



Notice of a public meeting of

Customer and Corporate Services Scrutiny Management Committee

- To:** Councillors Crawshaw (Chair), Baker, Fenton (Vice-Chair), Hollyer, Orrell, Musson, Norman, Pearson and Rowley
- Date:** Monday, 10 January 2022
- Time:** 5.30 pm
- Venue:** Remote Meeting

AGENDA

Until the end of January 2022, the Council is reverting to holding its scrutiny meetings remotely in the interests of minimising any risks to the public, elected Members and staff during the continuing Covid pandemic. Meetings continue to be held in accordance with statutory requirements. Scrutiny Committees are non-decision making bodies and as such this remote meeting will not be regarded as a formal meeting of the Committee. It provides an opportunity for Members of the Committee to comment upon the business set out in the agenda, without making formal decisions. Members of the public may register to speak as set out below.

1. **Declarations of Interest**

At this point, Members are asked to declare:

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

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

2. Minutes (Pages 1 - 14)

To approve and sign the Minutes of the meetings held on 08 November 2021 and 13 December 2021.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee. Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is at **5.00pm** on **06 January 2022**.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting please contact Democratic Services on the details at the foot of the agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast, including any registered public speakers who have given their permission.

The meeting can be viewed live and on demand at www.york.gov.uk/webcasts . During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Public Health Update

The Director of Public Health will give a presentation updating the Committee on the current situation regarding the Covid-19 pandemic.

5. Work Plan (Pages 15 - 16)

To consider the current Work Plan.

6. Urgent Business

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

Democracy Officer:

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E-mail: jane.meller@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 and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

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City Of York Council

Committee Minutes

Meeting	Customer and Corporate Services Scrutiny Management Committee
Date	8 November 2021
Present	Councillors Crawshaw (Chair), Baker, Fenton (Vice-Chair), Hollyer, Orrell, Musson, Norman (Chair of Economy & Place), Rowley, Vassie (Substitute) and Lomas (Substitute)
Apologies	Councillors Doughty, Pearson

36. DECLARATIONS OF INTEREST

At this point in the meeting, the Chair invited Members to declare any personal, pecuniary or prejudicial interests, which they had not already included in their standing register of interests.

Cllr Lomas declared, in the interests of transparency, that she was a Blue Badge holder and Cllr Fenton declared that his Mother holds a Blue Badge. The Chair noted a personal, non-prejudicial interest in that his Mother was a member of the Human Rights Equalities Board and was on the steering groups for both the York Disability Rights Forum and the York Human Rights City Network.

37. PUBLIC PARTICIPATION

It was reported that there had been eight registrations to speak under the Council's Public Participation Scheme, on item 3, City Centre, Vision, Accessibility and Traffic Regulation. A written statement had also been received for the same item and had been circulated to Members and Officers.

Professor Tony May, on behalf of York Civic Trust, spoke firstly to note that he found it unreasonable to produce such a large report with numerous annexes and where there was a lot of duplication and repetition. He went on to question the lack of consultation in relation to a number of background reports including the Martin Higgate Associates report and the Strategic Review of City Centre Parking. He stated that assertions made

in reports were unfounded and requested that engagement happened more quickly.

Helen Jones from York Disability Rights forum, requested that the current arrangements were not made permanent as they discriminated against disabled people. She highlighted the fact that York was a Human Rights City and that 78% of Blue Badge holders do not agree with the changes.

Jamie Wood questioned why the 50 documents had been published late. He also questioned the findings in Annexes F and Y. He commended the report by Martin Higgate Associates (MHA) as outstanding and questioned why officers were ignoring the recommendations. He urged the implementation of those recommendations.

Peter Sheaf for the York Cycle Campaign was impressed by the report from MHA and questioned why consultations had been repeated and the evidence on which officer recommendations had been based. He enquired about the training of officers.

David Harbourne spoke independently to thank the council for re-opening Castlegate. He stated that if the risk of terrorism could be managed in Chester, it could be managed in York. He saw no reason to close access to the city centre for Blue Badge holders.

Christian Santabarbara noted that he was a late registration due to documents relating to this item having been published after the deadline for speaker publication had closed. He explained that cycle couriers carry out essential services and requested that the council not dismiss the report from MHA.

