



**CITY OF YORK COUNCIL  
SUMMONS**

All Councillors and relevant Council Officers 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, 29 October 2020 at 6.00 pm

*Note: The meeting will be webcast for viewing live on the Council's Youtube channel.*



# A G E N D A

## 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**

To approve and sign the minutes of the Ordinary Council meeting held on 19 December 2019 and the Budget Council meeting held on 27 February 2020.

## 3. **Civic Announcements**

To receive 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 Wednesday, 27 October 2020**.

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 Remote Public Meetings**

Please note that, subject to available resources, this remote 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. Notice has been received of two petitions, to be presented by:

(i) Cllr D'Agorne, on behalf of residents calling for a zebra crossing at the junction of Fawcett Street and Kent Street

and

(ii) Cllr Musson, on behalf of residents calling for Safe Zones to protect service users and residents from harassment outside abortion clinics.

## 6. Chief Operating Officer Selection and Approval (Pages 1 - 12)

To consider a report of the Monitoring Officer which presents the recommendation of the Chief Officer Appointments Sub Committee, detailing the selection process and proposed appointment of the Chief Operating Officer and Head of Paid Service.

## 7. Amendments to the Constitution by the Monitoring Officer since 23 March 2020 (Pages 13 - 20)

To consider a report of the Monitoring Officer setting out changes made to the Constitution since 23 March 2020, which have previously been reported to the Audit & Governance Committee and have been published on the Council's website.

## 8. Recommendations of the Audit and Governance Committee (Pages 21 - 24)

Meeting	Date	Recommendations
Audit and Governance Committee	11 March 2020	Minute 57: Review of the Council's Constitution <a href="https://democracy.york.gov.uk/ieListDocuments.aspx?Clid=437&amp;MId=11891&amp;Ver=4">https://democracy.york.gov.uk/ieListDocuments.aspx?Clid=437&amp;MId=11891&amp;Ver=4</a>

**9. Recommendations of the Licensing & Regulatory Committee**  
(Pages 25 - 26)

Meeting	Date	Recommendations
Licensing and Regulatory Committee	22 January 2020	Minute 35: Review of Polling Districts and Polling Places 2019 <a href="https://democracy.york.gov.uk/ieListDocuments.aspx?Clid=606&amp;MId=11674&amp;Ver=4">https://democracy.york.gov.uk/ieListDocuments.aspx?Clid=606&amp;MId=11674&amp;Ver=4</a>

**10. Report of Executive Leader and Executive Recommendations** (Pages 27 - 44)

To receive a written report from the Leader and to consider the following Executive recommendations for approval:

Meeting	Date	Recommendations
Executive	23 July 2020	Minute 20: Capital Programme Outturn 2019/20 and Revisions to the 2020/21 - 2024/25 Programme <a href="https://democracy.york.gov.uk/ieListDocuments.aspx?Clid=733&amp;MId=12295&amp;Ver=4">https://democracy.york.gov.uk/ieListDocuments.aspx?Clid=733&amp;MId=12295&amp;Ver=4</a>
<i>Executive</i>	1 October 2020	Minute 42: Capital Programme - Monitor 1, 2020/21 <a href="https://democracy.york.gov.uk/ieListDocuments.aspx?Clid=733&amp;MId=12297&amp;Ver=4">https://democracy.york.gov.uk/ieListDocuments.aspx?Clid=733&amp;MId=12297&amp;Ver=4</a>
<i>Executive</i>	22 October 2020	<i>Minute 52: Urgent Business: Devolution for York and North Yorkshire and Unitarisation – Update (to follow)</i>

**11. Report of Deputy Leader** (Pages 45 - 48)

To receive a written report from the Deputy Leader.

**12. Report of Executive Member** (Pages 49 - 58)

To receive a written report from the Executive Member for Housing and Safer Neighbourhoods.

**13. Questions to the Leader or Executive Members**

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

*Note to Members: In order to facilitate the smooth running of the remote meeting, the Lord Mayor has decided to set a deadline of 40 minutes in total for the above questions and responses.*

**14. Scrutiny - Report of the Chair of the Customer & Corporate Services Scrutiny Management Committee** (Pages 59 - 64)

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

**15. 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 K Taylor

**Maximising opportunities to build consensus in times of crisis**

“Council notes:

- the unprecedented challenges our city faces in relation to the social, economic and health impacts of Coronavirus;
- that these impacts will be far reaching and long lasting;
- that years of damaging austerity created an already difficult financial environment for council services pre-Covid;
- that changing demographics continue to add pressure to

vital but stretched statutory services.

Council believes:

- that York residents want to see Councillors acting responsibly and collaboratively at all times but particularly in times of crisis;
- that constructive challenge shouldn't be dismissed as 'playing party politics' and can in fact lead to better decision making;
- that elected councillors and council officers must think creatively about how we support our communities and get the most out of limited resources;
- that as we approach our most challenging winter in modern history we need to make an extra effort to show goodwill and maximise room for consensus in decision making.

Council resolves:

- to request that Executive builds on the constructive steps taken last year on budget setting and to actively improve collaboration, particularly where decisions will have long-reaching impacts, by giving all city councillors headline budget savings targets and draft savings proposals by mid-December 2020;
- to request that Executive Members invite shadow portfolio holders to attend any pre-meeting briefings before their Decision Making sessions, and encourage their attendances at said Decision Sessions by default throughout the duration of this crisis;
- to request that the Executive Member for Culture and Communities works closely with all city councillors to:
  - a) instigate a review of the use of devolved Ward Budgets, in the context of unprecedented financial pressures, so as to maximise their efficiency, value for money, and impact for residents across the whole city; and
  - b) as part of this review and within the next month, authorise a trial for a flexible, city-wide, fund with each councillor allocating £2,000 from their ward budgets over the next 6 months, to build a resource of almost £100,000. This resource will focus on supporting residents, irrespective of ward boundaries, deemed vulnerable, isolated, or in

need of other essential help through the funding of community, voluntary and other organisations working to combat the worst effects of Covid 19;

- to request that Executive Members and Officers actively seek to maximise any and all further opportunities to build consensus around decision-making.”

(ii) From Cllr Aspden

**Covid-19: Response and Recovery in York**

“The Coronavirus pandemic has presented our city with an unprecedented challenge, with residents and businesses having to work hard to adapt to public health guidance and new ways of life.

Local authorities across the country have been instrumental in the response to the Coronavirus pandemic by providing constant and crucial support to businesses and local communities.

As the country and the city faces the second wave of the pandemic, the Government must step up and provide the necessary support to keep York’s residents safe and businesses open.

Council notes:

- The excellent and selfless work of the city’s key workers, including those in the NHS, volunteers and public health staff throughout the pandemic;
- Since the pandemic was declared, the Council has prioritised resources to deliver crucial and urgent support to residents and businesses across the city.
  - To support businesses, local emergency funds were set up to support the city’s businesses, £100m of grants and funding was distributed to over 4,000 businesses in record time and rent was suspended on all 350 of Council’s commercial properties for six months.
  - To support residents, community hubs were set up in strategic locations around the city, with some of the 4,000 registered volunteers delivering 900 food parcels and making 6,000 phone calls to vulnerable or medically shielded residents, working in collaboration with the charity and voluntary



sectors. Local emergency funds were also set up to support residents facing financial hardship.

- Demand for services has increased, income has considerably fallen, leaving the Council with an estimated budget shortfall of £20 million.
- Latest Local Government Association report estimates that local authorities face a £5 billion funding gap by 2024;
- The government had guaranteed to cover all local government expenditure associated with supporting residents and businesses through the pandemic;
- Urgent support is needed to continue providing crucial services and support residents, and business, particularly as enhanced public health restrictions mean businesses are not able to trade to full capacity;
- The ongoing lobbying campaign to call on the government to provide appropriate funding to Council to provide crucial services, support business and enable a sustainable long-term recovery;
- The Scientific Advisory Group for Emergencies along with leading health experts and Ministers has emphasised how crucial an effective Test, Trace and Isolate system is to slowing down the infection rate of the virus;
- The national Test, Trace and Isolate system is failing to provide the capacity, agility and accessibility promised and required.

Council believes that in order to ensure that residents and businesses are protected and supported in the second wave of the pandemic, further urgent government support is required to help keep our city and each other safe.

Consequently, Council resolves:

- To thank all of York's key workers, volunteers and public health and Council staff for their ongoing efforts in supporting the city and residents;
- To lobby the Government to provide additional testing capacity, more timely reporting of results and urgent financial support to Public Health teams to aid the delivery local contract tracing scheme, which would enhance the national programme;
- To call on the Government to release resources for the

creation of an additional walk-in testing facility in the city, in order to provide residents with improved opportunities to access testing;

- To call on the Government to provide urgent and comprehensive support to residents and businesses in York, for example, by introducing an extended furlough scheme and a trial of Universal Basic Income.
- To formally back the Council's 'Back York' lobbying campaign, urging the Government to provide additional funding for York, in order to seize the opportunities that are unique to the city and drive recovery in the region."

**16. Appointments and Changes to Membership** (Pages 65 - 66)

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

**17. Urgent Business**

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

Democratic Services Officer

Fiona Young

Contact details:

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

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.



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**Full Council**

**29 October 2020**

Report of the Monitoring Officer

## **Chief Operating Officer Selection and Approval**

### **Summary**

1. This report provides Full Council with the recommendation from the Chief Officer Appointments Sub Committee, with the detail of the selection process and proposed appointment of the Chief Operating Officer and Head of Paid Service. The Chief Operating Officer will also act as the Returning Officer.
2. Section 4D of the constitution states “Full Council will approve the appointment of the Head of Paid Service following a recommendation made by the Chief Officer Appointments Sub Committee”.

### **Background**

#### Chief Operating Officer Model

3. At the Staffing Matters and Urgency (SMU) Meeting on 24 August 2020, the committee agreed to progress with the Chief Operating Officer model, following options presented by the Local Government Association.
4. It was agreed by SMU during that meeting that once the structure was agreed, the implementation would be carried out in accordance with the council’s change management processes.
5. From the LGA report the COO model creates a stand-alone senior role designated as Head of Paid Service (HoPS) and responsible for the line management of other senior managers and directors. The role has a greater focus on operational delivery and service

coordination as opposed to strategic management or the ambassadorial role often undertaken by the typical chief executive role.

6. Within CYC context the active involvement and strategic direction of the Executive body and the collegiate way in which the Executive and Corporate Directors work would enable this model to work within CYC.
7. It would be agreed to map the COO role to a salary band as the first four points of the Chief Executive salary band. Therefore, over time an additional saving to the authority as progression is capped at four spinal points.

