



## CITY OF YORK COUNCIL SUMMONS

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

Thursday, 16 December 2021 at 6.30 pm

*Note: In view of the changing circumstances around the Covid-19 pandemic, this meeting will now be held remotely. Any decisions made will form recommendations to the Chief Operating Officer. The meeting will be webcast live for viewing on the Council's Youtube channel.*



## 1. **Declarations of Interest**

At this point, Members are asked to declare:

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

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

## 2. **Minutes** (Pages 3 - 24)

To approve and sign the minutes of the Council meeting held on 21 October 2021.

## 3. **Civic Announcements**

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

## 4. **Public Participation**

At this point in the meeting, any member of the public who has 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, 14 December 2021**.

To register to speak please visit

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

### **Webcasting of Public Meetings**

Please note that, subject to available resources, this 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](http://www.york.gov.uk/webcasts).

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

**5. Petitions**

To consider any petitions received from Members in accordance with Standing Order No.15. No notice of petitions has been received.

**6. Report of Executive Leader, Questions, and Executive Recommendations (Pages 25 - 34)**

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

Meeting	Date	Recommendations
Executive	18 November 2021	Minute 63: Capital Programme – Monitor 2 2021/22 <a href="https://democracy.york.gov.uk/ieListDocuments.aspx?Cd=733&amp;MId=12797&amp;Ver=4">https://democracy.york.gov.uk/ieListDocuments.aspx?Cd=733&amp;MId=12797&amp;Ver=4</a>

**7. Report of Deputy Leader and Questions (Pages 35 - 44)**

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

**8. Motions on Notice**

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

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

(i) From Cllr Runciman

**End Violence Against Women and Girls**

“This Council notes:

- Its commitment to making York a safe place for everyone.
- Work carried out by IDAS (Independent Domestic Abuse Services) and regional organisations and charities supporting women who have experienced abuse or harassment.

- That across the UK harassment and violence towards women and girls is endemic.
- When combining the data from the region's four police forces, it shows an average of 10 women are sexually assaulted every day in Yorkshire.
- Over the last 24 months in York there have been 878 sexual offences and 2,278 stalking and harassment offences reported. 3,117 domestic abuse crimes were reported in York between January 2019 and June 2021 (according to North Yorkshire Police data). Due to underreporting the real extent of the committed offences is likely to be much higher.
- Domestic abuse support referrals in York and North Yorkshire have risen significantly – with the number of requests for help increasing by 80 per cent. Number of victims seeking help from community-based support services rising by about 4,000 people since 2019.
- Studies have shown that the intersectional nature of discrimination means that women with additional protected characteristics, such as those who are from Black, Asian or Ethnic Minority communities, disabled or LGBT+, are even more likely to experience discrimination, harassment, and abuse.

#### Council welcomes:

- The introduction of the Domestic Abuse Act 2021 and the new statutory responsibilities for local authorities under the Act, however recognises that it does not provide equal protection for migrant women and fails to allocate comprehensive funding to local authorities and organisations.
- The establishment of a multi-agency Domestic Abuse Local Partnership Board to provide strategic leadership and co-ordination of the domestic abuse work across York.

#### Council believes:

- Victim-blaming narratives and misogyny must be challenged at all levels of society wherever encountered.
- That we must do all we can as a Council and representatives in our communities to champion the rights of women and girls and to tackle violence against them.

Raising awareness plays a huge part in changing the cultural and social norms which are recognised as being highly influential in shaping individual behaviour, including the use of violence.

Consequently, Council resolves to:

- 1) Endorse the Council's application to become a White Ribbon Accredited local authority.
- 2) Encourage all Councillors to take the White Ribbon pledge, never to take part in, condone or stay silent about violence against women.
- 3) Arrange awareness training around violence against women and girls and misogyny.
- 4) Support the summit regarding violence against women and girls with key city and regional representatives set to be held early next year and support the implementation of the forthcoming North Yorkshire Police strategy to help make York a safer place for women and girls.
- 5) Encourage schools, academies and colleges to develop and implement policies on tackling physical, mental or emotional harassment of female pupils or staff, separate to their bullying policy.
- 6) Support and work to expand such campaigns as the 'Ask for Angela', 'Ask for Clive' and the Our Streets Now.
- 7) Write to the new Police, Crime and Fire Commissioner to ask them to report on performance on tackling violence against women and the progress of implementing a region-wide strategy to support this work."

(ii) From Cllr Looker

### **Caring and Dignity for York's Elderly Residents**

"Council notes the passage through Parliament of the Government's £86,000 lifetime care cap policy, incorporating a new and punitive condition that will hit those York residents in receipt of council support with their care costs hard.

Council notes the Government's requirement that those individuals will be expected to personally fund £86,000 of care costs – the same amount as those with millions in the bank – contrary to the recommendations of the national Dilnot

Commission on Social Care.

It further notes that the care cap excludes the cost of food and accommodation in care homes, which could cost residents up to an additional £10,400 a year.

Council also notes:

- The debacle of the council's transfer of Haxby Hall Care Home to Yorkcare, resulting in low paid York workers caring for our elderly residents being targeted with fire and rehire within six months of the transfer;
- The huge expense to both the council and to affected York residents required to fund care home places in York.

Council believes the financing of the care system is broken, and will remain so in 2023 when the care cap comes into effect, leaving too many, mostly elderly, York residents without the dignity they deserve in the latter stages of their lives.

It further believes that the Government's decision to target the least well off, combined with the living costs of being in a care home in York, will result in a significant number of York residents being forced to sell their homes to fund their personal care.

