

## City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in the Citadel, York on Thursday, 23 November 2023, starting at 6.30 pm.

**Present:** The Lord Mayor (Cllr Cullwick) in the Chair, and the following Councillors:

Acomb Ward	Bishopthorpe Ward
Lomas Rose	Nicholls
Clifton Ward	Copmanthorpe Ward
Myers Wells	Steward
Dringhouses & Woodthorpe Ward	Fishergate Ward
Fenton Mason Widdowson	Whitcroft Wilson
Fulford and Heslington Ward	Guildhall Ward
Ravilious	Clarke Melly Merrett
Haxby & Wigginton Ward	Heworth Ward
Cuthbertson	B Burton Douglas Webb
Heworth Without Ward	Holgate Ward
Ayre	Kent Steels-Walshaw Taylor

Hull Road Ward

Baxter  
Kelly  
Pavlovic

Huntington and New Earswick  
Ward

Orrell  
Runciman

Micklegate Ward

J Burton  
Crawshaw  
Kilbane

Osbalwick and Derwent Ward

Rowley BEM  
Warters

Rawcliffe and Clifton Without Ward

Smalley  
Wann

Rural West York Ward

Hook  
Knight

Strensall Ward

Fisher  
Healey

Westfield Ward

Coles  
Nelson  
Waller

Wheldrake Ward

Vassie

Apologies for absence were received from Councillors Hollyer,  
Pearson and Waudby.

**43. Lord Mayor's Opening Remarks (6:32 pm)**

The Lord Mayor confirmed there was no motion on the agenda in relation to the situation in Gaza, despite the recent assertions.

The Lord Mayor also noted that the city had recently achieved global recognition for climate action and he acknowledged the importance of working together to address the climate emergency.

**44. Declarations of Interest (6:36 pm)**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests they might have in the business on the agenda. None were declared.

**45. Minutes (6:36 pm)**

Resolved: That the minutes of the Council meeting held on 21 September 2023 be approved and then signed by the Chair as a correct record.

**46. Civic Announcements (6:37 pm)**

The Lord Mayor noted that he was due to meet the German Ambassador in York.

**47. Public Participation (6:37 pm)**

It was reported that five people had registered to speak at the meeting under the council's Public Participation Scheme.

John Pybus spoke on Agenda Item 5, Fossgate pedestrianisation petition. He spoke in support of the petition and highlighted the benefits to pedestrianising Fossgate, which included, a reduction in pollution and air quality, improved disability access, and a thriving café culture. He welcomed a consultation to progress this further.

Stephane Brodie spoke on Agenda Item 8, Motions on Notice, recognising and supporting York's neurodivergent adults. She outlined her own personal experience and addressed the lack of support for the neurodiverse community in York, as well as people who were experiencing suicidal ideation. She questioned why the

Autism Strategy was not active and she acknowledged the importance to ensure the right support, care and culture were in place.

Hazel Kerrison also spoke on Agenda Item 8. She represented the York Disability Rights Forum, and worked as a voluntary support worker supporting people who experienced suicidal ideation, self harm and voice hearing. She addressed the confusion and stress that the recent autism and ADHD pilot pathway had caused and she outlined her own lived experience, noting the difficulties faced when living as a neurodivergent person.

Richard Murgatroyd referenced the statement made by the council on 10 October in light of the escalating crisis in Gaza. He addressed the crisis in Gaza and the emergency motion he had sent to all councillors on the genocide that was unfolding. He urged the council to call for a permanent ceasefire and to encourage a genuine peace dialogue in the region.

Mohamed El-Gomati also spoke on the escalating crisis in Gaza. He noted the motion that had been sent to all councillors and he appealed to council to openly call for an immediate and clear ceasefire.

The Lord Mayor thanked all public participants for their contributions and he acknowledged that City of York Council deplored violence of all kinds and he referred to the joint statement that the council issued on 10 October 2023. He acknowledged that the council's thoughts were with all those affected by the situation in Gaza.