<b>Job Titles</b>	<b>Level</b>	<b>Salary April 20</b>
Chief Executive	7	<b>£158,123</b>
	6	<b>£154,034</b>
	5	<b>£151,989</b>
	4	<b>£149,944</b>
	3	<b>£147,899</b>
	2	<b>£145,855</b>
	1	<b>£141,765</b>
Chief Operating Officer	4	<b>£149,944</b>
	3	<b>£147,899</b>
	2	<b>£145,855</b>
	1	<b>£141,765</b>
Corporate Directors	4	<b>£112,067</b>
	3	<b>£108,473</b>
	2	<b>£105,015</b>
	1	<b>£101,661</b>

### Restructure Process

8. Following the decision by SMU based on the paper provided in August, the post of Chief Executive and Corporate Director of Customer and Corporate Services roles would be deleted. In its place would be a Chief Operating Officer with Head of Paid Service responsibilities.

9. The Chief Executive took early retirement on the grounds of efficiency in March 2020, in advance of this restructure, but with the commitment to save at least £81k.
10. This therefore left the Corporate Director of Customer and Corporate Services post holder within scope and at risk of redundancy. This post was deleted within the Chief Operating Officer model.
11. The council is obliged where possible to take steps to avoid any compulsory redundancies. (The Employment Rights Act 1996 which commences the concept of offering alternative employment as a way to mitigate against redundancy. Since this act there has been case law, regulations and ACAS guidance which are now the working principles of an employer needing to take steps to avoid redundancy).
12. Part of the councils change management process therefore is to consider staff in scope and compare their substantive post to any new roles within the structure. This process is carried out through an assimilation panel.
13. This assimilation panel met, Chaired by Head of HR (Leading the restructure on behalf of SMU), Amanda Hatton as a Chief Officer and a HR Adviser. The panel was observed by GMB lead convenor.
14. The panel considered the deleted post of Corporate Director Customer and Corporate Services (CD CCS) and the new Chief Operating Officer Post. It agreed that the CD CCS post assimilated at stage 2.
15. As a result of the HR processes and in line with ACAS guidance and legislation to mitigate redundancy, Ian Floyd was identified as assimilating at stage 2.
16. In normal circumstances this paper exercise is sufficient and the individual would move into the new post at an agreed date. However as the Chief Operating Officer is the Head of Paid

Service for the council, and as such full council must approve the appointment, SMU felt it was appropriate to test, through an interview process, the individuals suitability against the new role.

17. This additional step, outside of the change management process, was to provide additional assurance over and above a paper exercise and allows members to be involved.
18. The individual and trade unions agreed with this additional step as an exception to the process, due to the level of role.
19. Following SMU, the following members were nominated to be part of the appointments sub-committee. Cllr Nigel Ayre, Cllr Denise Craghill, Cllr Danny Myers and Cllr Paula Widdowson.
20. The appointment sub-committee was advised of the one internal applicant, Ian Floyd, to be interviewed.
21. Following that notification, Labour Leader Cllr Myers withdrew from the process. *“The confirmation of a single internal candidate means that I (and the Labour Group) cannot participate in the appointments process for Chief Operating Officer. I have stated at every opportunity the need to have a recruitment process that includes external and internal for this position; and therefore I cannot join the panel this week.”*
22. Discussion took place with the appointments sub-committee and Chair of SMU. It was agreed to progress with the interview as planned, however to seek agreement from GMB and Unison to provide a representative to observe the appointment panel.
23. Both GMB and Unison agreed to participate, they were provided the necessary documentation including the interview questions and were invited to observe from the start of the panel pre meet, through the interview and during the panel discussion.
24. A statement from both trade union representatives can be found in the consultation section.

25. The interview was held on Thursday 1 October 2020. This consisted of a presentation by the candidate and interview questions asked by all panel members.
26. The panel recommend the appointment of Ian Floyd. Following discussion they concluded “*Highly suitable, with significant strengths and appointable to the position of COO.*”
27. The trade unions representatives agreed with this conclusion. Please refer to their statements in the consultation section.
28. In line with the constitution Executive members have been notified. Ian Floyd will be offered the permanent post at £145,855 per annum. This is point two of the incremental pay scale for COO, taking into consideration the 14 months he has been the Interim Head of Paid Service, as agreed by SMU. This starting salary at point two is normal practice where the person has been in a similar post for over 12 months.

## **Consultation**

29. Formal consultation with staff affected followed the councils change management process.
30. The trade unions were involved at all stages of the process.
31. Unison provided the following “*UNISON welcomed the opportunity to observe the member panel interview. I’d like to echo what Mandy [GMB] has said below. The additional layer of a member interview panel has added confidence to the paper assimilation exercise and the council have followed our processes with care and diligence.*”
32. GMB provided the following “*GMB are grateful for the opportunity of observing the internal processes to mitigate the need for redundancies as a result of the deletion of 2 Corporate Chief Officer roles and the formation of the COO role.*”

*I on behalf of GMB feel confident that due correct processes have been followed in the identification of those at risk, and their assimilation on paper into a vacant post, again to mitigate the need for a redundancy. The continuation of that paper exercise through to an interview with the member panel was also conducted in a manner expected to assess suitability for the COO role. I observed a professionally conducted interview panel that ensured the candidate had the ability to present their vision of the role and answered questions and subsequent questions in relation to how they will fulfil the position of COO.*

*I feel confident that the confirmation of the suitability of the candidate has been undertaken in accord with the processes that City of York Council implement when filling roles after a restructure.”*

### **Financial Parameters**

33. The financial parameters remain unchanged, the report in June 2020 identified the requirement for any structure to save £81k per annum.
34. The savings will offset the cost for the early retirement that was agreed (five year pension strain paid to the NY pension fund) and the additional savings required to be delivered from the previous structure agreed in December 2018.
35. The COO model delivers a saving of circa £95k, which is above the required £81k per annum. The additional savings to be then considered by the Head of Paid Service in the review of Corporate Management Team restructure.

### **Options**

36. There are two options for Full Council to consider, namely to approve the appointment of Ian Floyd, or not to approve.

Option 1: Approve the appointment

37. Evidence has been provided within the paper to give assurances of a thorough process, following appropriate HR policies and legal



guidance.

38. The Chief Officer Appointments Sub Committee is recommending the appointment of Ian Floyd
39. The council has demonstrated its ability to mitigate compulsory redundancy.
40. Through this proposal the financial parameter set have been achieved and savings for the next 5 years are achievable.

#### Option 2: Do Not Approve

41. Full council has the option not to approve the appointment of Ian Floyd.
42. Based on the evidence provided there is no legal basis on which to not appoint given the current internal HR processes, policies and constitution.
43. To not approve at this stage would leave the council at risk of a legal challenge by failing to mitigate a compulsory redundancy, and may expose the Council to potential governance risks as a result of the refusal to appoint to the Head of Paid Service role despite receiving a positive recommendation from the Chief Officer Appointments Sub Committee.

#### **Council Plan**

44. The implementation of the Chief Operating Officer model and thus a permanent Head of Paid Service, will contribute to delivering the Council Plan and its priorities, enabling the Council to remain proactive and fit for purpose for the future.

#### **Implications**

##### **Financial**

45. This recommendation implements the Chief Operating Officer Model which provides savings greater than the required £81k target in order to meet current budget requirements.

## Human Resources (HR)

46. As provided throughout this paper the change management process has been followed. The council has been able to demonstrate they can mitigate compulsory redundancy through its process and the recommendation to appoint Ian Floyd as Chief Operating Officer.
47. The involvement of the trade unions throughout has provided assurances of the process, its fairness and transparency.

## Equalities

48. There are no equalities implications at this time, however, the Council needs to have due regards to the public sector equality duty, which will be kept under review.

## Legal

49. The Council must ensure that its employment policies and procedures are followed so as to avoid any future legal challenge.
50. The constitution states at Section 4: Rules and Procedure 4D: Appointment and Dismissal of Staff, Section 3.3 states:

*“The Appointments Committee must include at least one Member of the Executive.”*

51. Therefore even with the non participation of the Labour member, the panel was constituted in line with the constitution. The additional layer of trade union observers gives transparency to the process from independent people.
52. The constitution states at Section 4: Rules and Procedure 4D: Appointment and Dismissal of Staff, Section 3.1

*“This Standing Order applies to the appointment of all Chief Officer posts including temporary appointments. It does not apply, however, where it is proposed that the appointment be made exclusively from among the Council’s existing officers.”*

53. Given that there is only one internal candidate for consideration for the Head of Paid Service on a permanent basis, the above referenced clause had the effect that the council was not required

to undertake an external recruitment campaign to seek suitable candidates for the role.

54. However given that the Head of Paid Service is the most senior officer employed by the Council and in recognition that this is a statutory post the additional measures as detailed within the report were put in place over and above the legal requirements both in the constitution and the councils change management process.
55. In accordance with the Constitution, the appointment of a Head of Paid Service must be approved by Full Council.
56. There is a legal risk to the council if the appointment is not approved. The council is required to demonstrate they have mitigated compulsory redundancy and have done so through a transparent process, recommending the appointment of a suitable candidate. The non approval would place the individual at risk of compulsory redundancy.
57. The council will be exposed to legal challenge should there be a decision not to approve the appointment. These could include a claim of unfair redundancy selection and / or constructive dismissal. This would result in additional costs to the authority through any claim along with a redundancy payment c£60k. In addition there are potential risks to the overall governance framework for the Council as it is required to have a Head of Paid Service in post. At this present time two of the three statutory officers in post are acting on interim arrangements which is not sustainable on a long term basis.

### **Crime and Disorder, Information Technology and Property**

58. There are no identified implications.

### **Risk Management**

59. This is a key area of the Council and integrated into the members, along with active public involvement. The risk of no appointment will leave the council open to legal challenge.



**Abbreviations**

CMT – Corporate Management Team

COO - Chief Operating Officer

CYC- City of York Council

FTE - Full time equivalent

HR - Human Resources

LGA – Local Government Association

OD – Organisational Development

SMU – Staffing Matters and Urgency Committee

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**Full Council****29 October 2020**

Report of the Monitoring Officer

**Amendments to the Constitution by the Monitoring Officer since 23 March 2020****Summary**

1. The COVID-19 pandemic and the resulting lockdown from 23 March 2020, immediately prevented the Council from holding public Member meetings at the Council Offices. In response, the Government has issued Regulations which have implications on the functions of the Council. As such the Monitoring Officer has had cause to effect necessary amendments to the Council's Constitution which are outlined in this report.
2. Full Council is asked to note the changes made to the Constitution since 23 March 2020, which have previously been reported to the Audit & Governance Committee and have been published on the Council's website.

**Background****Urgent Decision Making guidance**

3. On 23 March 2020, the Monitoring Officer issued urgent Decision-Making Guidance (available on the Council's website) to enable the Council to continue to enable decision making and service delivery to continue in the absence of public Member meetings. All decisions made under the Urgent Decision Making Guidance were published on the Council's website.

**Remote Meetings**

4. Prior to publication of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, all constitutionally prescribed meetings were held in accordance with the provisions of the Local Government Act 1972. This meant that

all meetings were to be held with Members being physically present with associated rules requiring publication of notices at Council Offices and enabling members of the press and public being able to physically attend to observe and or participate.

