performance and performance against policy and targets;
 - Be prepared to ask searching questions that provide a constructive challenge;
 - Be respectful in their interactions with Executive Members and officers;
 - Represent the voice of the public;
 - Listen to the responses provided and to assist the Executive in identifying areas for further consideration and improvement.
- 14.3.2 In return, Executive Members will:
- Be willing to be open, honest and engaged in providing a response to constructive challenge;
 - Value the importance of scrutiny;
 - Be supportive of the scrutiny process and invite and seek opinion from Scrutiny members on decisions to be taken, where appropriate;
 - Provide a positive contribution to scrutiny meetings;
 - Attend meetings when able to do so to answer questions and present information;
- 14.3.3 Where a decision is ‘called in’, it will be considered by the Corporate Scrutiny Committee in accordance with the procedures set out at Appendix 5 of the council constitution⁵.

⁵ <https://democracy.york.gov.uk/documents/s184985/05%20-%20Appendix%205%20-%20Scrutiny%20Procedure%20Rules.pdf>

14.4 Scrutiny work planning

- 14.4.1 Scrutiny sets its own work programme, with input from Executive Members, officers and residents and taking into account the council's Forward Plan. At the start of each Municipal Year, the scrutiny committees will hold a work planning workshop. As part of this workshop the views of the relevant Executive Members and officers will be sought with a view to ensuring that the Scrutiny function contributes towards effective policy formulation and decision-making.
- 14.4.2 The Chair and Vice Chair of the Corporate Scrutiny Committee will meet regularly with representatives of the Executive in order to ensure a positive working relationship between the two functions.

14.5 Scrutiny recommendations to the Executive

- 14.5.1 Scrutiny committees may make recommendations to the Executive on functions the Council is responsible for through formal scrutiny committee meetings and through Task and Finish Group reports.
- 14.5.2 Upon receipt of a recommendation from Scrutiny, Executive Members will:
- Give due consideration to any recommendations and accept these where they are minded to; and/or
 - Provide an explanation for the reasons why recommendations made by scrutiny have or have not been accepted.
- 14.5.3 Recommendations from Scrutiny will be logged and tracked by Democratic Services and Scrutiny Committees will receive formal reports twice each year on the number of recommendations that have been accepted and incorporated through the decision-making process and the level of progress made against the recommendations.

14.6 Ensuring Compliance with the Protocol

- 14.6.1 The Head of Democratic Services and the Monitoring Officer will be responsible for overseeing compliance with the

Executive/Scrutiny Protocol which should be used by members to support the wider aim of supporting and promoting a culture of scrutiny. The success of the protocol will be determined by:

- Recognition of the value of scrutiny;
- A clear record of constructive challenge;
- Valuable scrutiny reviews that achieve outcomes;
- An open and accountable decision making process.

14.6.2 An Annual Report will be submitted to Full Council each year with the aim of demonstrating the impact of Scrutiny and effectiveness of the Protocol.

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ARTICLE 8 – SCRUTINY**1 Role and Function of Scrutiny**

- 1.1 Effective scrutiny offers non-executive members the opportunity to propose policy changes, suggest improvements, commend good practice, involve communities and take a leadership role on issues of significant concern in local areas.
- 1.2 The Council will appoint the following Scrutiny bodies to discharge the functions conferred by section 21 of the Local Government Act 2000:
- Corporate Scrutiny Committee (will act as the Council's statutory scrutiny committee)
- 1.3 Standing Scrutiny Committees:
- People Scrutiny Committee
 - Place Scrutiny Committee
- 1.4 The Chairs and Vice Chairs of the Scrutiny Committees are appointed by Full Council.
- 1.5 The common functions and individual terms of reference for each of the Scrutiny Committees are set out below.
- 1.6 All Councillors, except Members of the Executive, may be members of a scrutiny committee. However, no Councillor may be involved in scrutinising a decision in which they have been directly involved.
- 1.7 Government Statutory Scrutiny Guidance (2019) promotes the four core principles for effective scrutiny originally proposed by The Centre for Governance and Scrutiny namely:
- Provide constructive 'critical friend' challenge;
 - Amplify the voices and concerns of the public;
 - Be led by independent people who take responsibility for their role;

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- Drive improvement in public services.