#### **48. Petitions (6:56 pm)**

Under Rule B5 2, the following petitions were presented for reference to the Customer and Corporate Services Scrutiny Management Committee, in accordance with the Council's petition arrangements:

- i. A petition presented by Cllr Waller, on behalf of residents, regarding using the Chapelfields Estate improvement funds.<sup>1</sup>
- ii. A petition presented by Cllr Waller, on behalf of residents, regarding releasing parking improvement funds.<sup>2</sup>

- iii. A petition presented by Cllr Waller, on behalf of residents, regarding sorting out Dijon Ave and Lowfields Drive.<sup>3</sup>
- iv. A petition presented by Cllr Waller, on behalf of residents, regarding releasing parking improvement funds for Ascot Way.<sup>4</sup>
- v. A petition presented by Cllr Clarke, on behalf of residents, regarding pedestrianising Fossgate.<sup>5</sup>

#### Action Required

- |   |    |
|---|----|
| 1. Add the petition on using the Chapelfields Estate improvement funds to the petitions log for referral to CCSSMC.   | SS |
| 2. Add the petition on releasing parking improvement funds to the petitions log for referral to CCSSMC.               | SS |
| 3. Add the petition on sorting out Dijon Ave and Lowfields Drive to the petitions log for referral to CCSSMC.         | SS |
| 4. Add the petition on releasing parking improvement funds for Ascot Way to the petitions log for referral to CCSSMC. | SS |
| 5. Add the petition on pedestrianising Fossgate to the petitions log for referral to CCSSMC.                          | SS |

#### **49. Report of Executive Leader, Questions, and Executive Recommendations (7:01 pm)**

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

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

#### Free School Meals

**From Cllr Healey:** Can the Leader confirm the identity of the donor organisations referred to by Cllr Kilbane at the February meeting, how much money they had committed to the York Fund and if it's enough to fund free school meals for every single primary school child by the end of the council term?

**Response:** We are working in partnership with the city and we are very fortunate that we have a civic society that's really open to supporting us to deliver the ambitious programmes, and free school meals is part of that. We never said it was fully funded in February, we said we were in conversations with organisations across the city about funding, and it's going really well. Westfield Primary is going ahead and we are expected to go into Burton Green Primary after Christmas.

### The Place at Paul Sanderson House in Chapelfields

**From Cllr Nelson:** How will this venue serve the local community and is there anything else Westfield Ward residents could benefit from?

**Response:** This is another example of the city working together to deliver for the communities in York that need it. The Place at Sanderson House is coordinated and funded by private funders through the university. The community groups and the activities would continue and they would be opened up to the children in the Chapelfields area. Westfield Primary School were advertising it and were working with parents to ensure they know it's for them. It's been great working with the philanthropic department at the university who are helping the council build the York Fund.

**From Cllr Fisher:** Please outline the timeframe you envisage for the recruitment of a Chief Executive to the council and when the advert will go live.

**Response:** This is a wholly inappropriate question within Full Council and I won't be answering it.

### York Central Update

**From Cllr B Burton:** What does the Leader want to see on York Central and how can she influence decision making around that?

**Response:** We are waiting to see who the master developer will be. It has been a bit disappointing to us all that the process has been slower than expected. I'm looking forward to seeing this come to place so we can have detailed conversations about what the city really wants from York Central. It is really important that the people of York feel like it is for them. We want good quality jobs on there that everybody can benefit from, we want more green space and we want to increase biodiversity in the area. We want good communities, a sense of place, and we also want good quality affordable housing to be available for York people and not for investment.

**Supplementary from Cllr Healey:** Picking up on your last point, how will the council ensure that's going to be the case, not for investors?

**Response:** There are ways and means for putting covenants on but it depends upon the developer. Decisions and discussions will be made and where we are the landowner, we can have some control over what kind of housing we put on it.

### Devolution and the Combined Authority

**From Cllr Warters:** When you refer to delivering strategic housing projects, which will rely upon our ability as a local authority to work effectively within the combined authority, would the Leader agree that the ability to work effectively will be severely hampered if the Local Plan fails? If that outcome occurs, will the officers that pushed ahead with the Local Plan, despite regular and detailed warnings over the subject matter that is causing the inspector some concerns, be held fully to account?

**Response:** The Local Plan is tremendously important, which is why we have ploughed on with it. We can't afford to no longer have one. We are doing all we can to get it through the process. We are not going to pull it and start from scratch again. If there was an element of poor performance or wrongdoing of course officers would need to be held account but there's no indication of that. We are doing the most we can, and I can't wait to see it in place.

**Supplementary from Cllr Warters:** Are you concerned about the concerns raised by the inspector over one specific issue?

**Response:** In a process like this, which is so sensitive and it takes so long, you would like to see it go straight through and any delay is concerning, but at this point in time we need to push it forward. We should have had it years ago.