5. The coronavirus outbreak and central government guidance in response has meant that it has been impossible to convene council meetings without a change to legislation. On 4 April 2020, the aforementioned Regulations were issued and these provide for remote meetings with remote attendance and participation for all meetings until 7 May 2021. As such it has been necessary for the Monitoring Officer to draft Standing Orders to facilitate the Council's delivery of remote meetings (available on the Council's website).
6. These additional Standing Orders relate to all constitutionally prescribed meetings of the Council and additional guidance has been provided to facilitate the regulatory meetings of Licensing and Planning.

### **Public Participation**

7. As aforementioned, the Council's Standing Orders have been amended to accommodate the delivery of Remote Meetings. At that time the rules in respect of Public Participation at Council meetings remained unchanged i.e. members of the public were required to register their wish to speak by 5pm on the working day before the meeting.
8. As the delivery of remote meetings progressed, some meetings received high volumes of requests from members of the public wishing to register and this has meant that Democratic Services were on occasions contacting members of the public until late in the evening and often on a Friday evening. A review of these procedures has been undertaken and on 22 June 2020, the Monitoring Officer issued revised guidance which is that all requests from members of the public wishing to speak at a council meeting must be received by 5pm two working days prior to the meeting taking place.

### **Additions to the Constitution Section 3**

9. The Government has issued legislation and Regulations and associated guidance which have resulted in additional responsibilities and service delivery functions being placed on the Council. As a result this has required amendments to the Council's Constitution by including the legislation detailed below within



Section 3 of Council's Constitution. The list below is in addition the aforementioned remote meetings Regulations. Where necessary, relevant Officer Schemes of Delegation have been amended.

- Health Protection (Coronavirus, Restrictions)(England) Regulations 2020 enacted 26 March 2020
- Health Protection (Coronavirus, Restrictions)(No. 2)(England) Regulations 2020 enacted 4 July 2020
- Business and Planning Act 2020 enacted on 17<sup>th</sup> July 2020
- The Health Protection (Coronavirus, Collection of Contact Details etc. and Related Requirements) Regulations 2020 enacted on 17<sup>th</sup> September 2020
- The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020 enacted 14<sup>th</sup> October 2020  
*\*not previously reported to Audit & Governance Committee*
- The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020 enacted 14<sup>th</sup> October 2020  
*\*not previously reported to Audit & Governance Committee*
- The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 enacted 14<sup>th</sup> October 2020  
*\*not previously reported to Audit & Governance Committee*

### **Amendments to Portfolio Responsibilities**

10. On 19 May 2020, the Leader of the Council notified the Monitoring Officer of revisions to the Portfolio responsibilities of the Executive Members and these are detailed in Appendix 1. This replaces the details in Section 3: Responsibility for Functions of the Constitution.

### **Implications**

#### **Financial**

11. Not applicable to this report.

#### **Human Resources (HR)**

12. The Council is required to respond to national public health guidance and associated legislative measures at this time.

#### **Equalities**

13. Not applicable to this report but decisions made under the legislative changes to the Constitution as detailed within this report may be the subject of consideration of equalities implications on a case by case basis.

**Legal**

14. As detailed within the report.

**Crime and Disorder, Information Technology and Property**

15. The Council will utilise recognised ICT platforms for the delivery of remote meetings and live stream meetings via the existing YouTube channel.

**Recommendations**

16. To note the Monitoring Officer's amendments to the Council's Constitution.

**Author & Chief Officer  
responsible for the report:**

Janie Berry

Director of Governance &  
Monitoring Officer

01904 555385

**Specialist Implications Officer(s): n/a**

**Wards Affected:**

**All**

**For further information please contact the author of the report**

**Background Papers:**

- City Of York Constitution

**Appendices**

- Amendments to Portfolio Holder Responsibilities



### Lib Dem/Green Executive Member Portfolio Responsibilities

<b>Exec Member</b>	<b>Responsibilities</b>
Cllr Aspden – Leader of the Council and Policy, Strategy and Partnerships	<ul style="list-style-type: none"> <li>• Policy, Strategy and Partnerships</li> <li>• Communications and Media</li> <li>• Legal, Democratic and Civic Support</li> <li>• Regional and National Matters</li> </ul>
Cllr D’Agorne – Deputy Leader and Transport	<ul style="list-style-type: none"> <li>• Civil Engineering and Highways</li> <li>• Cycling Infrastructure</li> <li>• Parking Services and Parking Strategy</li> <li>• Transport Strategy</li> <li>• Travel Planning</li> <li>• Highways Strategy</li> <li>• Taxi Licensing (in conjunction with Chair of Licensing)</li> <li>• Street Lighting</li> <li>• Digital Infrastructure</li> <li>• Local, Regional and National Transport Infrastructure</li> <li>• Fleet Management</li> <li>• Emergency Planning</li> </ul>
Cllr Ayre – Finance and Performance	<ul style="list-style-type: none"> <li>• Customer Services</li> <li>• Bereavement and Registrar</li> <li>• Human Resources and Payroll</li> <li>• ICT</li> <li>• Information Management</li> <li>• Financial Management and Strategy</li> <li>• Investment and Commercialisation</li> </ul>

	<ul style="list-style-type: none"> <li>• Financial Procedures and Risk Management</li> <li>• Procurement Services and Commissioning</li> <li>• Asset Management</li> <li>• Operational Accommodation</li> <li>• Facilities Management</li> <li>• Health and Safety Operational Standards</li> <li>• Major Project delivery, including the Community Stadium and the Local Plan</li> </ul>
Cllr Craghill – Housing and Safer Neighbourhoods	<ul style="list-style-type: none"> <li>• Housing</li> <li>• Tenant Engagement</li> <li>• Homelessness</li> <li>• Fraud</li> <li>• Community Safety and Safer Neighbourhoods</li> <li>• Safer York Partnership</li> <li>• Police liaison</li> <li>• Anti-Social Behaviour</li> <li>• Licensing Policy (in conjunction with Chair of Licensing)</li> <li>• Community Cohesion</li> <li>• Prevent</li> <li>• Financial Inclusion</li> </ul>
Cllr Cuthbertson - Children, Young People and Education	<ul style="list-style-type: none"> <li>• Children’s Social Care</li> <li>• School Improvement and Organisation</li> <li>• Children and Families</li> <li>• Early Intervention and Local Area Teams</li> <li>• Youth Support Services</li> <li>• School Place Planning</li> <li>• Children’s Safeguarding</li> <li>• Special Educational Needs</li> </ul>

	<ul style="list-style-type: none"> <li>• Children’s Centre’s and Early Years</li> <li>• Youth Offending</li> </ul>
Cllr Runciman – Health and Adult Social Care	<ul style="list-style-type: none"> <li>• Health and Social Care Integration</li> <li>• Public Health and Health Inequalities</li> <li>• Substance Misuse</li> <li>• Mental Health Services</li> <li>• Domestic Violence</li> <li>• Services for Carers</li> <li>• Adult Social Care and Safeguarding</li> <li>• Local Area Co-ordination</li> <li>• Assessment and Personalisation</li> <li>• Residential, Home and Respite Care</li> <li>• Older People</li> <li>• Learning Disabilities</li> </ul>
Cllr Smalley - Culture, Leisure and Communities	<ul style="list-style-type: none"> <li>• Community Consultation and Engagement</li> <li>• Ward Committees</li> <li>• Community Centres</li> <li>• Volunteering</li> <li>• Equalities</li> <li>• Parish Council liaison</li> <li>• Leisure and Sport</li> <li>• Tourism</li> <li>• Arts, Music, Culture and Heritage</li> <li>• Libraries</li> <li>• Adult Education and Lifelong Learning</li> </ul>
Cllr Waller - Economy and Strategic Planning	<ul style="list-style-type: none"> <li>• Economic Development and Strategy</li> <li>• Regeneration</li> <li>• High Streets</li> <li>• Business Friendly Council and Business Support</li> </ul>

	<ul style="list-style-type: none"> <li>• Skills Development and Apprenticeships</li> <li>• Regulatory Enforcement</li> <li>• Health and Safety Enforcement</li> <li>• Environmental Health and Food Hygiene</li> <li>• Public Protection and Trading Standards</li> <li>• Planning Policy, Conservation and Urban Design</li> <li>• Neighbourhood Planning</li> <li>• Planning and Development Management</li> <li>• Building Control</li> </ul>
<p>Cllr Widdowson - Environment and Climate Change</p>	<ul style="list-style-type: none"> <li>• Flood Protection</li> <li>• Community Environment Team</li> <li>• Waste Management and Recycling</li> <li>• Street Environment</li> <li>• Environment Strategy</li> <li>• Green Infrastructure and Biodiversity</li> <li>• Air Quality</li> <li>• Climate Change and Sustainability</li> <li>• Parks and Open Spaces</li> <li>• Performance and Business Intelligence</li> </ul>

City of York Council

Committee Minutes

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Meeting	Audit & Governance Committee
Date	11 March 2020
Present	Councillors Pavlovic (Chair), Cullwick (substitute for Cllr Fisher), Lomas, Fenton (substitute for Cllr Mason), D Taylor, Wann and Webb  Mr Mendus (Independent Member)
Apologies	Councillors Fisher and Mason

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## Part B - Matters Referred to Council

### 57. Review of the Council's Constitution

Members considered a report which set out the amendments proposed to the City of York Council's Constitution and asked Members to recommended these to Full Council for approval.

Proposals to review the Constitution had been agreed by both Audit and Governance Committee and Executive at their meetings in September 2019. A staged approach had been agreed, with the first stage being a review of the current Constitution document for accuracy and consistency. Appendix 1 to the report set out the amendments proposed as a result of that review, including proposed changes to the Audit & Governance Committee's terms of reference at Appendix 1A. Also attached, at Appendix 2, were draft terms of reference for a Governance Review Working Group that would be convened for the second stage of the review.

Officers explained that the document at Appendix 1 was essentially a work in progress and would be edited to correct any typographical errors and inconsistencies before being presented to Council. Consideration would also be given to how best to make the Constitution available online. Members then gave full consideration to Appendix 1 and agreed a number of further amendments. With regard to Appendix 1A, it was agreed that officers make further changes on the basis of Members' comments and circulate the revised document by email for their approval.

Guidance was also sought on the draft terms of reference for the Governance Review Working Group at Appendix 2. Members advised that the proposed membership of the Group be increased and amended in order to properly reflect the membership of the council and ensure there was no political bias.

Recommended: (i) That the amendments set out in the tracked changed version of the Constitution at Appendix A to the report, as further amended by the changes set out below, be approved:

### Section 2

**Article 5, page 25** (Role and Function of the Lord Mayor)

Delete '4 year' from the second sentence.

**Article 16, page 64** (Review/Revision of the Constitution)

In 2.6, include a requirement for minor changes to the Constitution to be reported to the Chair of Audit & Governance Committee.

