

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held at The Guildhall, York on Thursday, 14 July 2022, starting at 6.30 pm

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

Acomb Ward

Lomas
S Barnes

Bishopthorpe Ward

Galvin

Clifton Ward

D Myers
Wells

Copmanthorpe Ward

Dringhouses & Woodthorpe Ward

Fenton
Mason
Widdowson

Fishergate Ward

D'Agorne
D Taylor

Fulford and Heslington Ward

Aspden

Guildhall Ward

Craghill
Fitzpatrick
Looker

Haxby & Wigginton Ward

Cuthbertson
Hollyer
Pearson

Heworth Ward

Douglas
Perrett
Webb

Heworth Without Ward

Ayre

Holgate Ward

Melly
K Taylor

Hull Road Ward

Musson
Norman
Pavlovic

Huntington and New Earswick
Ward

Cullwick
Orrell
Runciman

Micklegate Ward

Baker
Crawshaw
Kilbane

Osbaldwick and Derwent Ward

Rowley
Warters

Rawcliffe and Clifton Without Ward

Smalley
Waudby

Rural West York Ward

Hook

Strensall Ward

Doughty
Fisher

Westfield Ward

Daubeney
Hunter
Waller

Wheldrake Ward

Vassie

Apologies for absence were received from Councillors Heaton and
Barker

1. Declarations of Interest (6:36 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. No interests were declared.

2. Minutes (6:37 pm)

Resolved: That the minutes of the Extraordinary and Ordinary meetings of Council held on 27 April 2022 and the Annual Council meeting held on 26 May 2022 be approved, and signed by the Chair as a correct record in each case.

3. Civic Announcements (6:39 pm)

The Lord Mayor made reference to the recent death of the broadcaster Harry Gration, who had been a resident of York and attended school in the city. Members observed a minute's silence in his memory.

The Lord Mayor went on to announce:

- The receipt of a gift of a paperweight from the Mayor of Thessalonika, which was available to view in the meeting room;
- The renewal of the York Armed Forces Covenant;
- The departure of the Monitoring Officer, Janie Berry, next month. He thanked Janie for her work with the Council since her arrival in 2018.

At a later point in the meeting, the Lord Mayor announced the imminent retirement of Charlie Croft, Assistant Director of Customer and Communities, after 26 years' service with the council. He invited Members to join with him in thanking Charlie for his achievements and wished him well for the future.

4. Public Participation (6:41 pm)

It was reported that there were 8 people registered to speak at the meeting under the Council's Public Participation Scheme.

Flick Williams spoke on Agenda Item 6 (Report of the Executive Leader), highlighting access issues in respect of the Council Chamber.

Fiona McCulloch spoke in support of the *Declaring a Cost of Living Emergency* motion at Item 8(ii), as Chief Executive of Citizens Advice York.

Adam Raffell also spoke in support of the *Declaring a Cost of Living Emergency* motion, as a representative of York Food Bank.

Linda Maskill spoke in support of the *Stop Unfair Parking Enforcement at Tower Court* motion at Item 8(iv), as a local resident affected by the parking enforcement.

Dave Thorp spoke on matters relevant to the Council or City, seeking a 'letter of enthusiasm' from the Council to support the production by Visualise Films Ltd. of a drama series set in York.

Stephen Howley spoke in support of the *Opposing Fire Service Cuts to the North Side of York* motion at Item 8(i), as leader of the Fire Brigade Union in North Yorkshire.

Gwen Swinburn spoke in support of the *Creating a More Collaborative Council* motion at Item 8(iii) and on governance issues as matters relevant to the Council or City.

Hon. Alderman Brian Watson spoke on the *Creating a More Collaborative Council* motion, broadly supporting the content of the motion.