Mick Pythian spoke to the York Human Rights City Network report and requested that officers consider interim access for Blue Badge holders and provide mitigations to give back independence.

38. CITY CENTRE, VISION, ACCESSIBILITY AND TRAFFIC REGULATION

The Chair provided an overview of the joint scrutiny meetings with Health and Adult Services (HASC) and Economy and Place (EP) that took place on 25th October 2021. Both meetings had requested further information from Officers and the information

requested had been summarised in paragraph 94 of the first report.

The Corporate Director of Place, the Director of Environment, Transport and Planning and the Head of Regeneration Programmes gave a brief presentation to the Committee and explained where the information requested could be found. Several Members highlighted concerns regarding the quantity of material and the lateness of the information published as an agenda supplement.

The Chair outlined the parameters for the meeting. He reminded the Committee that the purpose was to make recommendations to Executive and that they could offer comments or amendments. Alternatively, new recommendations could be made. He also highlighted that disability is a protected characteristic under the Equality Act and that as a sense check Members might like to test the wording of recommendations by considering other protected characteristics.

Officers gave the following information in response to questions from Members regarding access to Footstreets:

- Officers had tried to balance the varying needs of different groups with protected characteristics and the human rights of all residents, including the right to life.
- The recommendations in the first two reports would improve access to the city centre. These included the creation of an Access Officer position and increased designated parking on the edge of the Footstreets area. The Shop Mobility and Dial a Ride service offer had been improved and a variety of mitigation measures, such as dropped kerbs and rest stops had been included in their recommendations.
- The Corporate Director of Place noted that this was a complex decision making process, the report had acknowledged the harm caused and that different groups had been impacted differently.
- They confirmed that Officers had sought specialist legal advice to ensure that their recommendations adhered to the relevant equalities legislation. The Director of Governance confirmed that the external legal advisor had been given wide parameters to ensure that they were not restricted in giving their legal opinion.

[19:00 Cllr Rowley left the meeting]

- Officers had worked to the MY criteria and had operated in the public domain.
- Annex O contained the information regarding protecting the city centre.
- The Director of Environment, Transport and Planning confirmed his awareness and understanding of the Blue Badge Criteria.

[The meeting was adjourned between 19:18 to 19:28]

Following the adjournment, the Director of Environment, Transport and Planning responded to an earlier question and referred Members to the guidance within a Department of Transport document which gave walking distances between rest stops. This document had been used to inform the recommendations.

There was a general consensus among members that the Martin Higate Associates report contained a number of good recommendations to move the city forward. There was a discussion regarding a city centre shuttlebus, where it had been suggested that Officers should consider bringing forward the feasibility study and that it should include a practical trial of the service.

Officers noted that the My City Centre report was the long term plan which would inform the transport plan. They also confirmed that a shuttlebus service was part of the plan.

The Director of Place confirmed the council's support for co-production and emphasised that measures had initially been put in place as an emergency response to the pandemic to assist with social distancing.

In response to further questions, Officers responded as follows:

- Café licences had been implemented by the government in response to Covid and that the legislation had been extended to September 2022. Highways team had considered all the applications and it had been stipulated that cafes should not block access and that dropped kerbs and clear walking routes were also needed. The Blue Badge exclusion had originally been put in place to allow

social distancing and was then continued to enable the café licences.

- Annex B contained the independent security consultant's assessment of which streets should be protected. Annex C was the Executive approved plan of the Hostile Vehicle Mitigation Measures (HVMM) in 2019, the security advice had remained in place.
- HVMM were put in place either by the Council working with the city or implemented by the Police via a counter terrorism vehicle traffic regulation order. The decision lay with Council. Police preference had been for decisions to be made by democratically elected members.
- Officers confirmed that should the advice change, the action plan could change too.
- It was not unusual to get a strong response to Traffic Regulation Orders, and a balanced approach should be taken. It was the duty of elected officials to protect those who are impacted by the decisions made.

[20:36 Cllr Baker left the meeting]

- Officers confirmed that the engagement with residents that had taken place to date would need to continue in order to assess the impact of the decisions made.
- Chester had a staffed barrier and closed access to the city centre at busy times. They also had an Access Officer. Bath had been considering their options regarding HVMM.

