

Agenda Supplement
Council

To: All Councillors
Date: Thursday, 19 December 2019
Time: 6.30 pm
Venue: The Citadel - The Citadel

The Agenda for the above meeting was published on Wednesday, 11 December 2019 and re-published on Friday, 13 December 2019 to include all reports. The attached additional documents are now available:

- 1. List of Recommendations, Motions & Amendments**
- 2. Revised list of Appointments to Committees and Outside Bodies**

This agenda supplement was published on 17 December 2019.

This page is intentionally left blank

Council Meeting – 19 December 2019

Recommendations, Motions and Amendments

Agenda Item 6 – Independent Remuneration Panel

The recommendations below will be the motion moved by the Leader (Cllr Aspden) and seconded by the Deputy Leader (Cllr D'Agorne) in relation to the report of the Independent Remuneration Panel. Any amendments from Members will need to be framed against the below motion:-

“That Council:

- 1) Adopt the scheme of allowances recommended by the Panel and approve the financial implications from 1 April 2020 (an additional increased cost per annum of circa £120k) being addressed and taken into account, as part of the forthcoming budget setting process for the Council for 2020/21 onwards;
- 2) Authorise the Interim Chief Executive to implement the changes and backdate to 22 May 2019 (Annual Council Meeting), with any budgetary implications up to 31 March 2020 (an additional one-off cost circa £100k) being met from the general contingency budget 2019/20;
- 3) Ask the Monitoring Officer to make any consequential constitutional changes.”

Agenda Item 7 – Report of Executive Leader and Executive Recommendations and Questions

Executive, 28 November 2019

74. Establishing an Investment Budget for a Strategic Commercial Property Acquisition

Recommended: That a capital budget of £2.85 million be established to fund the acquisition of the freehold interest in a York city centre asset, as set out in the exempt annex to the report.

Reason: To ensure the ongoing economic vibrancy of the city centre, whilst increasing the income from the council's commercial portfolio in line with budget targets.

Agenda Item 9 – Motions on Notice

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

(i) From Cllr Fisher

Autism-Friendly City

“Autistic people see, hear and feel the world differently to other people. Autism is a spectrum condition and all autistic people share certain difficulties, but being autistic will affect them in different ways.

Some autistic people also have learning disabilities, mental health issues or other conditions, meaning people need different levels of support. All people on the autism spectrum learn and develop. With the right sort of support, all can be helped to live a more fulfilling life of their own choosing.

Our vision is to make York an autism-friendly city where people with autism have the same opportunities as everyone else.

Council notes:

- Autism is much more common than most people think. There are around 700,000 autistic people in the UK - that's more than 1 in 100;
- Whilst many autistic people are able to live a full independent life, some find certain situations difficult to cope with;
- York is proud to have an Autism Strategy, which is designed to support all those with autism in the city, and an Autism Strategy Board, which is made up of people from health and social care organisations, education, the police, charities, people with autism and their families and carers.

Council resolves:

- That Council officers identify opportunities for frontline staff and Councillors, who have regular interactions with residents, to receive appropriate training to help residents with autism receive the best service from the Council and their ward Councillors;
- To encourage other organisations who interact with the public to take note of the Council's Autism Strategy and offer training in autism awareness to their staff;
- That Council officers produce a report for consideration by the Executive Member for Adult Social Care and Health, identifying opportunities where the Council can support young autistic people during their transition to adulthood, and raise awareness of the support already on offer in the city."

(ii) From Cllr Pavlovic

Affordable Housing Supply

"This Council agrees with Executive that the city has a housing crisis. But it goes further in stating that the city has a crisis in the availability of genuinely York-affordable homes, and notes:

- that the Executive's Housing Delivery Programme (HDP) will deliver 120 homes for social rent, 120 for shared ownership and 360 to be sold at full market rate;
- the absence of any published financial appraisal of the HDP necessary to justify this split of tenures, nor of any alternative delivery models explored in delivering York-affordable homes that protect against the failing right to buy (RTB) system;
- that council homes built as part of the HDP will be eligible for RTB at build cost for anyone with 3 years secure tenancy; and after 15 years at the usual discount levels;
- the loss of 331 social rented council homes over the past five years through RTB - 211 more than the HDP will create over the same five year period;
- £1.2m in RTB monies returned to the Government as a result of the previous administration failing to plan sufficient housing to spend them within a set period;

- A recent Bureau of Investigative Journalists' report showing only 7 two bed flats available in York to those in receipt of Housing Benefit in the private rented sector.