5. Petitions (7:10 pm)

Under Standing Order 15, the following petitions were presented for reference to the Customer and Corporate Services Scrutiny Management Committee, in accordance with the Council's petition arrangements:

- a) A petition from Cllr Doughty, on behalf of residents of Stockton on the Forest and Hopgrove seeking a number of road safety improvements in their area.
- b) A petition from Cllr Doughty, on behalf of from residents of Earswick calling for resurfacing of 'The Village' in Earswick.

- c) A petition from Cllr Perrett, on behalf of residents of Huntington Road Area, seeking consultation on the introduction of a Respark zone in their street.
- d) A petition from Cllr Webb, on behalf of residents of Dodsworth Avenue, seeking consultation on the introduction of a Respark zone in their street.
- e) A petition from Cllr Douglas, on behalf of residents of Harcourt Street Area, asking the council to investigate options to create a Low Traffic Neighbourhood in their area.

6. **Report of Executive Leader, Questions, and Executive Recommendations (7:15 pm)**

A – Executive Leader’s Report

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

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

Local Plan Progress

From Cllr Pavlovic: As Vice Chair of Fulford Parish Council do you disagree with the parish council’s view, as expressed at the Phase 2 hearings, that the Local Plan is illegal and unsound?

Response: Yes.

[Supplementary: Were you at any of the Fulford PC meetings when that position was being taken and did you vote against it?]

I was at some of the meetings but not all and I would either have voted against or abstained, and made it clear that although I understood the views of some other parish councillors I personally felt that getting the Plan adopted was of over-riding importance, and not doing so would risk the government taking over and bringing back a Plan that no resident wanted.

From Cllr Warters: Are you willing to commit to fulfilling the will of Council (as per the motion approved in December 2021) and alleviating the concerns of residents by amending the policy on HMOs to reduce the accessibility threshold for HMOs in York,

given the inspectors' confirmation at the hearing this afternoon that this will not result in the collapse or delay of the Local Plan?

Response: I cannot comment on this afternoon's hearing as I wasn't there. A report came to Executive following that motion which sets out the position and the way forward. You could ask Cllr Ayre later, as he will be more sighted on the Local Plan.

Health Inequalities in York

From Cllr Douglas: The Leader will have received the briefing on health inequalities in York which stated that 40% of health differences are due to economic factors. Can he explain why there is nothing in the economic strategy to address this, and what is to be done?

Response: Inclusive growth is an important part of the strategy, which acknowledges this issue. A lot of work is being done on the draft Health & Wellbeing Strategy and on creating a new York Health Place, ensuring that the strategy focuses on priorities for York and the challenges around healthy life expectancy. The integrated care system will be a good opportunity if we can ensure that funding and decisions are at a level that matches York's priorities. Email me outside the meeting to link in to discussions with Cllrs Runciman, Waller and Mason on this important matter.

Financial Support for Residents

From Cllr Fenton: Significant resources have been invested by the council; what message are we sending to government to press the case for stability in funding not just to deal with current crises but in longer term local government finances?

Response: The impact of the pandemic on council finances and services has come on the back of years of hard challenges. So it is right to make the case, through the LGA and other organisations, for that long-term certainty needed to deliver important services and support to residents. We have joined a group led by Leicestershire County Council which has highlighted that the funding formula is not good for several councils including York, and we will continue to make that case.

York's Bid for GBR

From Cllr Wann: It was good to see York being shortlisted as a potential site for GBR; what are you doing personally to secure this and when will we hear the result?

Response: I don't know when we will hear; hopefully by the end of the summer. We are doing all we can to make sure of a 'yes'

result to the consultative vote, including working with partners on communications and community engagement. It's also about making sure we hit the government criteria, and there will be a ministerial visit in July, which is an opportunity to showcase York and how it could become an internationally recognised rail hub.

B – Executive Recommendations

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendation contained in Minute 13 of the Executive meeting held on 16 June 2022:

Capital Programme Outturn 2021/22 and Revisions to the 2022/23 - 2026/27 Programme

Recommended: That Council approve the re-stated 2022/23 to 2026/27 programme of £525.049m, as summarised in Table 3 at paragraph 97 of the report and detailed in Annex A.