Following the officer response to the substantive questions raised by Members, the Chair led a discussion on cycle access in the city centre. He noted that the Economy & Place Committee had been asked to look specifically at cycle access for couriers. He asked Officers to comment on the recommendations from the MHA report, particularly regarding the recommended cycle route through the city centre.

The Head of Regeneration Programmes explained that the majority of the recommendations had been taken through to the different strategy documents. MHA had acted as an access consultant and concluded that a route through Parliament St, Davygate & Blake Street could work. It required a redesign of the streets, with contraflow systems, and the route would have to close for events. Technical officers had looked at this option and concluded that it would require a significant redesign due to the complicated criss-crossing of the streets which resulted in

conflict points. Funding of between £10-20m would be required for this. A redesign could be revisited should further funding become available.

The Director of Place reminded Members that there was a Local Transport Plan and that it prioritised pedestrians over cyclists. Cycling was not permitted currently in the Footstreets, during Footstreets hours.

The Head of Regeneration Programmes noted that there were two Active Travel funding bids in place to improve facilities for cyclists in the city centre.

The Chair noted the importance of a long term strategic plan for the city centre.

There followed a lengthy debate amongst Members regarding the item and the recommendations that they wished to put forward to Executive.

The Chair proposed that the Committee made a recommendation to the Executive that they defer their decision on the permanent closure of the Footstreets, pending the appointment of an Access Officer and following work on the co-production of mitigation measures and their implementation.

Members voted 3 for and 4 against and the proposal was therefore rejected.

Resolved: That the following recommendations and comments be made to Executive:

1. To proceed with the permanent extension to the Footstreets area, with the accompanying action plan. (Members of the Committee wished it to be recorded that the vote was split 4:3 along party lines on this recommendation)

The following recommendations and comments were passed unanimously:

2. The Executive should satisfy themselves that the public sector equality duty in the Equality Act has been met, particularly in consideration of the following four points:

- Does the plan or recommendations advance the equality of opportunity between persons who share the protected characteristic of disability and those who do not share it?
 - Does the plan or recommendations foster good relations between persons that share the protected characteristic of disability and those that do not share it?
 - Does the plan or recommendations comply with the requirement in the Equality Act to avoid discrimination on the basis of disability?
 - Do they feel that the equality impact assessment sufficiently covers the issues and provides sufficient mitigations given the existing feedback from contributors, describing their feelings of traumatisation and discrimination?
3. The Action Plan should include a practical trial of the shuttle bus with a range of service users, as part of the feasibility study recommended by the Martin Higgitt Associates report.
4. That the Executive accept the following specified recommendations from the York Disability Rights Forum and York Human Rights City Network, noting that there are some elements of crossover, and ensure that they are appropriately met:
- i. Recommendations 3, 4 and 5 in the joint statement from the disability action groups in annex S of the report 'Consideration of changes to the City Centre Traffic regulation order', namely:
 - CYC should explicitly acknowledge the free labour Disabled People's Organisations (DPOs) have invested in gathering rich data around this topic, completing the relevant surveys, and attending multiple hours of consultation zoom meetings where they have already shared their data and recommendations.
 - CYC should set up a working group, including DPOs as equal partners, to collectively assess the Footstreet Scheme and consider how to balance the rights of

York's disabled citizens with other considerations. YHRCN extends an offer to facilitate this working group to mitigate the tensions now surrounding this issue.

- CYC take a human rights approach and use PANEL principles (Participation, Accountability, Non-Discrimination and Equality) to guide decision making now and in the future. This ensures that human rights are put at the centre of policy and practice.
- ii. Recommendations 2, 3 and 4 from the York Human Rights City Network Report to the Human Rights and Equalities Board on Blue Badge Concerns, namely:
- The CYC should appoint an Access Officer to advise it on access issues and ensuring inclusivity in decision-making. The Access Officer should also be a liaison person for local disabled citizens and groups. This position would be ideal for a qualified Access Auditor with lived experience of disability.
 - The CYC should consider establishing a Disability Access Forum, comprising disability organisations. Its role would be to provide strategic advice on access issues, and assess the access implications of plans for the city. Both the Access Officer and the Disability Access Forum would embed a co-production approach to accessibility for the future.
 - The failure to properly understand and analyse the data in the Equality Impact Assessments illustrates the need for training within the CYC on equalities and human rights. Training for the CYC, members of the Disability Access Forum and others could provide an opportunity to “foster good relations between persons who share a relevant protected characteristic and persons who do not share it”. The development of a new Human Rights and Equalities Impact Assessment tool within the CYC provides a good opportunity to provide such training, and integrate analysis of equalities and human rights.