### **B – Executive Recommendation**

Cllr Douglas moved and Cllr Kilbane seconded the following recommendations contained in Minute 46 of the Executive meeting held on 12 October 2023 and Minute 61 and Minute 62 of the Executive meeting held on 16 November 2023:

#### Minute 46: Youth Justice Plan

Recommended:

- i. That Council fully adopts the Youth Justice Plan.<sup>1</sup>

Reason: To secure the Youth Justice Board funding for the financial year.

#### Minute 61: Capital Programme Monitor 2

Recommended:

- i. To Full Council the adjustments resulting in a decrease in the 2023/24 budget of £13.009m as detailed in the report and contained in Annex A.<sup>2</sup>

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

#### Minute 62: Delivering More Affordable Housing in York – update on the Housing Delivery Programme

Recommended:

- i. To Full Council a contribution of £1.47m of Housing Revenue Account (HRA) borrowing to enable the purchase of up to 10 homes for the Local Authority Housing Fund (LAHF) programme.<sup>3</sup>

Reason: To deliver more affordable housing in York.

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

Resolved: That the above recommendations be approved.<sup>123</sup>

#### **50. Report of Deputy Leader and Questions (7:36 pm)**

A written report was received from the Deputy Leader, Cllr Kilbane. Members were then invited to question the Deputy Leader on his report. Questions were received from the floor from the following Members and replied to as indicated:

#### Constitutional Changes

**From Cllr Mason:** Who from your party had been involved with the Monitoring Officer in drafting the potential constitutional changes?



**Response:** The Monitoring Officer did consult with the Leader of the Group and the Leader consulted with the rest of the Group. The results of those consultations were fed back.

**Supplementary from Cllr Mason:** Is there no concerns that those changes, obviously not the one or two that we've got tonight, but the whole in totality in the review, do you have no concern that it might stifle our role on representing citizens on the council.

**Response:** It doesn't cause me too much concern, it has gone through Audit and Governance Committee and there is a working group on it. I'm sure, Cllr Mason, your group will have every opportunity to input and debate on this through the various ways that we can do that within the council.

**Supplementary from Cllr Ayre:** Does your group believe that it is democratic to remove members rights to ask questions to the Executive about important issues that do not arise from reports to council?

**Response:** Cllr Ayre you are very welcome to ask me any questions at any time and we will answer them. It's about making meetings business like and less of a staged performance.

### Combine Authority

**From Cllr Fenton:** Can the Deputy Leader please reaffirm his commitment that members of this authority, from all parties, will have the opportunity to have meaningful pre-decision input wherever possible, and how does he think we can best achieve that?

**Response:** Ideally, we would be looking at pre-decision scrutiny now going into the mayoral combine authority but there is currently an issue which is to do with the political sensitivities. It's really important at the moment, before the combined authority is formed, that information is released to both parts of the authority. We need to make sure we are being respectful of both combined authorities going into the process. Once the combined authority is formed, which should be mid-January that the process should have gone through parliament, we will certainly be pushing for pre-decision scrutiny wherever possible and will be open and transparent about all decisions that we are making, as we can be. We are working very well with our conservative colleagues on the combined authority and they are of the same mind in terms of openness and accountability and input from Members, certainly when it comes to policy making etc.

## 51. Motions on Notice (7:46 pm)

### i) Recognising and supporting York's neurodivergent adults

Moved by Cllr Rose, seconded by Cllr Coles.

“Council notes:

- Humber and North Yorkshire Integrated Care Board's (ICB) trial pathways for adult autism and ADHD assessments that commenced in March this year, and which have been extended to March 2024;
- Important work carried out by Healthwatch York and York Disability Rights Forum (YDRF) in scrutinising the current trial and gathering evidence of people's experiences of the process;
- The ICB's public engagement events to review the pilot, being held next month;
- The NHS 2021 National Strategy for Autistic Children, Young People and Adults, that committed to *'timely access to diagnosis and demonstrably improved autism assessment pathways for people of all ages by 2026'*;
- The 400% increase in adults seeking assessment for ADHD since 2020 (ADHD Foundation) and the pressure this places on assessment services;
- The almost four-year wait in a best-case scenario for those accepted for assessment under the current trial;
- York's position as an autism-friendly city;
- Council's adoption of the social model of disability.