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

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. To note the approval of the re-stated capital programme and take any action required. DM

7. Report of Deputy Leader and Questions (7:57 pm)

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

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

Clean Air Day 2022

From Cllr Rowley: You refer in your report to air pollution causing 36,000 deaths in the UK every year. Will you undertake an urgent

review on the closure of Penlys Grove Street and Navigation Road and reverse it if it proves to be causing more pollution than before due to longer traffic waits on Lord Mayor's Walk and Walmgate?

Response: The Groves project was subject to an extensive consultation process; an experimental TRO was in place for 18 months, during which there were significant fluctuations due to Covid, there was then a delay until the traffic pattern returned to normal. In making my decision I followed officers' advice, including on the issues you refer. The purpose of the annual Clean Air Day is to raise awareness, and officers have put in place a programme of reducing emissions from buses, alongside the message to 'switch off' car engines outside schools and in standing traffic to reduce pollution and save on fuel costs.

[Supplementary from Cllr Looker: Have you thought of taking it a stage further and having a car-free day in 2023?]

Response: That is a good suggestion, and something I have supported in the past, especially as some streets such as Fossgate, Micklegate and Bishopthorpe Road have organised their own such activities at a low cost to the council. Clean air is an issue that crosses portfolios, though I have mentioned it in my report because traffic is a major contributory factor.

Active Travel

From Cllr K Taylor: The walkway agreement between the NRM and the Highways department has been widely slammed by officials, residents and campaign groups. As Deputy Leader and Executive Member for Transport, what are you going to do to improve the agreement and involve ward councillors and residents?

Response: I am happy to provide a written reply; I am aware of the concerns and will do whatever I can to work with partners and try to improve the agreement.

8. **Motions on Notice (8:39 pm)**

(i) Opposing Fire Service Cuts to the North side of York

Cllr Myers sought consent to alter his motion to incorporate the amendment submitted by Cllr Hollyer.

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

“Council notes the Police, Fire and Crime Commissioner’s current consultation on proposals affecting the future of North Yorkshire Fire and Rescue Service (NYFRS), and its level of fire service cover across York.

Council further notes:

- a specific proposal to remove the full-time crewed engine from Huntington Station and replace it with an on-call crew, leading to significant increases in the time it takes for a fire engine to arrive at an incident;
- York residents’ current contribution of more than £5m per year in council tax precept payments to North Yorkshire Fire and Rescue Service (NYFRS) - almost 25% of the total raised from this source;
- York’s businesses contribute one third of all business rate receipts that go towards funding the Fire Service, adding a further £1m from our city to the regional fire service budget;
- NYFRS receives the 11th lowest level of funding from council tax revenues of January 2022, placing it just above the eight lowest charging fire authorities nationally to whom the Secretary of State for Levelling Up, Housing and Communities has awarded the £5 precept flexibility - before a referendum is triggered.
- consecutive governments have left North Yorkshire fire and rescue service in a dangerous financial position having abolished the entirety of its capital funding and seen over £1.8m in annual funding cuts for fire and rescue services in North Yorkshire since 2016.
- a petition, set up by Liberal Democrat councillors in the North of York, calling for the proposals to be rejected has collected over 1000 signatures from local residents.
- ongoing ‘Fair Deal for York’s Fire Services’ campaign led by Liberal Democrat councillors, which has been previously endorsed by the Council.
- Liberal Democrat councillors from Huntington, Haxby, Wigginton, Strensall, New Earswick and Rawcliffe, have met representatives of the Fire Brigade Union as well as the Police, Fire and Crime Commissioner to express their serious concerns over the proposals.