5. Regarding cycling within the Footstreets area:

- i. The Committee recommends that the word 'confirm' be replaced by 'note' in the first recommendation under 'Cycling, e-scooters and e-bikes' of the Strategic Reviews of City centre Access and Council Car Parking, such that it reads 'Note the existing position that cycling is not permitted in the Footstreets during Footstreets hours'.
 - ii. The Committee welcomes the Martin Higgitt Associates Report and findings and would encourage the Executive to consider whether any of the recommendations not currently considered actionable could be taken forward in due course.
6. The Committee acknowledged that it had been difficult to carry out a proper, fully informed pre-decision scrutiny on what amounted to over 1,000 pages of information published on Friday evening, prior to the scrutiny meeting on the following Monday evening.

Reason: To ensure that the Executive take into account the findings of the Customer and Corporate Services Scrutiny Committee that followed public and stakeholder engagement.

Councillor J Crawshaw, Chair

[The meeting started at 5.30 pm and finished at 10.07 pm].

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Meeting	Customer and Corporate Services Scrutiny Management Committee
Date	13 December 2021
Present	Councillors Crawshaw (Chair), Fenton (Vice-Chair), Hollyer, Orrell, Musson, Norman, Pearson and Rowley
Apologies	Councillor Baker

In light of the changing circumstances around the Covid-19 pandemic, this meeting was held remotely. Scrutiny Committees are not decision making meetings. Therefore the outcomes recorded in these minutes are **not** subject to approval by the Chief Operating Officer under his emergency delegated powers.

39. DECLARATIONS OF INTEREST

At this point in the meeting, the Chair invited Members to declare any personal, pecuniary or prejudicial interests, which they had not already included in their standing register of interests. None were declared.

40. MINUTES

The Chair clarified his Declaration of Interest statement for both meetings held on 25 October 2021 and requested that the minutes be updated to reflect this.

Cllr Fenton requested that some additional text be added to the minutes of the 2pm meeting held on 25 October 2021.

The Chair requested that the minutes for the second meeting held on 25 October 2021 be updated to reflect which Cllr Taylor left the meeting between 6.32 and 6.34pm.

Resolved: That the minutes of both meetings held on 25 October 2021 and the meeting of 01 November 2021 were approved, subject to the updates outlined above, to be signed by the Chair as a correct record at a later date.

41. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

42. PUBLIC HEALTH UPDATE

Members received a verbal update and presentation from the Director of Public Health on the latest figures and information relating to the impact of the Covid virus, in particular the new Omicron variant, around the city, specifically covering the following:

- Case numbers in the city had risen, reflecting the rise in cases nationally. The majority of cases had been in the 5-19 and 10-14 age groups with a corresponding rate in parents.
- Approximately 30% of all PCR tests were sent for sequencing, detection of the Omicron variant took up to 10 days to come through, therefore press reported numbers of cases had been inaccurate. The variant was more transmissible but the impact on health was not yet known.
- The booster dose of the vaccine provided the best protection against the new variant. Boosters had been offered to all over 18's. This programme had led to a drop in cases in older people and fewer hospital admissions, however the hospital continued to be very busy. Meetings had taken place to support the acceleration of the booster programme, calls for volunteers had been made and community pharmacies had contributed to the programme.
- Covid vaccination update, including that over 70,000 residents had received the booster vaccination.
- Public safety advice continued to be to follow all prevention measures including; face masks, hand washing, ventilation as well as to minimise contacts.

The Director of Public Health then responded to a range of questions around the availability of vaccinations and lateral flow tests, the vaccination programme and new variant symptoms.

Resolved: That the update from the Director of Public Health be noted.

Reason: To keep the Committee informed of the impact of pandemic across the city.