Council believes:

- It is important to identify and/or acknowledge different types of neurodiversity in individuals in a timely way in order to help them better understand themselves, their unique qualities, the adaptations that could be made to help them manage any challenges they face and support available, such that they can lead healthy, safe and fulfilling lives;

- That people should be able to access diagnosis pathways if and when appropriate or necessary and that such pathways should be well defined, clearly articulated and appropriately resourced;
- That the process of triage is well established in healthcare services for good reasons but that those deemed lower priority for assessment also deserve to know what pathways are open to them and how long it might take to access them;
- The current referral pathway lacks sufficient review points for individuals where, should their personal situation change, they can re-enter the process.

Council resolves:

- To write to encourage the ICB to use the public engagement process to communicate more openly how the assessment pathway process works, the challenges with it and how information on outcomes could be provided for those completing the North Yorkshire and York online Platform for Adult Autism and ADHD Referral;
- To request an update report be presented to Health, Housing and Adult Social Care Scrutiny Committee on the work of council services in supporting neurodivergent adults in York, including child to adult transitions;
- To request that the Head of Paid Service communicates with all staff expressing the importance of removing barriers wherever possible, such that neurodivergent staff and residents are enabled to better access Council support and services;
- To renew the city's Autism Strategy and use this opportunity for City of York Council to reaffirm and widen the city's commitment to autistic and neurodivergent people in York, learning from the challenges of the current NHS pilot to ensure there is meaningful engagement with local groups about how to improve support to meet the needs of neurodivergent residents accessing its services;
- To ensure national Government is made aware of the perfect storm of increased demand for adult assessment, diagnosis

and support for autism/ ADHD set against the backdrop of low levels of funding to support neurodiverse adults and to local authorities like City of York Council to provide the support they would like for their residents.”

Cllr Runciman then moved, and Cllr Mason seconded, an amendment to the above motion, as follows:

Add to Council resolves:

- To ask the Executive to commit to finding an alternative source for the £100k agreed in the February 2023 budget to support critical services that promote better mental health and wellbeing and provide support to those residents with autism, as they have done recently in finding £75k of the £100k agreed in February to support the recovery of residents facing substance misuse problems.

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

The original motion was then put to the vote and was declared CARRIED, and it was

Resolved: That the above motion be approved.<sup>1</sup>

An adjournment took place between 8:05 pm and 8:23 pm.

ii) The Fair Game campaign for football clubs

Moved by Cllr Smalley, seconded by Cllr Knight.

“Council notes:

- The vastly unfair way in which income is shared across the football pyramid. For instance of the £3.2 billion English Football receives from TV revenue, 88% goes to Premier League teams. Championship teams get just £32.85 from every £1,000 generated.
- Frequently bad management has gone unnoticed or ignored and clubs are run unsustainably, putting at risk all the history, heritage, and economic benefit they bring to an area – often in pursuit of short-term gain.
- That Fair Game, a national campaign that seeks reform of the way football is managed and run. Specifically it calls for

- A truly independent regulator for the sport free of vested interests
- A refocus on 'values' rather than profit
- Football clubs to be recognised as key parts of local communities
- The establishment of a Fair Game Index, which will reallocate the payments made to clubs to reward those which are run well, respect equality standards and properly engage with their fans and their community
- The regulator to ensure fans are given the final say on any proposed change to a club's 'crown jewels', including the club's name, nickname, colours, badge and the geographical location from where the club plays.
- That the Government has published a White Paper developed from a Government-commissioned fan-led review into football governance led by former Sports Minister Tracey Crouch MP, and that a vast majority of its findings mirror Fair Game's aspirations.
- That if the Fair Game Index was applied to York City Football Club, it would receive an extra £2.54 million of income each year (up from £79,000 to £2.62 million). This could be invested through the Club's Community Organisation to improve facilities and into community projects delivered via York City FC Foundation.

#### Council believes:

- That football clubs are not ordinary businesses; they are historic sporting institutions that are both a civic and community asset, and a source of pride and unity, in their hometown or city.
- That lower league football is currently in crisis.
- That COVID-19 devastated the revenue of many lower-league clubs, and the cost-of-living crisis could be the knock-out blow for dozens of clubs.

#### Council resolves:

- To declare its support for Fair Game, and call on other councils to join us in our support.