Council requests that Executive:

- publishes a full economic appraisal of the HDP at an Executive meeting by April 2020;
- commissions an initial appraisal, to be reported at Executive by April 2020, of alternative options for delivering York-affordable homes, including options for co-development with Housing Associations, or novating or selling land to Housing Associations in return for sole nomination rights;
- reviews ways in which RTB receipts can be used in full to avoid them being handed back to Government, and reports this to a public Executive meeting within six months."

Amendment from Councillor Craghill

Delete the first paragraph and **replace** with:

"This Council agrees with Executive that the city has a housing crisis and that a key part of this is a crisis in the availability of genuinely York-affordable homes to rent and to buy. Council notes:"

Delete bullet points one to five and **replace** with:

- *'That the Executive's Housing Delivery Programme (HDP) will deliver 600 new homes across 8 sites with a minimum of 120 homes for social rent, 120 for shared ownership and the remainder sold at market rate to fund the ongoing programme.'*
- *'That the Housing Delivery Programme is leading the way both in York and nationally in delivering high quality, 100% certified Passivhaus homes with very low energy bills as part of zero carbon developments and that work is underway to bring additional sites and additional affordable homes into the programme.'*
- *That the rationale for the current financial model (with a minimum 40% affordable split) was set out in the Executive decision of July 2018 and builds in the resilience to enable the Delivery Programme to take advantage of opportunities to grow, take on new sites and deliver increased numbers of best-practice based mixed tenure developments in future. The minimum 40% split may be increased on a site by site basis.*

- *That the Council is actively supporting and promoting alternative models of delivery such as Community Led Development and Self Build and is also exploring the potential for partnerships with other social housing providers.*
- *That the Government's Right to Buy policy has been disastrous in terms of undermining the supply of social rented housing in York, as elsewhere in the country, with the loss of half our housing stock since 1980.*
- *That very complex rules govern the use of Right to Buy Receipts (eg. they can't be used where Homes England grant has been received, they can only cover 30% of costs and must be used within 3 years.) In York since self-financing began in April 2012, we have received a total of £32.102m of Right to Buy receipts of which £13.115m has been retained as 1-4-1 receipt to be spent specifically on new social housing (up to quarter 2 2019/20), whilst £1.682m of retained receipts has had to be returned to the Government. As the Housing Delivery Programme develops retention will improve.*

In the last bullet point, after the word 'sector' **insert** '*an affordability problem made worse by the current Government rules on the Local Housing Allowance, which determines Housing Benefit levels.*'

Under the section 'Council requests that Executive:'

Delete all three bullet points and **replace** with:

- *'Requests reports at least every six months on the progress of the Housing Delivery Programme as well as an annual report on the status of Right to Buy receipts.'*
- *Requests reports every six months on the progress of alternative options for delivering York-affordable homes, including options for co-development with housing associations, support for community led housing and self-build and other innovative models.*
- *Continues to review ways in which Right to Buy receipts can be used in full to avoid them being handed back to Government.*

Add two final new bullet points:

- *Writes to the appropriate Minister to urge that the new Government reviews the negative impact of the Right to Buy policy as quickly as possible and at the very least introduces more flexibility into how Right to Buy receipts can be used by local councils.*

- *Writes to the appropriate Minister to once again urge changes to the Local Housing Allowance, which currently includes York in a wider area with cheaper housing thereby exacerbating difficulties in the private rented sector for people on Housing Benefits.*

For information the effect on the original motion of this amendment:

“This Council agrees with Executive that the city has a housing crisis and that a key part of this is a crisis in the availability of genuinely York-affordable homes to rent and to buy. Council notes:

- *That the Executive’s Housing Delivery Programme (HDP) will deliver 600 new homes across 8 sites with a minimum of 120 homes for social rent, 120 for shared ownership and the remainder sold at market rate to fund the ongoing programme;*
- *That the Housing Delivery Programme is leading the way both in York and nationally in delivering high quality, 100% certified Passivhaus homes with very low energy bills as part of zero carbon developments and that work is underway to bring additional sites and additional affordable homes into the programme.*
- *That the rationale for the current financial model (with a minimum 40% affordable split) was set out in the Executive decision of July 2018 and builds in the resilience to enable the Delivery Programme to take advantage of opportunities to grow, take on new sites and deliver increased numbers of best-practice based mixed tenure developments in future. The minimum 40% split may be increased on a site by site basis.*
- *That the Council is actively supporting and promoting alternative models of delivery such as Community Led Development and Self Build and is also exploring the potential for partnerships with other social housing providers.*
- *That the Government’s Right to Buy policy has been disastrous in terms of undermining the supply of social rented housing in York, as elsewhere in the country, with the loss of half our housing stock since 1980.*
- *That very complex rules govern the use of Right to Buy Receipts (eg. they can’t be used where Homes England grant has been received, they can only cover 30% of costs and must be used within 3 years.) In York since self-financing began in April 2012, we have received a total of £32.102m of Right to Buy receipts of*

which £13.115m has been retained as 1-4-1 receipt to be spent specifically on new social housing (up to quarter 2 2019/20), whilst £1.682m of retained receipts has had to be returned to the Government. As the Housing Delivery Programme develops retention will improve.