43. QUARTER 2 FINANCE AND PERFORMANCE UPDATE

Members considered the Finance and Performance report for Quarter 2 and were given a brief overview by the Corporate Finance Manager. She highlighted the continuing financial pressures in adult and children's social care which, she noted, was a national issue and not unique to the city.

The Corporate Finance Manager and the Head of Business Intelligence Hub then responded to various questions from members covering time scales for processing new housing benefit claims, the projected overspend in the People Directorate and the position regarding reserves, staff sickness absence and customer service contact rates, and the budget decision process.

The Head of Business Intelligence Hub offered to provide to the Committee some further data on staff sickness by location and customer centre statistics on calls answered within timescale or abandoned.

Resolved: That the report and actions needed to manage the financial position be noted and that further staff sickness and customer centre data be circulated to Members for information.

Reason: To ensure that expenditure was kept within the approved budget.

44. SCHEDULE OF PETITIONS

Members considered a report providing them with details of new petitions received to date, since the last report to the Committee.

The Democracy and Member Support Manager and the Chair had a brief discussion regarding the process for the Schedule of Petitions. The Chair confirmed that he had reported to the working party for the new constitution and suggested that the petitions could be processed differently, with the Committee overseeing those that do not have a set route through the council. This item would be re-examined in due course.

It was noted that petition 148 had no signatures, this had been thought to be an administrative error which would be verified and amended if necessary.

Resolved: That the report be noted.

Reason: To ensure the Committee carried out its requirements in relation to petitions.

45. SCRUTINY RESEARCH BUDGET

Members considered a report relating to the amount recommended to Budget Council in relation to the scrutiny research budget.

It was moved by the Vice Chair and seconded by the Chair to approve option 2 within the report. This was agreed unanimously by Members and it was therefore:

Resolved: That it be recommended to Executive to retain the current budgetary support of external research and consultancy work.

Reason: To ensure the availability of funding for the Committee to use for training and scrutiny purposes.

[Cllr Pearson left the meeting at 19:00, during the discussion of this item].

46. WORK PLAN 2021/22

Members considered the corporate scrutiny work plan covering the next meeting of this Committee and the meetings of the other Scrutiny Committees up until 28 February 2022.

Resolved: That the work plan be noted.

Reason: To ensure that the Committee has a planned programme of work in place and an overview of the other Scrutiny Committees.

Councillor J Crawshaw, Chair

[The meeting started at 5.30 pm and finished at 7.30 pm].

Scrutiny Committees - Work Plan

Scrutiny Area	Meeting Date	Meeting Type	Agenda
CC	12/01/2022	Committee	<ol style="list-style-type: none"> 1) Climate Change Strategy 2) Strategy Pathway proposal 3) Local Transport Plan 4 strategy proposals 4) York Hospital Emissions Reduction Work
HCS	18/01/2022	Committee	<ol style="list-style-type: none"> 1) Anti-Social Behaviour Report (to include management of ASB from a housing tenancy perspective, and an opportunity to feed in to the review of the Safer York Partnership strategy) 2) Q2 Finance Monitor
Com. Slot	18/01/2022		
HASC	24/01/2022	Committee	<ol style="list-style-type: none"> 1) Childhood Obesity- considering the work of other authorities and identifying potential funding streams 2) Whole population dental Health in York - Representatives from the Local Dental Committee, NHS England, Public Health and Healthwatch York and various other professionals/organisations/service users will be invited to attend
E&P	25/01/2022	Committee	<ol style="list-style-type: none"> 1) Update on carbon reduction with attendance at Cllr Widdowson, Pauline Stuchfield & Claire Foale 2) York Central Update with attendance of landowners to answer questions on commercial aspects of York Central 3) Q2 Finance Monitor
Call In	25/01/2021	Yes	<ol style="list-style-type: none"> 1) MIY SLAs
Call In	07/02/2022		
CSMC	14/02/2022	Committee	<ol style="list-style-type: none"> 1) Organisation Development Update Internal 2) Organisation Development Update External 3) Update on Motions
Com. Slot	28/02/2022	Joint CEC / HASC	<ol style="list-style-type: none"> 1) Children's Mental Health Provision

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