- To ask the Chief Operating Officer to write to the Minister for Sport, local Members of Parliament, and the Chair of the Local Government Association Culture, Tourism and Sport Board, to lobby for the following to be included in the new remit of the Independent Regulator:
  - Football’s financial flow (particularly over: proportion of broadcast revenues given by the Premier League, the abolition of parachute payments, and the allocation of funds from the Premier League);
  - Owners’ and Directors’ Test to include an ‘ethics’ dimension, particularly around human rights;
  - Implementation of a Fair Game Index to accurately measure club’s progress;
  - To include National League North and South clubs under their control;
  - To have stronger powers to implement and enforce governance; and
  - Measurement of equality standards and environmental standards.
- To ask the council’s Children, Culture and Communities Scrutiny Committee to discuss at a meeting in the current municipal year the important role that York City Football Club plays in the culture and heritage of the city and to explore ways in which we can work together to support the club and York City Football Club Foundation with its work in the local community.”

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

Resolved: That the above motion be approved.<sup>2</sup>

iii) Working to improve Mental Health

Moved by Cllr Whitcroft, seconded by Cllr Steels-Walshaw.

“Council notes:

- a marked decline in the mental health of certain groups of people during and since the Covid pandemic;

- poor mental health has been exacerbated by the cost-of-living crisis and by social problems which disproportionately impact our most vulnerable residents, such as those experiencing homelessness, isolation and fuel poverty;
- the most devastating outcome of poor mental health is suicide, instances of which have increased in York from 9.3 per 100,000 residents to 13.3 in the decade to 2021-22;
- children's mental health services are under unprecedented pressure, a problem compounded by significant cuts to early intervention work and bottom four of 151 councils national per pupil schools funding;
- mental health services in general are unable to meet resident demand, as outlined in a recent Healthwatch report, while mental health services for people in crisis are failing to meet need;
- the month of November is often associated with mental health awareness due to the successful and popular Movember campaign.

Council believes:

- mental health is just as important as physical health;
- mental health support in York has suffered due to a sustained period of austerity as well as real terms cuts to mental health services and other public services with a role in protecting general wellbeing;
- Local Authorities, health services and voluntary sector organisations lack the necessary resource to handle the extensive mental health crisis being felt in York and across the country;
- those organisations are unable to fully alleviate the mental health crisis in our city without greater health funding from national government;
- lack of suitable safeguarding procedures for people being discharged from mental health care is resulting in serious risk to life of impacted residents.

Council resolves to:

- express its disappointment at the shelving of planned reforms to the Mental Health Act in the recent King's Speech, reforms designed to address amongst other issues, the

inappropriate detention of different groups of people against their will;

- call on relevant bodies and stakeholders to support preventative mental health measures, such as mental health support for children and young people and support for counselling services that take into account cost of living pressures;
- work with local healthcare partners to encourage them to ensure patients have a holistic triage on admission with a mandatory Safety Plan on return to the community;
- work with health partners to end out of area transfers where practical so that mental health patients are supported as close to home as possible;
- explore how it can support and build on the work of York Ending Stigma (YES - <https://www.yorkcvs.org.uk/york-ending-stigma/>) to reduce stigma and improve attitudes on mental health issues in both its staff and the residents it serves;
- ask that relevant council officers, the Executive Member for Health, Wellbeing and Adult Social care and commissioned services consult fully with mental health charities and service users when planning changes to mental health support services;
- Encourage all members of the Council to support the Movember campaign to raise funds for men's mental health."

Cllr Runciman then moved, and Cllr Mason seconded, an amendment to the above motion, as follows:

Add to Council resolves to:

- ask the Executive to commit to finding an alternative source for the £100k agreed in the February 2023 budget to support critical services that promote better mental health and wellbeing and provide support to those residents with autism, as they have done recently in finding £75k of the £100k agreed in February to support the recovery of residents facing substance misuse problems.

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

The original motion was then put to the vote and was declared CARRIED, and it was



Resolved: That the above motion be approved.<sup>3</sup>

iv) Withdrawal of the Public Switched Telephone Network

Moved by Cllr Vassie, seconded by Cllr Hook.

“Council notes:

- That phone companies intend to withdraw the existing analogue telephone system, called the Public Switched Telephone Network (PSTN), by the end of 2025, and that in future ‘Digital Voice’ services will work using broadband connections rather than copper phone lines.
- That there are a million UK voice-only customers, some of whom do not have any access to broadband, and many of whom are likely to be older or financially vulnerable .
- That there are 1.7 million people using telecare devices in the UK, many of which are supported by PSTN.
- That Ofcom has published expectations for how telecoms companies should support customers during the migration.