- *A recent Bureau of Investigative Journalists' report showing only 7 two bed flats available in York to those in receipt of Housing Benefit in the private rented sector, an affordability problem made worse by the current Government rules on the Local Housing Allowance, which determines Housing Benefit levels.*

Council requests that Executive:

- *Requests reports at least every six months on the progress of the Housing Delivery Programme as well as an annual report on the status of Right to Buy receipts.*
- *Requests reports every six months on the progress of alternative options for delivering York-affordable homes, including options for co-development with housing associations, support for community led housing and self-build and other innovative models.*
- *Continues to review ways in which Right to Buy receipts can be used in full to avoid them being handed back to Government.*
- *Writes to the appropriate Minister to urge that the new Government reviews the negative impact of the Right to Buy policy as quickly as possible and at the very least introduces more flexibility into how Right to Buy receipts can be used by local councils.*
- *Writes to the appropriate Minister to once again urge changes to the Local Housing Allowance, which currently includes York in a wider area with cheaper housing thereby exacerbating difficulties in the private rented sector for people on Housing Benefits."*

iii) From Cllr Wann

Tree Planting Policy

“Local Government has a critical role to play in an effective transition to zero carbon. Although considerable national effort is required to tackle the climate emergency, many solutions are best tackled locally with cities, towns and rural communities working together. A part of that solution is to embark on an ambitious programme of tree planting.

Council notes:

- As trees grow, they absorb and store the carbon dioxide emissions that are driving global warming, as well as removing pollutants from the air and improving our air quality;
- A study found that, worldwide, there is the potential for an extra 900 million hectares (2.2 billion acres) of tree cover in areas that would naturally support woodland and forests. As they grow and mature, the trees could absorb and store 205 billion tonnes of carbon, analysis published in the journal Science suggests;
- In York, all political parties have committed to new tree planting in the city as part of the efforts to tackle the climate emergency;
- That this administration has already invested £33K to support the Northern Forest initiative, £25K to produce zero-carbon supplementary planning guidance and £66K to create a Carbon Reduction and Sustainability Officer and capacity budget.

Council resolves:

- That Council Officers, as part of developing a new ‘tree planting policy’ for the city, should prepare a report for consideration of the Executive, to set out plans to:
 - Plant at least 50,000 trees across the city over the next three years;
 - Identify available and suitable green spaces in Council ownership for tree planting;
 - Identify where ‘green corridors’ can be created, to help animal life move through urban areas, which is essential for pollination and biodiversity.
- That a further report is produced for the Executive Member for the Environment and Climate Change on how to better improve maintenance of existing trees in the city.”

Amendment from Councillor Baker

Under section ‘Council notes’ **insert** a new first bullet point:

- *Forest Research, Britain’s principal organisation for forestry and tree related research, says that the average tree canopy cover figure in England is 16%, measured from 283 towns and cities. York has only 5% tree cover and Friends of the Earth recommends that this should be, at least, doubled.*

In the last bullet point after 'planning guidance and' **insert** *'is further considering at least'*

Under the section 'Council Resolves' in the first bullet point, delete point three and replace with

- To request an update on the progress made so far in developing a Pollinator Action Plan.

In the final bullet point **delete** the words 'better improve' and **insert** *'invest further in the'*

After the last bullet point, **add** two new bullet points

- That council officers review and strengthen the 2017 Aboricultural Policy for York in light of the climate emergency e.g. strengthening the protection of existing mature trees.
- To request the Environment Agency to plant more trees on land upstream to slow the flow of rainfall into rivers and reduce the risk of flooding in York.

For information the effect on the original motion of this amendment:

"Local Government has a critical role to play in an effective transition to zero carbon. Although considerable national effort is required to tackle the climate emergency, many solutions are best tackled locally with cities, towns and rural communities working together. A part of that solution is to embark on an ambitious programme of tree planting.