Council resolves to:

- state its written opposition to Government on the exclusion of financial support for York's least well off residents in calculating when the care cap threshold is reached;
- write to both York MPs, highlighting the number of York residents currently in receipt of support with care costs in their respective constituencies, as an indication of how many are likely to be hard hit by the new policy from 2023;
- request that Executive:
  - commissions a study to investigate more cost-effective market structures for care places in York;
  - carries out a full review of its Haxby Hall transfer decision, both to learn lessons and to determine what support it can provide Yorkcare to enable it to honour its legal obligations around staff transfers;

in order to provide a secure, safe and stable local care market, that York residents can better afford.”

(iii) From Cllr Warters

### **Houses in Multiple Occupation**

“Council notes that following the introduction of the new use class of C4 ‘Houses in Multiple Occupation’ in April 2010 and a requirement for planning permission to be sought for a change from a C3 (single household dwelling house) and the subsequent change by the incoming Conservative/Lib Dem coalition government to make this change of use ‘permitted development’ City of York Council introduced an Article 4 Direction to exert a tighter control on such HMO formation and require planning permission to be sought for C3 to C4 conversion.

The Article 4 Direction was introduced in York in April 2012 and the main tool for controlling the distribution of HMOs were the threshold limits of 20% C4 HMOs at a ‘Neighbourhood Level’ and 10% at a ‘Street Level’.

Council believes that in the light of the large number of off campus purpose built student accommodation flats approved and built in recent years, the large number recently approved awaiting construction and ongoing applications for such developments that the time has come to revisit the ‘Controlling the Concentration of Houses in Multiple Occupation’ Supplementary Planning Document 2012 (revised 2014) with a view to reducing the acceptable threshold levels of HMOs in residential streets.

Council understands from ongoing planning applications that the pressure on family homes in residential areas near the two Universities for conversion to C4 HMOs is not abating as could be reasonably thought after all the purpose built Student accommodation approvals and completions.

Council resolves therefore in the interests of protecting residential family homes for family use to request Executive to consider initiating without delay a review of the HMO Supplementary Planning Document with a view to halving the acceptable percentage thresholds to 10% at ‘Neighbourhood level’ and 5% at ‘Street Level’.”



(iv) From Cllr Widdowson

### **Clean Up York's Rivers**

“This Council notes that:

- Close and effective work is ongoing with the Environment Agency and Yorkshire Water on a wide range of river management issues.
- Environment Agency data gathered to evidence the performance of England's rivers under the Water Framework Directive has indicated that only 14% of rivers were of good ecological status in 2019.
- According to The Rivers Trust, in 2020 water companies dumped raw sewage 2,392 times into the rivers in York, for a total of 14,838 hours.
- Government funding to the Environment Agency to monitor river quality, and regulate farms and water companies has dropped by almost two thirds in the last decade.
- In 2020 just 3.6% of pollution complaints made to the Agency resulted in penalties.
- In 2016 Yorkshire Water Services was fined £1.1m for discharging sewage into the River Ouse.
- The Government has failed to include any meaningful targets or a clear action plan to end the regular dumping of sewage into rivers as part of the recently approved Environment Bill, ignoring millions of people who demanded action as part of one of the boldest and more inspiring environmental campaigns in recent years.
- The MP for York Outer and other Conservative MPs failed to support amendments which would have ensured urgent action to clean up the country's rivers.
- The Liberal Democrats have proposed a “Sewage Tax”, which would tax the profits of water companies. The proposal would be a 16% tax on pre-tax profits, providing a £340 million fund to fix the sewage system.

Council believes that:

- Government must urgently restore Environment Agency budgets to deliver the necessary oversight.
- Inspection regularity of water companies and farms should

be increased and offenders rigorously prosecuted through the Environmental Audit Committee and Ofwat.

- Comprehensive funding must be provided to local and highways authorities to introduce systems to prevent road pollutants from entering our water courses.

Council resolves to request the Chief Operating Officer to:

- Write to the Secretary of State for Environment, Food and Rural Affairs calling for the Government to commit to granting the necessary funding, regulatory powers and policy changes to restore the health of Britain's rivers.
- Write to The Chief Executive of Yorkshire Water calling for urgent action to address the impact of waste-water discharges on our local rivers and to consider the implications of the work of the Storm Overflows Taskforce, the recently published Storm Overflow Evidence Project report and their implications in York, particularly relating to the use of real time data releases on overflow spills.
- Write to the Regional Director of the Environment Agency to request an update on the current testing regime in the Ouse and Foss to understand if improvements could be made. As well as to request that consideration is made to house the data on the CYC York Open Data platform and explore if the tests undertaken and information on their findings can be publicised on the Council website and social media channels.
- Write to the charities River Action and The Rivers Trust expressing this Council's support for their campaign to restore the health of Britain's rivers."

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

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

## **10. Report of Executive Member (Pages 45 - 58)**

To receive a written report from the Executive Member for Housing and Safer Neighbourhoods, and to question the Executive Member thereon, in accordance with Standing Order 19.

**11. Scrutiny - Report of the Chair of the Customer & Corporate Services Scrutiny Management Committee** (Pages 59 - 76)

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

**12. Recommendations of the Licensing and Regulatory Committee** (Pages 77 - 78)

To consider the recommendations for approval set out below:

Meeting	Date	Recommendations
Licensing and Regulatory Committee	9 November 2021	Minute 79: Statement of Licensing Policy <a href="https://democracy.york.gov.uk/ieListDocuments.aspx?Cd=606&amp;MIId=12836&amp;Ver=4">https://democracy.york.gov.uk/ieListDocuments.aspx?Cd=606&amp;MIId=12836&amp;Ver=4</a>

**13. Urgent Business**

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

## Democracy Officer

Fiona Young

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

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

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

Contact details are set out above.

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

**我們也用您們的語言提供這個信息 (Cantonese)**

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

 **(01904) 551550**