Council believes:

- There is currently a low level of awareness of the impending change - when telecare provider Taking Care surveyed a representative sample of more than 2,000 UK adults in March 2021, they found that 91% were unaware that all phone lines would become digital by the end of 2025.
- That action is needed to help raise awareness among those likely to be affected by this change so that measures can be put in place in good time to ensure that vital service such as telecare are not interrupted.

Council resolves:

- To ask the Corporate Services, Climate Change and Scrutiny Management Committee to include as an agenda item at a meeting of that committee or another scrutiny committee in the next three months, consideration of York’s level of preparedness for this change. Participants in the discussion could include local authority, telecoms, NHS, care, voluntary sector and other partners as appropriate.

- To ask the relevant Executive Members to ensure that all front-line staff working with groups who may be particularly affected by this change are suitably briefed in order to be able to direct residents and their families/carers to sources of information and support.”

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

Resolved: That the above motion be approved.<sup>4</sup>

## 52. Questions to the Leader or Executive Members (9:24 pm)

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

### Questions to Cllr Lomas, Executive Member for Finance, Performance, Major Projects and Equalities

**From Cllr Widdowson:** Can you outline how over 5000 primary school children will be given free school meals for the three years for £300,000, when that equates to 10p a meal?

**Response:** The funding in the forecast table represented £100,000 per year required to continue to deliver free school meals at Westfield Primary School. We will continue to fund those free school meals regardless of what else happens with our wider plans to deliver free school meals to all children at primary schools in York. I am always happy to answer questions on it.

**Supplementary from Cllr Healey:** Are you saying that if you don't achieve enough funding to roll this out across the city it will only be kept for one free lunches in Westfield and one breakfast club in Clifton?

**Response:** We have committed to continuing to fund what we have begun to fund through council funding regardless of what happens with the other funding that we are seeking externally to roll this out across the city. We've been really honest with people that free school meals for every child at primary school in York is not something that the council can pay for. That was the position we had taken since before our election, that we would mobilize the city to provide free school meals for all primary children, and that is exactly what we are doing.

**Supplementary from Cllr Ayre:** On your pledge, where on the leaflet are the words mobilise the city?

**Response:** It doesn't change what is actually happening, which is us delivering on our pledges.

**From Cllr Healey:** On 24 October Cllr Pavlovic issued a statement to the Press stating that the Salvation Army could not legally be given a further extension. Can he give us an explanation for this divergence of fact.

**Response from Cllr Pavlovic:** That doesn't fall within my portfolio it's Cllr Lomas. I'll direct the response to her.

**Response from Cllr Lomas:** The Salvation Army contract was extended by a way of waiver from the procurement regulations in February 2023, and a six-month extension was given at that point. Your administration made that decision. What should have happened at that point was there should have been a process of re-procurement of the contract. When we took over the council the contract was coming to an end and the advice we received was that another waiver would be inadvisable, so we decided to add a very short extension to allow a transition out of the contract. We have followed on from the work that the old liberal democrat administration did do in moving to a more comprehensive service for people who are homeless in the city, and we are very happy to talk to you on the plans we have to build on that, and to massively improve the service for people who face homelessness in our city. We believe that procurement rules are important and that we should be doing things in a fair, open and transparent way.

**Supplementary from Cllr Smalley:** I've got the email that was sent to the Press where I quote 'the council's legal position was that the contract couldn't be extended again therefore it had to end' so can you just answer the question, which is why release that inaccurate statement? Rachel Maskell, Labour MP for York Central, was quoted by the BBC news saying that she urged the council to reconsider its decision. What representation has Rachel Maskell made to you and the Leader urging you to reconsider the decision?

**Response:** I have explained that the short additional extension was made to manage the transfer out of the contract. The York Central MP has never spoken to me about this contract. I am aware that statements have been made by all sorts of people publicly about this contract. If anyone wants to ask me about it, I am more than happy to discuss it.

**Supplementary from Cllr Crawshaw:** Point of clarity, isn't the reality that the contract ended in February 2023 so the procurement process should have begun a good six months or more prior to the end of that lengthy contract, rather than needing a six-month extension from February 2023?

**Response:** You are quite right, lengthy contracts need planning towards the end of them. It would have needed to be a minimum of six months prior to the end of the contract that the procurement process started. We inherited a contract that had already gone over its length and had already been subject of a waiver.

Questions to Cllr Kilbane, Executive Member for Economy and Transport.