### Section 3

**3C, pages 103-104** (Responsibility for Functions)

In the final sentence under paragraph (c), after 'the head of HR', insert '*in consultation with the Head of Paid Service, the Monitoring Officer or the S151 Officer*'.

**3D, page 122** (Powers of Officers)

To the end of (i), add: 'in consultation with the appropriate Chair'.

### Section 6

**Members' Scheme of Allowances, page 353**

Remove the reference to Itrent.

(ii) That the proposed amendments to the Terms of Reference for Audit & Governance Committee at Appendix 1A to the report be



approved, as further amended by the additional changes to be agreed by Audit & Governance Committee via email.

- (iii) That the proposed changes to the Constitution be considered at the Annual Council meeting on 21 May 2020 and approval given to implement the amended Constitution immediately after that meeting.
- (iv) That approval be given for the Director of Governance to liaise with the Corporate Management Team to ensure that each service area has in place a system to deliver the consistent compliance with the requirements in the Constitution that relate to delegated decisions taken and recorded by officers.
- (v) That approval be given for the Director of Governance to undertake a review of the Protocols and Procedures that support the provisions of the Constitution and the council's overall guidance framework to ensure they are comprehensive, accurate and up to date.
- (vi) That approval be given for the Director of Governance to collate a central record of the Protocols and Procedures that support the provisions of the Constitution, which will be available electronically to all Members, officers and the public.
- (vii) That approval be given for the Director of Governance, in consultation with Group Leaders and Corporate Management Team to provide training to Members and officers to improve the understanding across the council of the requirements set out in the Constitution.

Reason: To ensure that the Council's Constitution is accurate and consistent and that there is compliance with the provisions set out therein.

Cllr M Pavlovic, Chair

[The meeting started at 5.40 pm and finished at 8.40 pm].

City of York Council

Committee Minutes

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Meeting	Licensing And Regulatory Committee
Date	22 January 2020
Present	Councillors Mason (Chair), Wells (Vice-Chair), Barker, Cuthbertson, Galvin, Hook, Hunter, Melly, D Myers, Norman, Orrell, Pearson, D Taylor And Warters
Apologies	Councillor Kilbane

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## Part B - Matters Referred To Council

### 35. Review Of Polling Districts And Polling Places 2019

Members considered a report that presented the outcome and resulting recommendations following the conclusion of the review of polling districts, polling places and polling stations, as required by the Electoral Registration and Administration Act 2013. The schedule of representations received was detailed in Annex A and the schedule of polling stations and (Acting) Returning Officer comments and recommendations was detailed in Annex B.

The Director of Governance was in attendance to present the report. She introduced herself noting that she was the Deputy Returning Officer and confirmed that the Returning Officer had been fully consulted on the review and added that Returning Officers acted independent of the Council.

The Director of Governance then explained the review noting that feedback from a number of people had been taken into account and thanked Members for their feedback.

In response to questions and comments, she clarified:

- The process for allocation of double polling stations;
- The responsibilities of Presiding Officers;
- Alternative venues for use as polling stations for the Police and Crime Commissioner elections would be considered due to a small number of venues not being available for that election. Members were invited to forward their suggestions for alternative venues;

- Alternative venues to schools as polling stations would be explored;
- The law allows the Returning Officer to make incidental changes to polling places and in this case the Returning Officer would advise and consult with Ward Councillors in circumstances where for whatever reason a polling station becomes unavailable. However, if changes were to be made to a larger number of polling places this would be brought back to the committee for consideration.
- If there needed to be a change of venue for a polling station, this would be communicated as soon as possible to the electorate;
- This review of Polling Districts and Polling Places could not bring about changes to ward boundaries.

It was:

Recommended: That Council approve:

- a) The proposals for the Review of Polling Districts and Polling Places 2019;
- b) The following changes to venues as set out by the (Acting) Returning Officer in Appendix B – Schedule of Polling Stations and (Acting) Returning Officers comments and recommendations:
  - Christian Science Church to be used a polling station for DB polling district.
  - St. Oswald's Church Hall to be used a polling station for DC polling district.
  - Murton Church to be used a polling station for YHB polling district
  - A venue be located for Kexby to be used a polling station in YHE polling district.

Reason: In order to ensure that the Council complies with statutory requirements of the provision of polling places and polling stations for electors.

Cllr Mason, Chair

[The meeting started at 5.30 pm and finished at 6.00 pm].

## **Report to Full Council from the Leader of the Council**

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Although a report was prepared for the 26<sup>th</sup> March, it has been just over 6 months since my last formal Leader's Report to Full Council and during this time, a lot has changed. It has been an incredibly busy period for the Council since the pandemic has been declared and I would like to start my report by recording my thanks to the many Council staff, residents, businesses and councillors for all their hard work in responding to these difficult times and demonstrating what York does best in times of crisis – coming together to support one another.

### **Responding to COVID-19**

It is easy to forget that, even before the pandemic was declared, York has been responding to Coronavirus since the first cases in the UK were declared in the city in January. However, since the Prime Minister's announcement on the 23<sup>rd</sup> March, placing the country under 'lockdown' restrictions, the Council has been working hard to support residents, businesses, and communities across the city in adapting to the evolving national guidance.

The impact across all aspects of life has been significant, changing the way our services are delivered. From March, thousands of Council staff have had to change how they work overnight, with many continuing to work from home, as per the current national guidance. Since March, services have had to be dialled down, and then dialled up, as the guidance changed. Our immediate response prioritised resources for our frontline services and support for the most vulnerable in the city, particularly via the creation of our community hubs, which have supported residents through a variety of different tasks, from delivery food parcels, to collecting medicine for those individuals isolating.

The Council also focused on providing support to local businesses through Government Grants and the Business Rates relief scheme, to ensure that money was in businesses' bank accounts as quickly as possible and help with cash flow. The speed of payments has been recognised nationally, with City of York being one of the fastest Council's to pay the grants in the UK. Over £110M has been paid out in direct grants or in business rates relief. This includes the local £1 million local

emergency fund the Council created to assist small or micro businesses who fell outside the criteria for Government support.

In addition to providing financial support to businesses, we also provided additional funding to support residents who were facing financial hardship due the effects of the pandemic. In March, the Council announced a £1.25 million investment in:

- An Emergency Hardship Fund for residents affected by Covid-19.
- A new Council tax Covid-19 Hardship Fund.

Despite some of the difficulties and challenges encountered during this period, there have been some statistics to highlight from our response, for example:

- The number of people joining local libraries has quadrupled, when compared to the month before.
- There have been 5,000 views per week for newspapers and magazines on the online Press Reader via Explore, following the Council's £17,000 grant to Explore to make the service free for local residents.
- Over 23,000 volunteer hours have been deployed across the city.
- Over £18,000 worth of food vouchers have been distributed.
- At least 2,100 children have been provided with free school meals.
- More than 1,500 emails to the Covid-19 mailbox have been responded to.
- Over 800 food parcels have been delivered to residents.
- The Council has helped more than 6,000 businesses.
- 5 direct mail shots have been sent to all 96,000 households.
- Over 3,000 calls have been responded to via our Covid-19 helpline.

More recently, councillors will be aware that York is now subject to Tier 2 restrictions, as part of the Government's three-tier lockdown strategy. The new restrictions will make aspects of life more difficult for some in the city, but following them is our best chance to slow the virus and thus, have the restrictions lifted as quickly as possible. It must be noted that the communication from the Government regarding the recent announcements has been frustrating, with decisions often leaked via social media before our public health team receive official confirmation. We have highlighted our concerns to the Government regarding this

poor communication and we hope that the process will be improved moving forward.

With the increased level of activity and support on offer during this period, it has been particularly challenging for the Council's finances, with a considerable fall in the Council's income, but significant increases in demand for Council services. It is estimated that the Council's budget gap is over £20 million, but we continue to keep this number under review. Alongside the LGA and other Council's across the Country, we are making the case to Government for further financial support, so we can continue to provide crucial services to our residents and support recovery.

### **Test and Trace:**

A new walk-through coronavirus testing facility is to open for all those with symptoms to book appointments, based at the University of York. Testing is available only for those with coronavirus symptoms – a high temperature, a new, continuous cough, or a loss or change to sense of smell or taste.

The new site is situated so as to be easily accessible without a car. Those being tested will be required to follow public health measures, including social distancing, not travelling by taxi or public transport, practising good personal hygiene and wearing a face covering throughout, including while travelling to and from the testing centre.

We are aware of the difficulties some people are having in accessing a test and the addition of a walk-in testing centre is crucial in increasing testing capacity in the city. Together with our partners, we continue to make the case to Government for increased resources and additional capacity in our local testing system. This week (w/c 19<sup>th</sup> October), we have formally requested an additional walk-in testing site to be created in the west of the city, to provide more easily accessible testing for all our residents.

Improving the capacity of testing is critical to delivering an effective test and trace system, and ultimately, in reducing the spread of the virus.

## **1 Year Recovery and Renewal Strategy**

Beyond our initial response to the pandemic, the Council has developed a 1 Year Recovery and Renewal Strategy, focussing on the short-term recovery of the city. The Strategy describes the key areas of focus for the Council over the coming year, which will enable us to prioritise key aspects of recovery for the city and to build back better.

Within the plan, there is a One-Year Transport and Place Strategy, which ensures that the city can safely support visitors as the economy reopens, as well as continue to promote more sustainable methods of transport, as part of our work to tackle the climate emergency. The strategy also looks to combine the efforts of the council, partner organisations, the voluntary sector, communities, and residents to continue providing crucial support to vulnerable residents.

As part of the strategy, members will have seen the Let's Be York signage created around the city, which aims to communicate clear public health messages and build the confidence of residents to once again, shop and support our local businesses. As part of the Let's Be York campaign, a number of packs have been created and distributed to businesses to put in their premises, so they can help protect visitors and staff, with the resource packs being made available free online for any local business to download.

City of York Council are supporting the campaign with investment of £100K for targeted marketing activity, which is designed to support local businesses and cultural attractions, to boost resident and visitor experience. The investment will include targeted advertising, including digital, radio and press initiatives, and the curation of a unique programme of events throughout the autumn of 2020. The strategy focuses on building confidence in the city as a safe and welcoming place for residents to enjoy, as well as promoting York's special character.

## **10 Year City Plan**

In addition to the 1 Year Recovery and Renewal Strategy, we recognised that to build back better, the Council could not achieve this alone. We recognised the need to develop a longer-term strategy that the Council and its partners could collectively own in order to improve the lives of everyone who lives, works, or studies in the city.



To create this strategy and ensure its success, we know that we must build on the strengths that are unique to York. From our city's history and culture, to utilising the expertise in our innovative biotech industry, and seizing the once in a lifetime regeneration opportunity in York Central; there are opportunities in York that many other cities and towns would envy.

The plan will represent the distinctive qualities of York and focus on a number of key challenges that can best be addressed at a city level. These are likely to include the linking of our education, skills and innovation sectors to support employment, further develop the city's response to climate change and ensuring a 'people focused' city, utilising York's unique culture and heritage, and promoting a public health approach.