Council resolves:

- to formally oppose cuts to Huntington Station fire cover by submitting a City of York Council consultation response, outlining the city's view that current crewing and fire appliance arrangements at Huntington Station must be retained;
- to have that draft response published for public comment and decision at an Executive Member Decision Session prior to the consultation deadline of 14th August;

Council further resolves to write to the Police, Fire and Crime Commissioner and MPs for York Central and York Outer, asking them to collectively write and seek an urgent meeting with the Secretary of State for Levelling Up, Housing and Communities, to:

- carry out a comprehensive funding review of fire and police services in North Yorkshire, in order to futureproof sustainable service provision;
- make NYFRS's case for greater Government grant that address the unique challenges of delivering services across a large rural county, with diverse risks and very low levels of reserves;
- push for NYFRS to be given the option of agreeing the £5 precept flexibility, consistent with the other lowest charging fire authorities nationally."

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

Resolved: That the above motion be approved.¹

(ii) Declaring a Cost of Living Emergency

Moved by Cllr Hook and seconded by Cllr Ayre.

"Council notes that:

- There has been an unprecedented increase in the cost of living, which is having a significant impact on working people, pensioners, and those on benefits.
- This is in part caused by the rise in the Ofgem energy price cap, the National Insurance contributions increase, food and petrol/diesel price increases, rising inflation and wage growth stagnation.

- According to a report by the Resolution Foundation, people are facing the worst fall in living standards since the 1970s.
- According to data from the ONS, a typical household will have to spend an extra £1,287 due to rising cost of essentials and tax in 2022/-23.
- In 2021/22 York Foodbanks distributed food parcels at a rate of 5,545 per 100,000 people – a 64% increase compared to 5 years ago (Trussell Trust, 2022)
- The Council has invested £1,3million to support residents facing rising costs through the York Financial Assistance scheme (YFAS) since the start of the pandemic and has provided targeted support and advice to those in most need.

Despite the support the Council, central government and local organisations have been able to provide, it's clear that residents are experiencing serious financial challenges due to the rising cost of living, which are set to continue, impacting directly on their financial and mental wellbeing.

Consequently, Council resolves to:

- Declare a 'Cost of Living Emergency' in York.
- Ask the Executive to commit £200k towards the YFAS to issue additional food and fuel vouchers to approximately 4,000 residents on the lowest incomes.
- Host a local Cost-of-Living Emergency Summit, with stakeholders, including Citizens Advice, Food Banks, Local Trades Unions, and Chambers of Commerce and organisations working to support residents facing hardship.
- Call on the Government to act immediately to tackle the cost of living crisis by cutting the standard rate of VAT to 17.5%, restoring the Universal Credit supplement of £20, expanding the Warm Home Discount and introducing a home insulation fund to cut heating bills and carbon emissions.”

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

Resolved: That the above motion be approved.²

(iii) Creating a More Collaborative Council

Cllr Craghill sought consent to alter her motion to incorporate the amendment submitted by Cllr Fenton.

Following a vote, consent was granted and the altered motion was moved by Cllr Craghill and seconded by Cllr D'Agorne, as follows:

“This Council notes:

- That, along with other cities, York’s communities face many challenges for the years ahead including the Climate and Ecological Emergency, rising energy prices, global economic insecurity and the cost of living crisis, which is also exacerbating existing inequalities in the city.
- That York also has many positive advantages and opportunities. However, the challenges we face as a council and as a city will be best tackled by all political parties working together as much as possible, pooling the talents of all councillors and making decisions in ways that are transparent and support public involvement as much as possible.

This Council further notes:

- That a number of councils around the country are moving away from an Executive or Cabinet model of decision making to a Committee System.
- That whilst a Committee System doesn’t remove all political disagreement (and nor should it) it does mean that all councillors of all parties participate in decision making and all major decisions are automatically subject to public cross party scrutiny.
- That whilst cross-party decision-making committees (as opposed to only a small proportion of elected councillors in an Executive or Cabinet) are the key element of a committee system, there is also flexibility to develop detailed governance structures most suited to local circumstances.