Council notes:

- *Forest Research, Britain's principal organisation for forestry and tree related research, says that the average tree canopy cover figure in England is 16%, measured from 283 towns and cities. York has only 5% tree cover and Friends of the Earth recommends that this should be, at least, doubled.*
- As trees grow, they absorb and store the carbon dioxide emissions that are driving global warming, as well as removing pollutants from the air and improving our air quality;
- A study found that, worldwide, there is the potential for an extra 900 million hectares (2.2 billion acres) of tree cover in areas that would naturally support woodland and forests. As they grow and

mature, the trees could absorb and store 205 billion tonnes of carbon, analysis published in the journal *Science* suggests;

- In York, all political parties have committed to new tree planting in the city as part of the efforts to tackle the climate emergency;
- That this administration has already invested £33K to support the Northern Forest initiative, £25K to produce zero-carbon supplementary planning guidance *and is further considering at least £66K to create a Carbon Reduction and Sustainability Officer and capacity budget.*

Council resolves:

- That Council Officers, as part of developing a new ‘tree planting policy’ for the city, should prepare a report for consideration of the Executive, to set out plans to:
 - Plant at least 50,000 trees across the city over the next three years;
 - Identify available and suitable green spaces in Council ownership for tree planting;
 - To request an update on the progress made so far in developing a Pollinator Action Plan.
- That a further report is produced for the Executive Member for the Environment and Climate Change on how to *invest further in the maintenance of existing trees in the city.*
- *To request an update on the progress made so far in developing a Pollinator Action Plan.*
- *That council officers review and strengthen the 2017 Arboricultural Policy for York in light of the climate emergency e.g. strengthening the protection of existing mature trees.*
- *To request the Environment Agency to plant more trees on land upstream to slow the flow of rainfall into rivers and reduce the risk of flooding in York.”*

Amendment from Councillor K Taylor

Under the section ‘Council resolves, in the first bullet point:

- After ‘That Council Officers’, **insert** *‘ensure the Carbon Reduction and Sustainability Officer post funded in June is*

made a priority and advertised for recruitment by 31 January 2020. Furthermore'

- After 'for the city', **insert** '*Council Officers*'.

For information the effect on the original motion of this amendment:

“Local Government has a critical role to play in an effective transition to zero carbon. Although considerable national effort is required to tackle the climate emergency, many solutions are best tackled locally with cities, towns and rural communities working together. A part of that solution is to embark on an ambitious programme of tree planting.

Council notes:

- As trees grow, they absorb and store the carbon dioxide emissions that are driving global warming, as well as removing pollutants from the air and improving our air quality;
- A study found that, worldwide, there is the potential for an extra 900 million hectares (2.2 billion acres) of tree cover in areas that would naturally support woodland and forests. As they grow and mature, the trees could absorb and store 205 billion tonnes of carbon, analysis published in the journal *Science* suggests;
- In York, all political parties have committed to new tree planting in the city as part of the efforts to tackle the climate emergency;
- That this administration has already invested £33K to support the Northern Forest initiative, £25K to produce zero-carbon supplementary planning guidance and £66K to create a Carbon Reduction and Sustainability Officer and capacity budget.

Council resolves:

- That Council Officers *ensure the Carbon Reduction and Sustainability Officer post funded in June is made a priority and advertised for recruitment by 31 January 2020. Furthermore, as part of developing a new 'tree planting policy' for the city, Council Officers should prepare a report for consideration of the Executive, to set out plans to:*
 - Plant at least 50,000 trees across the city over the next three years;
 - Identify available and suitable green spaces in Council ownership for tree planting;

- Identify where 'green corridors' can be created, to help animal life move through urban areas, which is essential for pollination and biodiversity.
- That a further report is produced for the Executive Member for the Environment and Climate Change on how to better improve maintenance of existing trees in the city."

(iv) From Cllr Crawshaw

A Healthier, Greener York

"Council notes:

- Our cross-party declaration of a Climate Emergency;
- Our stated aim of York becoming Carbon Neutral by 2030;
- The negative health impact of poor air quality, particularly on children and the elderly;
- The negative impact of congestion on both the city's economy and the emotional health and well-being of road users;
- The City's adopted Local Transport Plan which places pedestrians at the top of its transport hierarchy, followed by those with mobility problems and then cyclists.

Council believes:

- York will not become carbon neutral by 2030 without taking sometimes difficult, often ambitious steps;
- Pro-actively managing congestion in the city's urban core (within and around the city walls) will help to reduce carbon emissions and increase the attraction and uptake of sustainable transport options, such as cycling and public transport, across the whole city;
- Fewer vehicles in the city's urban core will benefit those residents who genuinely depend on private vehicles to access the city centre, such as Blue Badge holders, as well as creating a healthier environment for residents, traders and visitors alike.