### **Devolution and Local Government Reorganisation**

Councillors will know that the Government have made it clear they would first prefer smaller devolved deals, rather than a One Yorkshire proposal. Since then, devolution deals have been agreed for South Yorkshire and, in March this year, a deal was agreed for West Yorkshire. A York and North Yorkshire devolution deal is the only possible deal for York on the table at present and throughout this period of time, all Yorkshire local authorities, through the creation of a Yorkshire Leaders Board, have continued to work together to promote shared interests and lobby for additional investment in the region.

Acknowledging this reality, we have worked together with all the other North Yorkshire local authorities to identify the "Asks" which would lead towards a devolution deal for York and North Yorkshire. In July, Executive approved a set of "Asks" for a devolution deal, with the intention that these would be submitted to Government to allow the commencement of negotiation of a potential devolution deal for York and North Yorkshire. The Asks incorporate the devolution of significant powers to the region and around £2.4bn of investment to support inclusive economic growth and social and environmental wellbeing over a 30 year period. Any devolution deal must be right for York and be of direct benefit to our residents, communities, and businesses.

Since Executive's approval of the Asks, there have been some further announcements from Government which impact on both the possibilities

for devolution and the future of local government in York and North Yorkshire.

At 5.15pm on Friday 9 October, the Secretary of State wrote to York and North Yorkshire Council Leaders to invite submissions of proposals to replace 2-tier (County and District) Local Authority structures with new unitary models. Whilst York, as an existing unitary authority, does not need to change to meet this requirement, it is likely that proposals will be put forward from other authorities which include York in new structures. Given these exceptionally challenging timescales it was, therefore, necessary to list an urgent item at the meeting of the Executive on the 22<sup>nd</sup> October, in order to then bring the decision to Full Council.

To reduce the 2-tier county and district structures in North Yorkshire, there are only two options being put forward. The first, the council's preferred option, would mean York remains on its existing footprint and North Yorkshire creates a new single council, serving the whole of North Yorkshire and based on its recognised geography and identity. The second, proposed by the district authorities, is an east/west split that would see York merge with Ryedale, Scarborough and Selby, covering a geography that would stretch 65 miles north/south, and 45 miles east/west.

Following consultation and the analysis undertaken in the Executive report, we believe proposals that cause as little disruption as possible to allow City of York Council to concentrate on recovery at this critical time is the right way forward. For this reason, the best way to support strong recovery, secure devolution quickly, and support the Levelling-Up agenda in York and North Yorkshire, is with City of York continuing as a unitary authority. Any other model of local government would fail to effectively represent York's history, communities and the unique characteristics of the city.

Any change to City of York Council in order to include surrounding rural and coastal areas would either increase the cost to residents, or stretch services further, thus making it harder to meet York's own unique challenges. Ultimately, any decision that affects York's residents, businesses and communities, should be made in York.

## **Senior Management Restructure**

Following a meeting of the Staffing Matters and Urgency Committee, it has been agreed that City of York Council will shift to a new Chief Operating Officer model, in order to focus on the delivery of Council services for residents and businesses in York, provide value for money and generate further efficiency savings.

Currently, City of York Council operates under a Chief Executive model. Instead, the Chief Operating Officer and Head of Paid Service role provides a greater focus on operational delivery and service coordination. The Chief Operating Officer model was also been recommended to City of York Council by the Local Government Association (LGA), following a review of the Council's current structures. The LGA commented that the model, which is currently used by Leicester City Council, is "the best option for the Council at this time".

By moving to a Chief Operating Officer model, the Council is forecast to save circa £95K per year, and the Chief Operating Officer's pay is capped at £145,931 on the highest pay level, as opposed to the Chief Executive role, which can rise to £153,891.

The decision comes following a period of consultation with affected staff, councillors, key stakeholders in the city and trade unions.

## **Local Plan**

The Council have now completed the technical work required to provide an update on household growth and housing need in the city in response to the Inspector's July letter, regarding the latest household projections released by the Office for National Statistics this year. Using the recent publication of updated household projections, including taking into account the latest demographic and economic trends, the Council has determined that the housing need in York has not changed materially since the last assessment in January 2019.

The previous report identified a need for 790 dwellings per annum (dpa) and the economic-led need within this new report is as high as 788 dpa. We therefore continue to support our proposed modification to the plan for a housing requirement of 822 dpa (790 dpa objectively assessed

housing need plus a shortfall of 32 dpa), as highlighted during the public hearing sessions in December 2019.

The Council also continues to work on a response to the concerns expressed in a letter on 12 June 2020 regarding the methodology for determining Green Belt boundaries. The Council is updating the Green Belt Topic Paper Addendum and its Annexes to simplify and clarify the methodology. That work has not, at this stage, revealed any need for significant changes to the proposed Green Belt boundaries.

### **York Central**

In August 2020, the Government confirmed the arrangements for the £77.1 of funding to progress the York Central scheme, which will be awarded to Homes England and Network Rail as the major landowners on the site. Under the arrangement, City of York Council will be reimbursed for the money it has committed to keep the project moving.

The funding is a major piece in a £155m funding package put together by the council working with fellow York Central Partnership members Homes England, Network Rail and National Railway Museum to fund the infrastructure works to unlock the brownfield site. The first phase of this work will include the access road bridge and spine road through the site, a pedestrian bridge on Water End and a rail link to the National Railway Museum.

This confirmation backs the approach we took to provide early investment and continued commitment from the Council, even during the pandemic. The funding is a vital step to unlocking a £1.16bn boost to our economy, and delivering a new generation of jobs, particularly as we work towards the city's economic recovery.

### **Castle Gateway**

In light of the impact of the pandemic, we have reviewed the project plan and business case for the regeneration of Castle Gateway and agreed to continue our commitment to the key public benefits of the masterplan. In turn, this means we will now bring forward the design of the public space around Clifford's Tower, in order to give York the best chance of having a 'ready-to-go' project positioned to secure external funding and investment in the city.

We will also press ahead with finding a construction partner to deliver the apartments at Castle Mills, which will help to fund the regeneration scheme, including a new pedestrian/cycle bridge over the Foss; the riverside park at the rear of the Castle Museum; and the pedestrian/cycle crossing over the inner-ring road.

This does also mean that the Council will be delaying procuring a construction partner for the St George's Field multi-storey, until more is understood about the impact of Covid-19 on the city. This will also allow for continued engagement and consultation over accessibility, and the development of the Local Transport Plan. However, we are committed to replacing any parking before Castle Car Park closes.

### **Our Big Conversation**

With the growing challenges and opportunities in the city, we have launched Our Big Conversation consultation programme, which seeks to gauge voices from a variety of different stakeholders and residents across the city, to inform the Council's approach over coming years.

Our Big Conversation will take place over the next 12 months and will give residents, businesses and communities the opportunity to shape our response to the big challenges facing York, such as:

- our response and recovery after the Coronavirus pandemic
- the climate emergency
- how we move around the city
- defining an exciting future for our city centre and district centres
- where we live and work, what jobs are available
- how we make sure York's economy works for all residents

Throughout the year, the Council will be holding conversations online and offline, including regular survey, live online sessions (as seen recently on Facebook live), community conversations with local networks and business round tables.

### **York Outer Ring Road Consultation**

The Council is currently asking residents, businesses and visitors for their views on the proposed upgrade of the York Outer Ring Road from

A19 Shipton Road to the A1036 Little Hopgrove. This follows the announcement last year that the Department for Transport has approved York's £25 million scheme to dual the Outer Ring Road from the A19 Shipton Road to the A1036 Little Hopgrove progressing to final business case stage.

West Yorkshire Combined Authority have also approved £38 million to upgrade seven roundabouts along the ring road. Wetherby Road roundabout was the first to be upgraded and was completed in 2019.

### **New Community Woodland**

The Council has agreed proposals to create a new community woodland within York's boundary – which could see 50,000 trees planted by 2023.

Using part of the existing £3m Northern Forest budget, agreed at our most recent Budget Council in February 2020, the Council has purchased 154 acres of farmland between Knapton and Rufforth on the outer ring road, with a further 10 acres on the inner ring road, to create the new woodland. This will also enable the council to become involved in projects further afield, specifically the planting of 200 hectares in the Upper Swale, Ure and Ouse - so protecting York against severe flooding events.

Harnessing existing knowledge and expertise is an important part of the programme, in order to access and gain a wide range of advice throughout the various stages of the woodland design process, whilst also developing a lasting legacy for the next 150 years. To deliver this, the council will be working with numerous groups, including the Woodland Trust, the Stockholm Institute, the Wildlife Trust, the University of York, St Nicholas Trust and the Wood Meadow Trust, as well as many other experts.

Whilst it will take some time for the land to be developed into a community and leisure space, planting is expected to start this winter or early next spring, once plans have been approved by the Forestry Commission. In the meantime, other preparatory works, including a permit application and resident engagement, will be taking place, alongside wildflower planting on up to 35 acres of the site.

## **New Skills & Employment Board**

A new City Skills and Employment Board will be created to support residents and businesses in York to manage the economic impact of Coronavirus. This decision has been taken to respond to the emerging impact of the pandemic on the city's economy, and to recognise that the city's current skills and employment offer – which is based on very high levels of employment – will not be sufficient to address the acute needs and increased demand expected over the next 12-18 months.

The Board will include representatives from York Chamber of Commerce, Federation of Small Businesses, Institute of Directors, York Professionals (business support network), vocational training providers, private sector training and skills providers, TUC, Jobcentre Plus and Department for Work and Pensions, as well as from City of York Council.

Board members will be asked to oversee the creation of a new Adult Learning and Skills Strategy, in order to set out how York can develop skills and employment opportunities that support a sustained economic recovery from the pandemic.

## **Electric Bus Fleet**

The first of 21 new all-electric double-deckers have entered service on the York Park & Ride network, starting with the Askham Bar corridor to the south west of the city.

The Metrodecker EVs, manufactured by Optare in Yorkshire, have been brought into operation this summer, replacing existing diesel vehicles in an investment totalling £9.3m and expanding the fully electric fleet on York Park & Ride to 33 buses.

This work builds on the £1.6 million investment already made to deliver York's Clean Air Zone, the first voluntary Clean Air Zone in the UK. The new buses will play an essential part in delivering our bus-based Clean Air Zone, whilst at the same time providing an enhanced experience for users.

### **E-Scooter Trial**

A year-long e-scooter trial will take place in the city, with the first e-scooters to be deployed at the University of York, offering residents a new and sustainable mode of transport for getting around the city. This follows a highly competitive tender process involving over 15 other applicants, with the Council selecting TIER as the sole operator, because of the company's approach to safety, ability to ensure orderly parking and its sustainability credentials.

### **City Walls and Tower Two**

Works to stabilise part of the York's historic walls at Tower Two are currently being undertaken by the Council's ancient monuments team, in collaboration with York Archaeological Trust.