This Council therefore resolves:

- to request Executive to begin the necessary preparatory work that would explore the various alternative governance models to identify the most suitable, deliverable and financially viable model, taking in account the governance implications of the creation of a combined authority in York and North

Yorkshire. This work would include the creation of a cross party task group, identification of the necessary funding, consultation with the Local Government Association and authorities which currently operate some type of committee system, such as Kent, Wirral, Bristol and Liverpool. A report would be brought to a meeting of the Executive to outline the financial and governance implications and possible next steps, enabling a decision on the formal adoption of any alternative forms of governance to be made in May 2023.”

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

Resolved: That the above motion be approved.³

(iv) Stop Unfair Parking Enforcement at Tower Court

Moved by Cllr Smalley and seconded by Cllr Waudby.

“Council notes that:

- A ‘no return within two hours’ policy is rigidly enforced at the privately-owned Tower Court car park at Clifton Moor.
- A number of residents have been adversely impacted by the application of this policy, for example when returning to Tower Court to collect prescriptions.
- This has been a concern particularly through the pandemic, with local councillors contacted numerous times about the unfair parking fines and having supported residents to successfully challenge these fines.
- The ward councillors for Rawcliffe & Clifton Without have launched a petition calling on Boulton Brooks Real Estate Ltd (owners of Tower Court) and ArdPark Ltd (parking enforcement operators at Tower Court) to end the heavy-handed enforcement of parking restrictions at Tower Court, review the parking enforcement method (no return within two hours) and to refund any parking charges issued to residents unreasonably.
- Owners of Tower Court, Boulton Brooks Real Estate, reportedly earn over £440k in rental income from the units at Tower Court ([as of 2018](#)), and yet continue to allow

ARDPark to fine residents £60 for visiting twice within two hours.

Council therefore resolves that:

- The City of York Council's Corporate Director for Economy & Place writes to Boulton Brooks Real Estate Ltd, ArDPark Ltd and the British Parking Association to seek a meeting to discuss the approach to enforcement at Tower Court and the impact it is having on residents, with a view to a more flexible approach being adopted."

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

Resolved: That the above motion be approved.⁴

Action Required

1. To note approval of the motion on Opposing Fire Services Cuts to the North Side of York and take appropriate action. IF
2. To note approval of the motion on Declaring a Cost of Living Emergency and take appropriate action. IF
3. To note approval of the motion on Creating a More Collaborative Council and take appropriate action. IF
4. To note approval of the motion to Stop Unfair Parking Enforcement at Tower Court and take appropriate action. NF

9. **Questions to the Leader or Executive Members (10:16 pm)**

Question to Cllr Waller, Executive Member for Children, Young People & Education

From Cllr Webb: There has been a long decline in service standards after 6 years of Lib Dem administration. What will you do to arrest the problems caused by a constant change in leadership, especially by the creation and dissolution of a People Directorate?

Response: At the scrutiny meeting you attended, a detailed action plan was presented, building on work already in progress. A key aspect is the pace of change and we've changed the composition of the Corporate Parenting Board so that young people are included. The arrival of a new Director next week will assist the

process. Scrutiny raised no issues with the actions or time frame, and I am working with officers to ensure the timetable is kept to.

Question to Cllr Widdowson, Executive Member for Environment & Climate Change

From Cllr Warters: Will you apologise to the people of York for the state of the streets and in particular the grass cutting, which is actually undermining the pollination policy by cutting down wildflower areas?

Response: There has been a massive problem in recruiting people this year and the [grass on] verges has got much longer than it should have. Apologies have been communicated for the lateness of the first cuts. One area containing wildflowers was cut, by a new person working overtime who thought they were doing the right thing. A new training process is in place, and everyone is working hard to ensure the city looks as well as it can.

Question to Cllr D'Agorne, Executive Member for Transport

From Cllr Crawshaw: With reference to your earlier response to Cllr Looker, can you confirm whether there will be an exemption for Blue Badge holders if the car-free day goes ahead in 2023?

Response: I said that there are such events in some streets, such as Bishopthorpe Road. Provision is made for all to attend these, including Blue Badge holders.