1.8 Any efficiency reviews undertaken by a Scrutiny Committee should:

- a) be outcome focused and reflect the Council's corporate priorities;
- b) challenge assumptions about the Council's operational processes;
- c) ensure all feasible options for the future delivery of services are explored and appraised;
- d) encourage the involvement of interested parties and external partners;
- e) make relevant recommendations to the Executive or Council

1.9 For further information on how scrutiny fits into the Council's committee structure see Article 8, Appendix 5 and Appendix 7 of this Constitution

2 General Role

2.1 Within their terms of reference, the Scrutiny Committees will:

- a) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- b) make reports and/or recommendations to the full Council and/or the Executive and/or any policy, joint or area committee in connection with the discharge of any functions;
- c) consider any matter affecting the area or its inhabitants; and
- d) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive. A call-in request received will be considered

by the Corporate Scrutiny Committee in accordance with the procedures at Appendix 5 of this Constitution

3 Specific Functions

3.1 Policy development and review.

3.2 The Scrutiny Committees may:

- a) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
- b) conduct research, community and other consultation in the analysis of policy issues and possible options;
- c) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- d) question members of the Executive and committees and Senior Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects on the issues and proposals affecting the area; and
- e) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

4 Scrutiny

4.1 The Scrutiny Committees may:

- a) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
- b) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;

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- c) question members of the Executive and or committees and Senior Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
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- c) Reviewing progress against the work plans of the Scrutiny Committees, as may be necessary and receiving updates from Chairs of those scrutiny committees, as required;

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- c) reviewing and scrutinising the impact of the services and policies of key partners on the health of the City's population
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consider different views and perspectives prior to a decision being taken.

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14.3.1 A key role of scrutiny is in holding the Executive to account for decisions taken and the performance of services. In holding the Executive to account Scrutiny members will:

- Consider decisions taken by the Executive, individually and collectively and items on the Forward Plan;
- Review service performance and performance against policy and targets;
- Be prepared to ask searching questions that provide a constructive challenge;
- Be respectful in their interactions with Executive Members and officers;
- Represent the voice of the public;
- Listen to the responses provided and to assist the Executive in identifying areas for further consideration and improvement.

14.3.2 In return, Executive Members will:

- Be willing to be open, honest and engaged in providing a response to constructive challenge;
- Value the importance of scrutiny;
- Be supportive of the scrutiny process and invite and seek opinion from Scrutiny members on decisions to be taken, where appropriate;
- Provide a positive contribution to scrutiny meetings;
- Attend meetings when able to do so to answer questions and present information;

14.3.3 Where a decision is 'called in', it will be considered by the Corporate Scrutiny Committee in accordance with the procedures set out at Appendix 5 of the council constitution⁵.

⁵ <https://democracy.york.gov.uk/documents/s184985/05%20-%20Appendix%20%20-%20Scrutiny%20Procedure%20Rules.pdf>

14.4 Scrutiny work planning

14.4.1 Scrutiny sets its own work programme, with input from Executive Members, officers and residents and taking into account the council's Forward Plan. At the start of each Municipal Year, the scrutiny committees will hold a work planning workshop. As part of this workshop the views of the relevant Executive Members and officers will be sought with a view to ensuring that the Scrutiny function contributes towards effective policy formulation and decision-making.

14.4.2 The Chair and Vice Chair of the Corporate Scrutiny Committee will meet regularly with representatives of the Executive in order to ensure a positive working relationship between the two functions.

14.5 Scrutiny recommendations to the Executive

14.5.1 Scrutiny committees may make recommendations to the Executive on functions the Council is responsible for through formal scrutiny committee meetings and through Task and Finish Group reports.

14.5.2 Upon receipt of a recommendation from Scrutiny, Executive Members will:

- Give due consideration to any recommendations and accept these where they are minded to; and/or
- Provide an explanation for the reasons why recommendations made by scrutiny have or have not been accepted.

14.5.3 Recommendations from Scrutiny will be logged and tracked by Democratic Services and Scrutiny Committees will receive formal reports twice each year on the number of recommendations that have been accepted and incorporated through the decision-making process and the level of progress made against the recommendations.

14.6 Ensuring Compliance with the Protocol

14.6.1 The Head of Democratic Services and the Monitoring Officer will be responsible for overseeing compliance with the

Executive/Scrutiny Protocol which should be used by members to support the wider aim of supporting and promoting a culture of scrutiny. The success of the protocol will be determined by:

- Recognition of the value of scrutiny;
- A clear record of constructive challenge;
- Valuable scrutiny reviews that achieve outcomes;
- An open and accountable decision making process.

14.6.2 An Annual Report will be submitted to Full Council each year with the aim of demonstrating the impact of Scrutiny and effectiveness of the Protocol.