Over the last five years, the condition of Tower Two has deteriorated with cracks and bulges appearing on the external face of the tower and more recently, the condition has begun to worsen faster than expected. This section of the walls remains safe, but work is needed swiftly to stop further deterioration.

As I am sure many reading this report will agree, York's city walls are finest in England, making them one of our most treasured historical assets. That is why it is incredibly important that we continue to maintain and repair the walls, so residents and visitors can enjoy them for many years to come.

### **The Beehive – New Centre of Excellence for disabled children**

York's new Centre of Excellence for disabled children has received a new name: 'The Beehive'. The Beehive will provide short overnight breaks for children with complex disabilities in the city. Young people and their families will be able to receive specialist support from a wide range of professionals, including clinical psychologists, all in one building for the first time.

The 'bee theme' will be installed throughout the new facility, including bee-friendly names for the bedroom areas and honeycomb-like hexagons incorporated into the decorative features. Children and young



people using the facility will also be given a fluffy bee toy to take home with them as a visual reminder of their 'home away from home'.

It's hoped that this new theme and the attention to detail will help the children settle into the new building more easily, something which is particularly important for young people with learning disabilities or autism.

## **Back York**

As part of the development of the 10-Year Plan, it has been agreed that the plan will be supported by a new corporate lobbying campaign, working with partners across the region to make the case for York. Whilst we continue to face significant financial challenges, we must, as a city, urge the Government to Back York by seizing the opportunities that are unique to York and make us an exemplar of recovery.

To build back better and lead recovery in the North of England, the Government must release the funding needed to unlock York's potential and build on the work already taking place in the city. With additional funding, we could:

- Make further funding available to support local businesses in adapting to the crisis.
- Enhance York's world-renowned culture and heritage by making extra funding available to support local museums, libraries and more.
- Scale up the support on offer to residents facing financial hardship, particularly through the use of the York Financial Assistance Scheme.
- Provide much needed funding for small charities and voluntary sector organisations who do not have the resources to fundraise themselves.
- Speed up the delivery of critical regeneration projects and citywide infrastructure schemes, from York Central, to the dualling of York Outer Ring Road.

As part of the campaign, the council has submitted its submission to the Chancellor's Comprehensive Spending Review. As part of the submission, we have repeated the calls of the Back York campaign to secure additional investment in the city, as part of the wider levelling-up

agenda, as well as offer our support to work with the Government in relocating a Government department to York.

The campaign will support and link up with the work of other organisations and Councils who are lobbying for further funding for local authorities, including the Local Government Association, the Association of Directors of Adult Social Services, IPPR North, the Association of Directors of Children's Services and more.

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Meeting	Executive
Date	23 July 2020
Present	Councillors Aspden (Chair), Ayre, Craghill, Cuthbertson, D'Agorne, Runciman, Smalley, Waller and Widdowson
In Attendance	Councillor Myers

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## **PART B - MATTERS REFERRED TO COUNCIL**

### **20. Capital Programme Outturn 2019/20 and Revisions to the 2020/21 - 2024/25 Programme**

*[See also under Part A Minutes]*

The Head of Corporate Finance & Commercial Procurement presented a report which set out the capital out-turn position for the 2019/20 financial year and asked Executive to approve requests for re-profiling and to recommend the re-stated 2020/21 -2024/25 programme to Council.

An out-turn of £85.707m was reported on the approved 2019/20 budget of £121.456m; an overall net variation of £35.749m. This comprised requests to re-profile £38.892m of schemes to future years and adjustments to schemes increasing expenditure by £3.143m. However, the overall programme continued to operate within budget. Variances and re-profiling requests within each portfolio area were outlined in Table 1 at paragraph 12 of the report, with details of variances above £100k in paragraphs 14 to 88. The capital programme for 2020/21 to 2024/25, re-stated as a result of the re-profiling, was shown in Table 3 at paragraph 92 and detailed in Annex 1.

Officers corrected an error in Table 4 at paragraph 93 of the report (Capital Programme Financing); total funding of the 2020/21 budget was £194.048m and not £19.048m.

The Executive Member for Finance & Performance commented on the ambition of the programme, which had secured external funding of £200m.

Recommended: That Council approve the re-stated 2020/21 to 2024/25 programme of £600.615m, as summarised in Table 3 in paragraph 92 of the report and detailed in Annex A.

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

Cllr K Aspden, Chair

[The meeting started at 5.30 pm and finished at 7.46 pm].

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Meeting	Executive
Date	1 October 2020
Present	Councillors Aspden (Chair), Ayre, Craghill, Cuthbertson, D'Agorne, Runciman, Smalley, Waller and Widdowson
In Attendance	Councillor Myers

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## **PART B - MATTERS REFERRED TO COUNCIL**

### **42. Capital Programme - Monitor 1, 2020/21**

*[See also under Part A Minutes]*

The Corporate Finance & Commercial Procurement Manager presented a report which set out the projected out-turn position for the 2020/21 financial year, along with requests to re-profile budgets to and from current and future years.

A decrease of £12.827m on the current approved programme was reported, resulting in a revised programme for 2020/21 of £181.221m. Variances against each portfolio area were set out in Table 1 at paragraph 15 of the report and detailed in paragraphs 16-59. In relation to the Wi-Fi procurement detailed in paragraph 59, an amendment to the recommendation was made due to further advice received after publication of the report.

In the light of the Covid-19 pandemic, a review of the current programme had been carried out to ensure that planned investment was consistent with the recovery plan. This had concluded that most projects could continue as planned, subject to close monitoring and back up plans where appropriate.

Members welcomed the report, highlighting key achievements in the programme and thanking officers for their work on the review.

**Recommended:** That Council approve the adjustments resulting in a decrease of £12.827m in the 2020/21 budget, as detailed in the report and contained in Annex A.

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

Cllr K Aspden, Chair

[The meeting started at 5.34 pm and finished at 7.00 pm].

## Report of the Deputy Leader

**29 October 2020**

1. It seems a lifetime ago when councillors last met together in the Citadel building, before we were catapulted into the world of social distancing, zoom meetings and daily TV briefings from the Prime Minister.
2. I would like to start by paying tribute to our dedicated NHS staff, all key workers and City of York Council staff, plus the hundreds of individuals across the city who have gone the extra mile to support people who have been shielding. It seems like a long time ago now when the distribution hubs were set up to ensure food parcel distribution, within weeks of us breathing a sigh of relief from organizing flood defences across the city. While it understandably took time for 'working from home' systems to bed in, by the end of May we were well into a coordinated rapid response to allow businesses to restart their operation under the 'new normal' of social distancing.
3. During the month of June the city centre re-opened the cafes and non-essential business outlets; temporary toilets, hand sanitizers and signs appeared and it was reported that footfall was back up to approaching 90% of the summer average. Capacity distancing rules still presented a challenge to the viability of many businesses in small premises but rapid turnaround of pavement café licences and initiatives like the very successful pop up space on College Green were well received, boosted by regional tourism from 'staycation' trade steering clear of uncertain options for foreign travel. We made these investments despite the serious longer term implications for the council budget to do everything possible to maintain our local economy in a way that keeps people safe.
4. In terms of the Transport portfolio it has been an extremely busy time, with major resurfacing projects and signals replacement work continuing quickly after the end of lockdown to take advantage of the much-reduced traffic levels. Examples include Tadcaster Rd, Nunnery Lane, Fishergate – Fulford Rd (delayed because of the floods from February 2020), Monk Bar junction. We were also successful in securing funding through the government's Safe Spaces and Emergency Active Travel (EAT) Funds to implement the Department for Transport directive to 'swiftly reallocate roadspace' to facilitate social distancing and trial measures that might be become permanent under the 'Gear Change' plan

published in July, shifting provision towards active travel modes in urban areas.

5. This was reflected in our One Year Transport Recovery Plan which introduced the footstreets extensions, the free parking incentives (2 hours free in July and 1 hour free in August) and the trial blue badge user taxi service from Monk Bar car park. Other measures which were funded as trials to extend pedestrian space and promote cycling included the Bishopthorpe Road shops and Coppergate one way arrangements and the Castle Mills Bridge cycle lane. At the same time a longstanding housing regeneration led 'low traffic neighbourhood' trial in the Groves, which had been part way through consultation in February this year, has now been introduced from September as an experimental order for a period of up to 18 months.
6. A number of other measures to promote cycling were included in the EAT funding bids as reported to the Transport Decision Session on 20<sup>th</sup> October. The most significant of these is the planned 'park and pedal/ scooter' route from Rawcliffe Park and Ride along Shipton Road and Bootham. This has the potential to ensure those drivers who choose not to use the park and ride bus have alternatives to driving, thus helping to reduce congestion on this key route into the city centre.
7. Recent months have seen the launch of the electric park and ride buses as part of Yorkshire's only Clean Air Zone and the launch of the Tier mobility e-scooter one year trial, keeping York at the forefront of transport innovation. At the time of writing we still await news on our bid to become the UK's first 'Electric bus city' and the outcome of Tranche 2 of the EAT fund which could help to fund a new cycle route from Wheldrake and Elvington and one along Acomb Road. I hope to be able to update you at the meeting if an announcement has been made.
8. Looking forward, I hope that we will be able to incorporate the various initiatives which promote active travel into a formal Local Walking and Cycling Infrastructure Plan and the Local Transport Plan 4 to support the ambitions of the Local Plan and changes that have taken place in York since LTP3 was adopted nearly a decade ago. This is likely to link closely into the Transport Recovery Plan, the challenges we face to re-establish public transport as a viable alternative to travel by private car and a key component of reducing congestion and meeting our zero carbon ambitions.



9. Despite the overwhelming attention understandably being paid to keeping residents safe and maintaining operations despite the pandemic we have been able to make some progress on addressing climate change, from starting the installation of hyper hub charging points, setting out a plan for Passivehaus standard new housing, taking the first steps to creating a new woodland for the city to appointing a Head of Carbon Reduction. Despite the short term 17% cut in emissions in April, the biggest annual decline since the second world war, David Attenborough, Greta Thunberg and world events such as Californian, Australian and Arctic wildfires, Siberian 38 degree C temperatures, floods in China and Bangladesh, increased severity of extreme weather events and an unprecedented 417ppm CO2 level show how desperately urgent the climate change agenda has become. The cumulative effect of emissions means that action now to 'build back better' will have cumulative benefit and is a vital action which City of York can take to lead the way for others to follow.

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## **Report to Full Council from the Executive Member for Housing and Safer Neighbourhoods**

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Despite the challenges and difficulties posed by the pandemic, a considerable amount of work continues to take place across the portfolio in order to progress the objectives outlined in the Council plan and support our recovery from Covid-19. I would like to begin my report by thanking all the Council officers for their hard work over the past 6 months, particularly in supporting residents, businesses and communities across the city.

### **Housing Monitoring - Planning**

A total of 560 net new homes have been completed between 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020, with significant contributions resulting from the Hungate Development Site (101), the Former Terry's Factory Site (97), Germany Beck (55) and the Derwenthorpe Development Site (30).