Question to Cllr Runciman, Executive Member for Health & Adult Social Care

From Cllr Waudby: Can you give an update on how the health trainer service supports residents?

Response: We are celebrating the first year with our health trainers. They have spoken to and advised 400 people on how to stop smoking, and 200 people on how to eat healthily and manage their weight. They can also provide advice and support on reducing alcohol intake – there's a particular problem in York with drinking at home. It's a great service, personalised and easy to sign up to online.

Question to Cllr Craghill, Executive Member for Housing & Safer Neighbourhoods

From Cllr Perrett: The boilers in some homes in Heworth Ward are too big for the residents' needs. Will you commit to looking into replacing these separately from the council house retrofit programme, as it is a unique problem?

Response: This does sound like a unique problem. I don't know the details but I am certainly prepared to look into it and get back to you.

Question to Cllr Ayre, Executive Member for Finance & Major Projects

From Cllr Daubeney: Can you give an update on the Shared Prosperity finance pot discussed at the last Executive meeting?

Response: Substantial progress has been made; the first meeting of the Shared Prosperity Board has taken place and the Board will meet again tomorrow to discuss how it will address some of the issues, with a view to reporting to government at the end of July.

10. Report of Executive Member (10:30 pm)

A written report was received from Cllr Smalley, the Executive Member for Culture, Leisure & Communities.

11. Joint Standards Committee Annual report for 2021/2022 (8:08 pm)

Cllr Rowley as Chair of Joint Standards Committee moved, Cllr Fisher seconded, and Council

Resolved: That the Joint Standards Committee Annual Report for 2021/2022 be received.

12. Amendments to the Council's Constitution (8:11 pm)

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendations contained in the report of the Monitoring Officer at page 95 of the agenda papers:

“Full Council is invited to approve the amendments to the Council's constitution as follows:

- 1) To approve the amendments made to Article 12 – Shareholders Committee;
- 2) To approve the amendments made to Article 20 – Corporate Parenting;
- 3) To approve the amendments made to Article 15 – Corporate Appeals;
- 4) To approve the amendments made to Article 18 - Health and Wellbeing Board;

- 5) To approve the appointment of the Main Opposition Group Shadow Lead Members for both Children and Adults to the Corporate Parenting Board;
- 6) To instruct the Monitoring Officer to ensure the Council's Constitution is updated in accordance with the recommendations of Full Council.

Full Council is asked to note:

The Chair of the Audit & Governance Committee has been consulted in respect of the updating amendments to the Constitution and that this report will be retrospectively report to the next meeting of the Audit & Governance Committee.

Reason: These amendments will ensure that the Constitution remains up to date and fit for purpose to support the council's decision making framework.”

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

Resolved: That the above recommendations be approved.¹

Action Required

1. Make the agreed amendments to the Constitution JB

13. Appointment of Independent Member to the Audit & Governance Committee and Appointment of Independent Persons to the Joint Standards Committee (8:12 pm)

Cllr Lomas moved, and Cllr Fisher seconded, the following recommendations contained in the report of the Monitoring Officer at page 125 of the agenda papers:

“Full Council is invited to approve the amendments to the Council's constitution as follows:

- 1) To confirm the appointment of Mr Richard Gadd and Mr Joe Leigh as Independent Persons on the Joint Standards Committee;
- 2) To confirm the appointment of Mr Joe Leigh as an Independent Member on the Audit & Governance Committee.

Reason: These appointments will support the council's governance framework including the ethical governance framework."

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

Resolved: That the above recommendations be approved.¹

Action Required

1. Make the agreed amendments to the Constitution. JB

14. Appointments and Changes to Membership (10:31 pm)

Resolved: That the appointments and changes to membership on the list at page 129 of the agenda papers be approved.¹

Action Required

1. Make the agreed changes to the membership on the system. JB

Cllr D Carr

LORD MAYOR OF YORK

[The meeting started at 6.34 pm and concluded at 10.32 pm]