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Full Council**18 September 2025**

Director of Governance and Monitoring Officer

(Portfolio of the Leader of the Council including Policy, Strategy and Partnerships)

Publication of Member's Addresses**Purpose of the report**

1. To clarify Council's approach to publishing Members home addresses on their Register of Interests.

Summary

2. As members may be aware, it is a requirement under section 30 of the Localism Act 2011 ("the Act") for Members and Co-opted Members of an authority to disclose any disclosable pecuniary interest ("DPI") to the Monitoring Officer within their register of interests.
3. Section 32 of the Act makes provision for a DPI to be withheld from a member's register of interests if the Member and Monitoring Officer consider the interest to be sensitive.
4. In recent years there have been a number of recommendations to, and calls for, the Government to amend the legislation so that Members are no longer required to publicly declare their home address, but currently the position remains unchanged.
5. Following an increase in the number of councillors facing abuse and intimidation, the Minister for Local Government wrote to Monitoring Officers urging them to treat requests for an interest to be treated as sensitive sympathetically.
6. As Members may recall, an e-mail was sent to all City of York Councillors on 7 August 2025, indicating that should they wish to have their home addresses redacted, they could contact the

Monitoring Officer to arrange this; this is best described as an “opt-in” approach to address redaction.

7. However, following dispatch of that e-mail, it has become apparent that there is significantly more concern in relation to member safety than at first appreciated. As a consequence, it is considered that an “opt-out” approach to address redaction, as set out below, is more appropriate.

Background

8. Section 30 of the Act sets out the requirement for all members and co-opted members to register any Disclosable Pecuniary Interests (DPIs) with the Monitoring Officer.
9. The Act is supplemented by The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (“The Regulations”) which set out the interests which constitute DPIs for the purposes of the Act.
10. Under the Regulations, land is defined as:

“(a) any beneficial interest in land which is within the area of the relevant authority”
11. The most common interest in land, which is required to be registered is a Member’s home address. Unless the interest is considered to be sensitive, the home address (and any other interests in land) will be published on the members register of interests on the Council website.

Sensitive Interests

12. Section 32 of the Act allows a Member, at the discretion of the Monitoring Officer, to have the details of a DPI removed from their register of interests if the interest is considered as “sensitive”.
13. The Act considers an interest to be sensitive if:

“(a) the nature of the interest is such that the member or co-opted member, and the authority’s Monitoring Officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation”.

14. If an interest is identified as sensitive, the Act require that the register reflects that the member does have an interest under the relevant sections, but details of the interest are withheld. The Act allows for the clarification on the member's register that their interest is withheld under section 32 of the Act.

Intimidation in Public Life: A Review by the Committee on Standards in Public Life

15. Following a call from evidence by the Committee on Standards in Public Life, the Committee on Standards in Public Life (CSPL) published a report in 2017 which makes a number of recommendations to reflect the scale and intensity of intimidation in public life.
16. The report made two recommendations which concern the publication of member addresses:
 - “(a) The government should bring forward legislation to remove the requirement for candidates standing as local councillors to have their home addresses published on the ballot paper. Returning Officers should not disclose the home addresses of those attending an election count.”and;
 - “(b) Local Authority Monitoring Officers should ensure that members required to declare pecuniary interests are aware of the sensitive interests provisions in the Localism Act 2011.”
17. In a response to the report, the then Prime Minister wrote that the Government agree with both recommendations concerning the publication of member addresses.
18. In 2018, the Local Elections (Principal Areas) (England and Wales) Rules 2006 were amended so that candidates are able to request that their home address is not published on the ballot paper.
19. No amendments were made to The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2011. However, when the then Ministry of Housing, Communities & Local Government wrote to local authorities to advise them of the changes to the rules for election candidates, they reminded them of the provision for interests to be treated as sensitive under the Localism Act 2011.

Local Government Ethical Standards, A Review by the Committee on Standards in Public Life

20. In January 2019, the CSPL published a further report, which reviewed the effectiveness of the Standards arrangements in Local Government at the time of publication, particularly due to the changes made by the Localism Act 2011.
21. The review covered all Local Authorities in England and as a result the report made 26 recommendations aimed at the LGA, the Government, Local Authorities and Political Groups.
22. Recommendation 2 in the report concerns the publication of member addresses:

“Recommendation 2: The government should ensure that candidates standing for or accepting public office are not required publicly to disclose their home address. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to clarify that a councillor does not need to register their home address on an authority’s register of interests.”
23. The report found, based on evidence gathered, that whilst the intimidation of councillors is less widespread than that of MPs, when it does occur the severity and distressing are equal to that experienced by MPs.
24. The report notes that unlike MPs and Parliamentary Candidates, councillors’ addresses are often made public on their register of interests. The report notes that due to the nature of local democracy, local councillors will often live in the local area. Within their call for evidence, there were responses which support the assertion that councillors have a greater fear of being subject to physical intimidation due to their awareness of their high profile in the local community.