In addition to this, a total of 3,466 net additional homes have been granted approval between the 1<sup>st</sup> April 2019 and the 31<sup>st</sup> March 2020. Major contributors to this total included the outline consent for up to 2,500 new homes at the York Central site, 425 new homes approved at The Cocoa Works (Nestle Phase II) site and approval for 266 homes at the Former Civil Service Sports Club, Boroughbridge Road site

During our recent monitoring and discussions with developers, it has been noted that there is a delay in relation to completions as a result of the pandemic. This is largely down to the implications of lockdown, particularly the inability to initially work under restrictions, as well as materials being delayed. Some of our largest developments by David Wilson Homes and Persimmon Homes (Germany Beck, Terry's and Del Monte) were halted entirely during lockdown, along with SME builders. We understand that they are implementing new working practices and working through building supply delays (roof trusses and plaster being given as reasons for delays). Most sites however, are now operational and are seeking to deliver the sites as normal, albeit to a delayed timetable.

The completion figures for Q1/2 2020 are the lowest recorded half yearly figures since 2013/14 at 159 dwellings. It is anticipated that completions will continue and may now improve to the end of the monitoring year (31<sup>st</sup> March 2021), subject to the pandemic restrictions allowing works to continue.

### **Self and Custom Build Register**

The Council has continued interest in its self build register. As of 16<sup>th</sup> October 2020, we have had 426 registrations for individuals interested in self build opportunities within the city.

### **Housing Delivery Action Plan**

A new Housing Delivery Action Plan is currently being drafted, primarily in response to the results of MHCLG's Housing Delivery Test. The HDT Action Plan is required by MHCLG to provide details of our current housing market position and future housing delivery.

The Housing Delivery Test (HDT) was introduced into the planning system as part of the new National Planning Policy Framework (2019). It helps in providing an indicator for housing delivery and sets out a series of requirements should a Local Authority fall below certain housing delivery thresholds. The latest published results indicates that York achieved 81% of its housing requirement over a three year monitoring period (2016/17 to 2018/19).

### **Housing Delivery Programme**

Our Housing Delivery programme continues to make really strong progress in delivering against the ambitions agreed by Executive last year.

#### **Lowfield Green:**

- The Lowfield Green build is progressing successfully. The show village comprising 3 properties will be completed in November 20 and the show homes will be furnished and open to prospective purchasers in December 2020.
- Lowfield Green comprises 140 mixed tenure homes and a large village green area with play space. The homes range from 1 bed flats to 4 bed townhouses also including bungalows and accessible flats, meeting the housing need for downsizers in York.
- The first phase of homes (31 in total) are due to be completed by March 21 – with almost 50% already reserved.

#### **Burnholme / Duncombe Barracks:**

- Planning applications for these next two housing sites have now been submitted. All homes are designed to be net zero carbon and certified Passivhaus, with a wider focus on car free streets, low parking and shared public space to encourage interaction between

residents. The Burnholme application includes 80 homes and 5 self-build plots. The Duncombe Barracks application includes 34 homes and a commercial/community building.

- Significant community engagement has been undertaken in developing these proposals and will continue. The latest phase of engagement is a showcase of the designs and how they have been shaped with the help of the local community. Timber display boards have been installed at both sites to give people an opportunity to learn and input into the applications. The same information is also provided as a survey online which can be accessed via the council website. All feedback from the surveys will be shared with the Planning Authority.

### **Ordnance Lane:**

- Design of the Ordnance Lane scheme is progressing well, with the detailed planning submission due early 2021.
- Three open consultation events for stakeholders have been undertaken - which have been very successful in informing how the scheme has developed. There is a further online survey planned for early November and another event planned for the point at which planning is submitted. Works on site are currently planned for 2022 – 24.
- The scheme will comprise approximately 89 homes with between 1 and 5 bedrooms, with some mixed-use space. Homes will be designed to achieve a certified Passivhaus standard (being zero carbon in use) serving to address both the climate emergency and also the issue of fuel poverty for residents.
- The design will also directly address loneliness and isolation by including an intergenerational area and a multi-generational house type with an integrated studio flat to cater for families with an older family member or younger adult saving for a deposit, ensuring they retain their independence whilst also benefiting from connectivity to the wider family.
- The existing marital quarter building on site, which is of highest architectural merit, is proposed to be retained and restored.

## **Shared ownership scheme**

- The Shared ownership scheme grant funded by Homes England is on target to achieve the delivery of 65 shared ownership properties for residents by the end of March 2021.
  - Completions to date: 43
  - Properties currently with legal: 12
  - Further customers currently accepted following financial assessment and looking for a property to take up the remaining opportunities

The Self-build programme has also achieved a number of milestones. All 6 self-build plots at Lowfield have an agreement for sale, with the first planning applications submitted by the buyers being approved. It is anticipated that the first self-build homes on site will be completed in 2021.

At the upcoming meeting of the Executive (22<sup>nd</sup> October), an update will be provided on the Housing Delivery Programme and will recommend to the Executive to procure a contractor to deliver the Burnholme and Duncombe Barracks schemes, and drawdown the budget to deliver them.

The report also identifies a number of small underutilised council sites in the city which can be brought forward for self-build. These will allow new homes to be built that respond to people's needs, create a capital receipt for the HRA and help support local construction sector SMEs, who are generally overlooked by larger developments.

## **Older Person Accommodation programme**

The Council took handover of the refurbished and extended Lincoln Court from the contractor last week. This 35 apartment, £3.4million scheme includes 15 apartments specifically designed for wheelchair users, 20 fully refurbished modernised, energy efficient apartments, communal lounges, meeting spaces, laundries, kitchen and a hair and beauty salon. These facilities will be available for the wider community to use and engage with each other and the residents at Lincoln Court. Residents will be supported to move into the apartments from the end of the month.

Work at Marjorie Waite Court is progressing well. The project is on schedule for completion in July 2021. The current focus of the work is on

the design of the communal facilities and commercial kitchen and planning the operation of the community hall, and catering facilities.

There continues to be great interest in the development of older people's accommodation from partners and the commercial sector. There are currently 3 developments of extra care and independent living apartments in planning. The Care Home at Burnholme is due for completion in November. The care home on the former Fordlands site opened over the summer. We continue to receive enquiries about demand and opportunities for appropriate older person's accommodation in the city.

### **Building Services**

Building Services have recently recruited six apprentices, with a further apprentice due to start in November.

In February 2020, a growth bid was agreed for a five year Apprenticeship Programme; with a total of 15 apprentices to be recruited over the five year period. We had therefore commenced the recruitment process for the first cohort, just as the pandemic started, and were due to go live with adverts in March 2020. However, this was put on hold due to lockdown, but has recommenced in recognition of the importance of apprentices to the team and also how important these opportunities are for the young people of York at a time when such opportunities are very limited.

We have had a tremendous response to our adverts with a total of 225 applications received in order to have 6 apprentices appointed in time for the start of the college term.

### **Responding to Covid-19 and keeping residents safe**

Many of the services provided by Building Services have carried on throughout the lockdown period – carrying out essential repairs to our tenant's properties; carrying out gas services and preparing empty properties for letting have never stopped and we are now back to a position of providing all services that were provided pre-lockdown.

Pre-lockdown, the service that had numerous paper processes in place for exchange of information; teams had to react overnight to replace these processes, all at the same time as putting in safe working procedures to ensure that we were always working in a Covid secure

manner. For example, our heating engineers carried on with our gas servicing programme throughout the crisis.

The Housing Options team have been utilising rooms at Ordnance lane, which are being managed on an 'in-reach' basis by our rough sleeper and resettlement service to triage rough sleepers into emergency accommodation, and can also be used for self-isolation purposes. This is likely to form some of our emergency winter provision. The intention is to ultimately re-develop this site.

Housing officers successfully prioritised moving people on from temporary accommodation and those that needed emergency moves throughout the pandemic and have resumed letting properties as normal.

During lockdown, Housing Management:

- Redeployed 30 members of staff, who made welfare calls to 5,600 tenants
- Contacted 68% of all tenants (4,915 tenants out of a total of 7267)
- Utilised 39 volunteers to knock on the doors of 344 tenants (over 65 years old), as we had been unable to contact them via the telephone
- Deployed 65 volunteers to undertake weekly social calls to 102 tenants

### **James House**

In April, the new temporary homeless accommodation scheme opened at James House, James Street. The building provides a modern, safe and welcoming environment for households who are homeless or at risk of homelessness.

It consolidates temporary homeless accommodation into a single building of 57 one, two and three-bedroom apartments together with meeting and interview rooms, a training kitchen, outdoor play area, staff offices and reception area.

### **Private Rented Sector**

Staff in our private rented sector team have maintained contacts with private sector landlords throughout Covid urging them to negotiate with tenants regarding rent arrears and to be as supportive as possible. Work has continued on the licensing of houses in multiple occupation and



preparatory work has been started on the options for consultation on the extension of HMO licensing.

A £100k government grant is being used to tackle cold homes in the private rented sector and enforce the Minimum Energy Efficiency standards (MEES) to tackle the worst performing end of the Private Rented Sector (PRS). Two officers have been employed for a year to use a draft toolkit to tackle homes with Energy Performance Certificate (EPC) rating of an F or G.

Work is ongoing look at how we can secure funding to retrofit private sector (Homeowners and PRS) homes to tackle fuel poverty, reduce carbon and tackle climate change.

### **Energy efficiency and retrofit**

The council's Energy Efficiency Officer (a jointy funded post with Selby, Ryedale and Craven) continues to support residents who are eligible for funding support to improve energy efficiency in their homes. Until recently funding programmes have been very limited to specific criteria and circumstances, but recently the Government has started bringing forward a number of funding programmes aimed at making significant improvements to the energy efficiency of existing housing stock – both to help us meet our Climate Emergency targets and to create new jobs and stimulate the economy in the face of recession. The council is working on a number of different retrofit programmes and funding bids with the aim of developing an energy efficiency retrofit culture in York.

### **Community Safety**

#### **Domestic Abuse**

Tactical Meetings attended by the Council, North Yorkshire County Council, North Yorkshire Police and the Office of the Police, Fire and Crime Commissioner, have taken place weekly since the initial lockdown on 23<sup>rd</sup> March. This group has closely monitored the domestic abuse data, ensuring that services can meet increases in demand and address any resourcing issues with our service providers.

In addition, the group has successfully accessed funding from both Ministry of Justice and the Police Fire and Crime Commissioner to increase resource where demand is high in accessing services for both

victims and perpetrators. Referrals to Multi-Agency Risk Assessment Conferences (MARAC) across the North Yorkshire Police Force area have increased by 55% between January and September, when compared to same time last year.

For York this has been a 59% increase. Work has been undertaken to review and revise the MARAC referral forms and to put a multi-agency assessment panel in place to triage referrals to MARAC, in order to improve the process and ensure that the right cases are being heard.