**From Cllr Rose:** How and when do people provide input into the Local Transport Strategy and Local Transport Plan?

**Response:** The Local Transport Plan consultation has been launched today. It's up on the council's website, it's featured in York Press and it includes an interactive map that you can fill in and indicate on that map where the difficulties are for you traveling around the city. I would urge you all to make sure that your residents are aware of it and encourage them to contribute to it because eventually that plan will be formed by the information intelligence that we gather from residents. The consultation closes on 4 February 2024.

**Supplementary from Cllr Merrett:** The newly elected Mayor for York and North Yorkshire, once elected, will take on responsibilities for transport planning and certain other transport functions, can you clarify what responsibilities in the transport sphere they will be responsible for and how they sit alongside our own residual responsibilities as a council?

**Response:** The most important part is deciding what the key route network is and that is yet to be decided amongst the combined authority. The Mayor should behave sensibly and responsibly and that Mayor will need to respond to the wishes of the city as expressed through the council and also through our input to the combine authority. Negotiations are going on and as soon as we've got more information we'll happily share with all members.

**53. Report of Executive Member (9:42 pm)**

A written report was received from Cllr Kilbane, Executive Member for Economy and Transport.

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

**From Cllr Rowley:** Would the Executive Member join me in welcoming the additional £366,000 from central government to help with pothole repairs this year and another £366,000 for pothole repairs next year.

**Response:** Yes, we welcome the investment. Unfortunately, I think the amount of money they gave us amounts to around 3% of the entire budget. The MP for York Outer did put a message out to all of York Outer constituents stating that we had this extra money and where would you like it spending. If your MP would like to tell me which 3% of the road network they would like fixing with the additional money, then we can see where it is on the priority list. To get our roads up to reasonable standard it would cost £190m and we have a revenue budget of £140m, so, the £8m allocated this year and £10m next year is for patching. All praise to the teams that work on spending the money far more efficiently. We do appreciate the money, but it's nowhere near enough.

**Supplementary from Cllr Rowley:** Are you confident that should a labour government take control at some point next year that you will receive that £190m you alluded to?

**Response:** No, I suspect that going into the election belts will be tightened. A labour administration will still deliver even though resources are tight, it doesn't stifle our ambition.

**Supplementary from Cllr Ayre:** Will you commit to maintaining this level of spending and rule out cuts to the road maintenance budget?

**Response:** Keeping on top of the road network is very important to us and it's a high priority. We are trying to fill the hole you left us and the difficulties we inherited from your administration and the lack of central government funding.

### Castle Gateway

**From Cllr Fenton:** Can you tell us about the engagement that occurred with businesses in the run up to the decisions being made, and also why decisions have been taken in relation to car parking ahead of a wider review of parking provision in the city centre?

**Response:** Following on from the consultation the previous administration undertook, we can clearly see the hopes and desires of the residents of York for the repurposing of Castle Car Park. The solution from the previous administration was to build a multi-story car park but the business case was incredibly flawed and we had to scrap that, costing the city up to £1m. York Bid has actually undertaken a survey of parking in the city. This data has shown that throughout the city we have capacity for car parking for

all the cars that are currently coming in. The only time Castle Car Park is full is at 2pm on Saturday afternoon but the data showed spare capacity at that time within Piccadilly Car Park and the Shambles Q Car Park. The conversations we have been having with all businesses have shown us that it's not about car parking it's about footfall to businesses. The Transport Plan needs to ensure we have the same amount of people calling into the area but without the harm that's caused by too much traffic on the road.

**Supplementary from Cllr Ayre:** Given the two car parks you mentioned, Piccadilly which you have committed to removing all non-essential traffic from accessing and Q Park which is not CYC, can you explain how the council will be better off closing a car park that generates £1.6m in order to save £1m in borrowing?

**Response:** I don't quite understand your point about Piccadilly.

**Supplementary response from Cllr Ayre:** It's a city centre car park and your motion said to remove all non-essential traffic.

**Response:** So how do you know what's essential and what's non-essential?

**Supplementary response from Cllr Ayre:** You're not answering the question, I will ask a second supplementary, do you think parking your car in the city centre is essential travel?

**Response:** I recommend you contribute to the Local Transport Strategy and Plan because it's through that process that we are going to be asking those questions. The Transport Strategy sets out to reduce the number of driven miles by 20%, that's going to be quite tough and not everybody is going to like it. Your administration had four years to answer this question.