Debate Not Hate; The impact of abuse on local democracy.

25. The Local Government Association (LGA)’s Debate Not Hate campaign was launched in 2022 and aims to raise public awareness of the role of councillors in their communities, encourage healthy debate and improve the responses and support for local politicians facing abuse and intimidation.

26. The “Debate Not Hate; The impact of abuse on local democracy” report contains the findings from the LGA call for evidence of abuse and intimidation of councillors, and the recommendations of the LGA in response to these findings.
27. The call for evidence found that threats were a consistent theme which ran throughout the responses and these threats were seen as being more serious due to the availability of councillors’ addresses online.
28. The report suggests that it may be better for local authorities to move towards an ‘opt-in’ system which would make the default position for councillors’ home addresses to be treated as a sensitive interest and would require councillors to expressly request that their address is published should they wish it to be made public.
29. The report made the following recommendations in response to concerns about the availability of councillors’ addresses:

“Recommendation 4: The Government should prioritise legislation to put it beyond doubt that councillors can withhold their home address from the public register of pecuniary interests.

and;

“Recommendation 5: The LGA should work with political parties, election and democratic officers, and organisations responsible for guidance to raise awareness of the options currently available and promote the practice of keeping home addresses private during the election process and once elected.

30. Responses gathered during the LGA’s call for evidence highlighted significant concerns about the availability of personal information online, and thus how easily online abuse could translate to physical harm.
31. On 18 March 2024, the Minister for Local Government wrote to all Chief Executives in response to recent concerns from elected members about intimidation in public life. The Minister wanted to ensure that all councillors and elected mayors are aware of the sensitive provisions in Section 32 of the Act. He requested that Chief Executives bring the contents of the letter to the attention of all Councillors and the Monitoring Officer. The letter stated that the Government encourages Monitoring Officers to look sympathetically at accommodating requests for withholding home

addresses from published versions of the register of interests where there are legitimate concerns of violence or intimidation.

32. On 3 April 2024, the LGA called on the Government to introduce legislation that would allow a council to proactively withhold Councillors' home addresses from the public as soon as is possible. It is understood that the LGA are also requesting that the Government indemnify Monitoring Officers in relation to requests to treat interests as sensitively, which they have considered sympathetically.

Current position for City of York Council

33. Whilst historically there were very few requests in York for interests to be treated as sensitive and/or instances in which interests were agreed to be sensitive by the Monitoring Officer, in recent years there has been a notable increase in the number of requests. This is linked to an increase in reports of abuse and intimidation which Members face.
34. If a Member reports experiencing abuse or intimidation, consideration is given to treating their home address as a sensitive issue as a precaution. All requests to treat interests as sensitive are considered sympathetically by the Monitoring Officer.

Approaches of other Local Authorities

West Sussex County Council

35. In response to the increasing number of members at West Sussex County Council who asked for their home addresses to be withheld on their register of interests, the Council considered alternative arrangements to address these concerns.
36. Prior to the May 2021 elections West Sussex changed their approach from the assumption that addresses should be published, to instead asking members to explicitly opt in or opt out of having their addresses published.
37. West Sussex reported that following this election, 32 members (out of 70) opted to have their addresses published, and 38 chose not to. The members at the Council are able to update their preference at any time, and by November 2021 they noted that the number of members choosing to withhold their address had risen to 39.

38. A further report was put to West Sussex Council's Governance Committee in February 2022, which recommended that no changes be made to the Council's approach to publishing member addresses.
39. However, in response to the report, Members proposed the default position be amended so that members' addresses are not published unless specifically requested. Members proposed this approach due to concerns which they had in light of LGA research demonstrating a growing level of intimidation.
40. At this meeting it was resolved that the default position be amended so that members' addresses are not published unless specifically requested, and that the Council's Member Development Group considers options to include the area in which a member lives for the purpose of transparency.