Council resolves:

- To request that Members and Officers work closely, collaboratively and constructively to achieve meaningful, measurable and significant change to our city's carbon emissions within the term of this current administration;

- To work across political parties to build a city-wide consensus around reducing and removing unnecessary car journeys throughout the city;
- To prioritise establishing walking, cycling and public transport as genuinely viable and attractive alternative transport options for residents living in all parts of York, particularly including the villages and outer areas.
- To request that the Executive Member for Transport:
 - develops and implements a plan, taking into account all financial and legal considerations, to restrict all non-essential private motor vehicle journeys “within the city walls” by 2023;
 - works closely with disability advocacy groups and Blue Badge Holders to ensure that access to the city centre is maintained and improved for people with mobility difficulties or who are otherwise unable to use public transport;
 - in collaboration with the Executive Member for Children, Young People & Education, explores opportunities to restrict all non-essential motor vehicles from accessing the roads immediately adjacent to the city’s primary schools at drop-off and pick-up times;
 - works constructively with traders in any plans to ensure deliveries continue and businesses are not negatively impacted by any changes to city centre access.”

Amendment from Councillor Fenton

Under ‘Council resolves’, in the 4th bullet point:

a) **delete** the 1st sub-bullet point and **insert**:

“Subject to the ‘my city centre’ consultation and a refresh of the Local Transport Plan, prepares a plan by 2021, in conjunction with residents and businesses, to significantly reduce or remove non-essential motor vehicle journeys from ‘within the city walls’, taking into account all financial and legal considerations;

- b) In the 3rd sub-bullet point, before 'restrict', insert 'significantly reduce or'

For information the effect on the original motion of this amendment:

“Council notes:

- Our cross-party declaration of a Climate Emergency;
- Our stated aim of York becoming Carbon Neutral by 2030;
- The negative health impact of poor air quality, particularly on children and the elderly;
- The negative impact of congestion on both the city's economy and the emotional health and well-being of road users;
- The City's adopted Local Transport Plan which places pedestrians at the top of its transport hierarchy, followed by those with mobility problems and then cyclists.

Council believes:

- York will not become carbon neutral by 2030 without taking sometimes difficult, often ambitious steps;
- Pro-actively managing congestion in the city's urban core (within and around the city walls) will help to reduce carbon emissions and increase the attraction and uptake of sustainable transport options, such as cycling and public transport, across the whole city;
- Fewer vehicles in the city's urban core will benefit those residents who genuinely depend on private vehicles to access the city centre, such as Blue Badge holders, as well as creating a healthier environment for residents, traders and visitors alike.

Council resolves:

- To request that Members and Officers work closely, collaboratively and constructively to achieve meaningful, measurable and significant change to our city's carbon emissions within the term of this current administration;
- To work across political parties to build a city-wide consensus around reducing and removing unnecessary car journeys throughout the city;
- To prioritise establishing walking, cycling and public transport as genuinely viable and attractive alternative transport options for

residents living in all parts of York, particularly including the villages and outer areas.

- To request that the Executive Member for Transport:
 - *subject to the ‘my city centre’ consultation and a refresh of the Local Transport Plan, prepares a plan by 2021, in conjunction with residents and businesses, to significantly reduce or remove non-essential motor vehicle journeys from ‘within the city walls’, taking into account all financial and legal considerations;*
 - works closely with disability advocacy groups and Blue Badge Holders to ensure that access to the city centre is maintained and improved for people with mobility difficulties or who are otherwise unable to use public transport;
 - in collaboration with the Executive Member for Children, Young People & Education, explores opportunities to significantly reduce or restrict all non-essential motor vehicles from accessing the roads immediately adjacent to the city’s primary schools at drop-off and pick-up times;
 - works constructively with traders in any plans to ensure deliveries continue and businesses are not negatively impacted by any changes to city centre access.”

Agenda Item 12 – Scrutiny: Report of Chair of the Customer & Corporate Services Scrutiny Management Committee

Climate Change Policy & Scrutiny Committee 16 December 2019

24: Refreshing York’s Commitment to the Covenant of Mayors for Climate & Energy

(Part B Minute with recommendations to be circulated at the Council meeting)

**Appointments and Changes to Membership of Committees,
Working Groups and Outside Bodies 2019-20**

School Admission and / or Exclusion Appeals Panellists

To appoint the following new panellists:

David Read
Mark Taylor
Stephen Watkins

Derwenthorpe Partnership Advisory Committee

To appoint the following to the committee as Council representatives:

Cllr Orrell
Cllr Wann

This page is intentionally left blank