**54. Scrutiny - Report of the Chair of the Customer & Corporate Services Scrutiny Management Committee (9:56 pm)**

A written report was received from Cllr Fenton, Chair of the Corporate Services, Climate Change and Scrutiny Management Committee, on the work of the committee.

**55. Recommendations of the Audit and Governance Committee (9:57 pm)**

Council received a report from the Monitoring Officer regarding approval and adoption of revisions to the Constitution, in accordance with the recommendations of the Audit & Governance Committee.

Cllr J Burton moved and Cllr Webb seconded the recommendations contained in Minute 35 of the Audit and

Governance Committee held on 8 November 2023, subject to including three minor amendments to the Constitution, as highlighted by the Monitoring Officer, in respect of:

- Annex 7, Appendix 12, section 2.1c, (page 154 of the agenda) delete 'a' and insert 'only one' in the first sentence.
- Annex 5, Article 11, paragraph 3.4 (page 145 of the agenda) delete the word 'statutory.'
- Pages 164, 175 and 176 of the agenda the words 'him or her' to be changed to 'them.'

The relevant sections referred to in the Constitution, as amended, would read as follows:

#### Annex 7, Appendix 12 – Officer Employment Procedure Rules

- Section 2, Appointment of Assistants to Political Groups
- 2.1c If **only one** Group has a membership that comprises one-tenth or more of the membership of the authority then the Groups qualifying for the post shall be that Group and one other Group; the other Group shall be the one with the next largest membership, or if there is equality of members between the Groups, then the authority shall decide, before allocating the first Assistant.
- Annex 1 – Disciplinary Procedure for the Head of Paid Service (Chief Operating Officer), the Monitoring officer and Chief Finance (s151) Officer.
- 2.7 If the Head of Paid Service (or the Monitoring Officer is the compliant is against the Head of Paid Service) decides that the allegations should be filtered out of the process, this shall be the end of the procedure and the Statutory Chief Officer will be sent a letter informing **them** of the decision as soon as possible.
- Annex 2, Disciplinary Procedure for Non-Statutory Chief Officers.
- 2.4 If an informal resolution is not appropriate, the Head of Paid Service (or as delegated to their Chief Officer) will consider the evidence and, unless the matters are clearly unfounded or trivial, the Head of Paid Service (or as delegated to their Chief Officer) may contact the non-Statutory Chief Officer informing

**them** of the allegations and asking for their representations. A meeting may be arranged by the Head of Paid Service (or as delegated to their Chief Officer) with the non-Statutory Chief Officer to discuss the allegations.

- 2.7 If the Head of Paid Service (or as delegated to their Chief Officer) decides that the allegations should be filtered out of the process, this shall be the end of the procedure and the non-Statutory Chief Officer will be sent a letter informing **them** of the decision as soon as possible.

#### Annex 5, Article 11 – Staffing Matters and Urgency Committee

- 3.4 To arrange for the conduct of the recruitment and selection process in respect of the following Chief Officers:

Following debate and on being put to the vote, the recommendations, including the suggested amendments, were declared CARRIED, and it was

Resolved: That the proposed constitutional changes within Annexes 6, 8 and 10 (Appendix 11, Contract Procedural Rules, Article 11, Staffing Matters and Urgency Committee and Appendix 12, Officer Employment Procedure Rules) be adopted, subject to incorporating the above agreed amendments.

#### **56. Appointment of an Independent Member for Audit and Governance Committee and an Independent Person for Joint Standards Committee (10:11 pm)**

The following recommendation contained in the report of the Director of Governance was moved by Cllr Rowley and seconded by Cllr Fisher.

“To approve the following appointments:

1. Myles Binney as an Independent Member of the Audit and Governance Committee
2. Roseleen Mazza as an Independent Person of the Joint Standards Committee”

On being put to the vote the recommendation was declared Carried, and it was

Resolved: That the above recommendation be approved.<sup>1</sup>



Action Required

1. To note approval of the recommendation in the report for an Independent Person for Joint Standards Committee and for an Independent Member for Audit and Governance Committee and take appropriate action. DS

**57. Appointments and Changes to Membership (10:13 pm)**

Resolved: That the appointments and changes to membership of committees, working groups and outside bodies, as set out on page 345 of the agenda, be approved.<sup>1</sup>

Action Required

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

Cllr Cullwick

LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 10.14 pm]

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