Trafford Council

41. Following a recommendation of their Standards Committee in December 2021, Trafford Council commenced a consultation period to gather the opinions of their members as to whether member addresses should be publicly available.
42. The consultation results showed support for the removal of members' addresses from their published register of interests. Trafford's Standards Committee recommended that a report should be taken to Council with the recommendation that a blanket policy be applied whereby all Members' addresses are treated as sensitive interests and not made publicly available.
43. The report taken to Council highlighted the Standards Committee's concern that disclosure of the residential property could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
44. At its meeting in October 2022, the Council agreed the recommendation from the Standards Committee not to publish member addresses.

Amber Valley Borough Council

45. In October 2021, following the murder of Sir David Amess MP, and advice given to the Council by the Derbyshire Police Counter Terrorism Advisor, the Monitoring Officer of Amber Valley Borough

Council issued a letter regarding Sensitive Pecuniary Interests of Councillors.

46. The Monitoring Officer considered if member addresses should be considered sensitive and decided that all members' home addresses should be removed from their public register of interests, subject to the member confirming that they wished for their address to be removed.
47. The Land section of the members' register reads:
- “(a) A disclosable pecuniary interest has been registered but is considered sensitive under Section 32 of the Localism Act 2011 and has not been published.”

Options

48. Council has the following options:
- (a) Maintain the current “opt-in” approach
The arrangements set out in the e-mail of 7 August 2025 for the publication of member addresses remain unchanged. Members' home addresses will continue to be published as a default position unless they request for their address to be classified as a sensitive interest under section 32 of the Localism Act 2011.
- (b) Treat all members home addresses as sensitive
Apply a blanket policy where all members' addresses will be treated as a sensitive interest under section 32 of the Localism Act 2011 and will be withheld from their published register of interests.
- (c) Adopt an “opt-out” approach
Move to an “opt-out” system whereby all members' addresses will be withheld under section 32 of the Localism Act as the default, but should they wish, a Member can request that their address be published on their register of interests.
49. Of these, Option (c) is recommended.

Recommendations

50. Council is recommended to:

- (a) Note the contents of the report; and
- (b) Agree that all Members' home addresses will be treated as sensitive and only the electoral division in which they live will be published unless a Member opts to have their home address published, in accordance with option (c) above.

Reasons for the Recommendation

51. In the interests of enhancing the safety and security of Members, whilst still allowing individual member choice.

Risks and Mitigations

52. There is a limited risk that an individual or organisation may seek to Judicially Review the decision to withhold all member addresses. This risk is, however, considered to be minimal, and is acceptable when weighed against the significant benefit of securing additional protection for members.

Wards Impacted

53. All wards

For further information please contact the author of the report

Author

Name:	Bryn Roberts
Job Title:	Director of Governance & Monitoring Officer
Service Area:	Governance
Report approved:	Yes
Date:	22 August 2025

Background Papers:

- None

Annexes:

- E-mail dated 7 August 2025

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From: Flintoft, Robert <Robert.Flintoft@york.gov.uk>

Sent: 07 August 2025 16:39

Subject: Addresses on the Council Website

Good Afternoon,

I hope you are all doing well, Bryn has asked that I contact all members relating to whether they wished to have their home address publicly available on the Council website.

Many Council's have previously instructed a desire to remove there home address from the Council website and the Register of Interest (ROI) and Bryn has confirmed that any Councillor not wishing to have this public can let Democratic Services know and this will be amended to no longer be publicly available information on the Council website. It appears that some Councillors have requested addresses to be removed from there profile but have submitted ROI's with home addresses listed.

If you would prefer for your home address to not be included on the website (your Councillor profile and/or ROI) if you can please let me know and the team will ensure those amendments are made. I will provide a link to the Councillor page on the website if you wish to double check what you currently have included. If you are content with the details currently provided you do not need respond to this email.

<https://democracy.york.gov.uk/mgMemberIndex.aspx?brc=1>

Kind regards,

Robert

As a dyslexic person, occasional English errors may pass me unnoticed. Please accept my apology if any appear in this text.

Robert Flintoft (He/Him)

t: 01904 555704 | e: robert.flintoft@york.gov.uk

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Appointments and Changes to Membership of Committees, Working Groups and Outside Bodies 2025-26

To note and confirm:

Committees

Health and Wellbeing Board

Cllr Cuthbertson appointed as substitute member to fill Lib Dem vacancy.

Outside Bodies

Explore York Libraries and Archives Mutual Limited

Owen Trotter appointed as CYC-nominated Director in place of Chris Edwards.

York Museums Trust

Cllr Clarke appointed in place of Cllr Myers.

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