### **City Centre Crime and ASB**

The Community Safety Team have been working closely with colleagues in Public Protection and North Yorkshire Police to ensure that COVID regulations are being adhered to in our licensed premises and shops and that any crowds gathering are engaged with and dispersed. This includes Friday and Saturday night joint patrols, where buskers have been issued with advice about the consequences of playing amplified music after 9pm and the need to manage their crowds to maintain social distancing.

### **Counter Terrorism**

The Counter Terrorism Task group has continued to meet monthly. The National threat level remains at 'substantial', meaning that an attack is likely. Locally, the group has engaged with all premises who have applied for pavement café licenses to offer support and training in relation to Counter Terrorism risk. This has been well received.

The group has also been working closely with York Business Against Crime to widen this support and develop a better communication system between the business community and the police that could be utilised in the event of a terrorist or other major incident.

### **High Risk Anti-social Behaviour**

All work within the Community Safety Hub is back to normal service, with the exception of the backlog of cases proceeding to court following the recent court closures. The Neighbourhood Enforcement Team has a high workload across all areas of the service and in particular in the north and east of the city.

The ASB team continue to work closely with the police and colleagues in housing to tackle the serious cases of ASB and in particular address issues linked to County Lines activity.

Fortnightly intelligence meetings take place between the Community Safety Hub team and the police Intelligence Unit to ensure that we are sharing intelligence and supporting each other in taking action against those who are responsible for high levels of criminal and anti-social behaviour in communities.

The court closure and temporary removal of enforcement options has meant that a more holistic approach to problem solving has been applied to some of the most complex cases held within the Hub. This has involved greater partnership working with other agencies and also enabled the team to expand to include an officer from the Ways to Wellbeing (voluntary support) team to signpost victims and witnesses into voluntary sector support services.

### **Serious Organised Crime, Modern Slavery, County Lines and Exploitation**

Work has continued at both a strategic and operational level to work in partnership across York and North Yorkshire to share intelligence and information that can assist in disrupting organised crime groups. At a strategic level, focus has been on developing joint training and communications messaging that has been widely shared across the strategic social media platforms. At an operational level, regular meetings take place between enforcement teams within Housing, Community Safety and Public Protection to share information and intelligence to target local organised crime groups operating in the city.

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

**29 October 2020**

1. This report is submitted by the Chair of Customer & Corporate Services Scrutiny Management Committee (CSMC), in accordance with the constitutional requirements set out in Standing order 8.3 (m) to update Council on scrutiny work and to set out any recommendations such as may be made to Council in relation to that work.
2. Due to the restrictions placed on 'work as normal' as a result of the Covid 19 pandemic, public scrutiny has been substantially reduced since March 2020, so this report follows a different format to the usual standard presentation to Council.

**Public Scrutiny**

3. Following the immediate urgency arising from the pandemic to establish remote decision making meetings, public scrutiny was re-established in July this year with 2 monthly meetings of Customer & Corporate Services Scrutiny Management & Policy Committee. No other scrutiny committees have met formally since March – a source of some discomfort and consternation - but future meetings are now planned. See section on future work planning below (paragraphs 15-18).
4. Since July 2020, this Committee has been prioritising its work and focussing on keeping abreast of all potential scrutiny areas at this essential time, given that no other scrutiny committees have been able to meet. As a result, it has considered and received regular monthly updates on:
  - the Council's financial position as affected by Covid 19;
  - governance arrangements, including any changes required to be made to Council Standing Orders and the Constitution by the Monitoring Officer, arising from Covid 19;
  - public health statistics in York arising from the pandemic and keeping up to date with emerging situations
5. The Committee has also considered and commented upon the following in detail:
  - The Council's initial response to Covid 19, as well as its Recovery & Renewal Strategy (July 2020);

- An update received on devolution proposals in August, the subject of discussion elsewhere on Council's agenda;
  - Childrens Services, education & skills (August 2020) reviewing the Council's preparations and plans for continuing service provision in these areas;
  - Non-Covid 19 health impacts on York, receiving a presentation from, and questioning, Dr Andrew Lee, Executive Director of Primary Care from the CCG (September 2020);
  - Key major projects, receiving updates on current progress with the Guildhall, York Central and Castle Gateway (September 2020). In particular, the Committee was invited to give its opinion on options for Castle Gateway and welcomed the opportunity to provide its views pre-decision to the Executive, recommending that Option 5 to build Castle Mills and defer the proposed multi storey car park at St Georges Field, be pursued by the Executive;
  - Schools update following the return of York's children to their schools in September and a similar update on the return to universities and the impact on York universities and within the community. The Committee was joined by the Vice Chancellor, Charles Jefferies specifically for this discussion. (October 2020).
  - Re-establishing full public scrutiny committee meetings, agreeing a calendar of meetings to suit current arrangements and putting in place properly managed work planning (see paragraphs x-x below) (October)
6. This full work programme was complimented by an additional special meeting of the Committee on 16 September to review the Council's proposed responses on a Government consultation relating to changes to the Business & Planning Act 2020. This was specifically requested by the Executive Member for Economy & Strategic Planning, who also attended the virtual meeting. The Committee welcomed the opportunity presented by the Executive Member to comment and made a range of suggestions for inclusion in the proposed responses to Government.
7. Concerns were raised over a lack of information and reports being made available in advance of meetings and the Chair and Vice Chair subsequently sought reassurance from the Executive Leader that sufficient priority and resources would be made available to Scrutiny going forward so as to enable all Committee Members to discharge their

duties effectively. This assurance was given and relayed to the Corporate Management Team.

### **Scrutiny Chairs**

7. Whilst not all Scrutiny Committees have been meeting in public, Scrutiny Chairs have regularly been discussing collectively, every month, work priorities with the Chair and Vice Chair of Customer & Corporate Scrutiny Management & Policy Committee to help guide and develop public scrutiny in this time. These sessions will continue to be held every 2 months moving forward, following the re-introduction of wider public scrutiny across all Committees. They will help monitor and progress scrutiny business.

### **Post-Decision Call-Ins**

8. There have been two Post-Decision Call-ins since the last report to Council.
9. A call-in to discuss the York Central report and decision to draw down a further £1.96m to support ongoing work was held on August 13<sup>th</sup> and included submissions from the Executive Leader and Assistant Director for Asset Management & Regeneration. After lengthy discussions a majority of the committee decided to reconfirm the Executive's decision. However, the Committee requested that Audit & Governance Committee review the York Central Risk Register as part of its consideration of the Key Corporate Risks Register at its September meeting. This item was subsequently removed from the Audit & Governance Committee Agenda and is currently subject to ongoing discussions. Committee also re-confirmed its March decision to monitor the York Central development on a quarterly basis.
10. A call-in meeting was held on 15 September to consider Executive's decision in relation to the disposal of 22 The Avenue, Clifton. After much careful deliberation, a majority of the Committee decided to reconfirm the Executive's decision. However, the Committee did ask to review further the Council's Asset Management Plan as a result of their debate and that meeting is set for 23 November 2020, working with the Executive Member for Finance & Performance.

### **New Public Scrutiny Arrangements Proposed Arrangements for November 2020 to May 2021**

11. As the Council's hierarchical statutory scrutiny committee, Customer & Corporate Services Scrutiny Management & Policy Committee will continue as a monthly, public meeting (1730 only).
12. Each Committee within the existing structure will meet in public on a staggered, quarterly basis. These quarterly meetings will principally be focused on the 'overview' function, eg receiving performance & monitor type reports and identifying areas for further work.
13. Informal meetings will continue but will be re-designated as Forums rather than Committees and will take place quarterly between public Committee meetings.
14. There will be two additional slots every month for potential public Scrutiny meetings. One will be dedicated for a 'commissioned' policy development / pre-decision scrutiny and the second will be used for Customer & Corporate Services Scrutiny Management & Policy Committee Call-ins or a second 'commissioned' meeting. Post decision call-in will continue to function in the usual way. The additional public Scrutiny meetings will be commissioned through CSMC following discussion with Executive Members, Corporate Management Team (CMT) and Scrutiny Chairs.
15. Scrutiny Chairs' Forum will meet bi-monthly to discuss work-plans, as outlined in paragraph 7 above.
16. Details of dates of all these public meetings have now been agreed with Scrutiny Chairs and published in the calendar of meetings.

### **Future Scrutiny Work Planning**

17. It is crucial during this time that public scrutiny is introduced more widely across the spectrum but that available resources to support its successful re-introduction are managed effectively and are directed according to where there is most need or added value. A clear and simple way of doing this is through a controlled work programme, managed and allocated by Customer & Corporate Services Scrutiny Management & Policy Committee but developed in consultation with all Scrutiny Chairs, having gathered input from their 'Committees'.
18. In choosing what work it wants to do, Scrutiny needs to be mindful of what outcomes it wants to achieve. Working collaboratively with Executive Members and Chief Officers in establishing key work strands is more likely to deliver key support and outcomes.



19. A composite work plan covering all Scrutiny 'Committees' is currently being developed and will be managed by Democratic Services in conjunction with the Chair and Vice Chair of this Committee, based on wider discussion with Scrutiny Chairs/Executive Members/Chief Officers, as necessary, and for regular monitoring by Customer & Corporate Services Scrutiny Management & Policy Committee.

### **Reviewing Working Arrangements**

20. The working arrangements for scrutiny outlined in this report which have been put in place through to May 2021 are in response to the pandemic and the current available resources to support and make scrutiny effective, across the organisation. It is intended to review those arrangements in light of operational experience after around 4 months to assess the position at that time in terms of best practice and lessons learnt. That review will then help to inform the shape of scrutiny moving into the new Municipal Year.

### **Report Recommendation**

21. To note the report and update of the Chair of Customer & Corporate Services Scrutiny Management & Policy Committee.

Reason: To comply with the Council's constitutional requirements

Councillor J Crawshaw

Chair, Customer & Corporate Services Scrutiny Management & Policy Committee

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**Appointments and Changes to Membership of Committees,  
Working Groups and Outside Bodies 2020-21**

Health and Wellbeing Board

Subject to the approval of the Board at their meeting on 28 October 2020, to make the following changes to appointments:

- To appoint Cllr Craghill, in place of Cllr Baker.
- To appoint Shaun Jones, Deputy Locality Director, NHS England and Improvement, as the NHS England and Improvement representative, in place of Gillian Laurence.
- To appoint Michelle Waugh, Locality Manager, NHS England and Improvement, as substitute for Shaun Jones.
- To appoint David Kerr, Service Development Manager North Yorkshire and York at Tees, Esk and Wear Valleys NHS Foundation Trust as second substitute for Naomi Lonergan (replacing Colin Martin).
- To note that Amanda Hatton, Interim Corporate Director for People will represent both Children's Services and Adult Social Care on the Board until further notice, following the departure of Sharon Houlden.
- With effect from 1 November 2020, to appoint Stephanie Porter, Acting Director for Primary Care and Population Health for NHS Vale of York Clinical Commissioning Group, to replace Dr Andrew Lee.

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