

AGENDA SUPPLEMENT

Council

To: All Members of City of York Council

Date: Thursday, 14 July 2022

Time: 6.30 pm

Venue: The Guildhall, York

The Agenda for the above meeting was published on **6 July 2022**. The attached additional document is now available:

- A list of recommendations, motions and amendments to be moved at the meeting.

This agenda supplement was published on **12 July 2022**.

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Ordinary Meeting of Council – 14 July 2022
Recommendations, Motions and Amendments

Agenda Item 6 – Report of Executive Leader and Executive Recommendations

Executive 16 June 2022

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

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

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

Agenda Item 8 – Motions on Notice

Motions on Notice submitted under Council Procedure Rule B13.

(i) From Cllr Myers

Opposing Fire Service Cuts to the North side of York

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

Council further notes:

- a specific proposal to remove the full-time crewed engine from Huntington Station and replace it with an on-call crew, leading to significant increases in the time it takes for a fire engine to arrive at an incident;
- York residents’ current contribution of more than £5m per year in council tax precept payments to North Yorkshire Fire and Rescue Service (NYFRS) - almost 25% of the total raised from this source;
- York’s businesses contribute one third of all business rate receipts that go towards funding the Fire Service, adding a further £1m from our city to the regional fire service budget;
- NYFRS receives the 11th lowest level of funding from council tax revenues of January 2022, placing it just above the eight lowest charging fire authorities nationally to whom the Secretary of State

for Levelling Up, Housing and Communities has awarded the £5 precept flexibility - before a referendum is triggered.

Council resolves:

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

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

- make NYFRS's case for greater Government grant that address the unique challenges of delivering services across a large rural county, with diverse risks and very low levels of reserves;
- push for NYFRS to be given the option of agreeing the £5 precept flexibility, consistent with the other lowest charging fire authorities nationally."

Amendment from Cllr Hollyer

Under 'Council further notes' insert after the last bullet point:

- *"consecutive governments have left North Yorkshire fire and rescue service in a dangerous financial position having abolished the entirety of its capital funding and seen over £1.8m in annual funding cuts for fire and rescue services in North Yorkshire since 2016.*
- *a petition, set up by Liberal Democrat councillors in the North of York, calling for the proposals to be rejected has collected over 1000 signatures from local residents.*
- *ongoing 'Fair Deal for York's Fire Services' campaign led by Liberal Democrat councillors, which has been previously endorsed by the Council.*
- *Liberal Democrat councillors from Huntington, Haxby, Wigginton, Strensall, New Earswick and Rawcliffe, have met representatives of the Fire Brigade Union as well as the Police, Fire and Crime Commissioner to express their serious concerns over the proposals."*

After the final paragraph, beginning 'Council further resolves' insert a new first bullet point:

- *carry out a comprehensive funding review of fire and police services in North Yorkshire, in order to futureproof sustainable service provision;*

[For information, the effect of the amendment on the above motion, with changes highlighted in bold:

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

Council further notes:

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

Council resolves:

- to formally oppose cuts to Huntington Station fire cover by submitting a City of York Council consultation response, outlining the city’s view that current crewing and fire appliance arrangements at Huntington Station must be retained;

- to have that draft response published for public comment and decision at an Executive Member Decision Session prior to the consultation deadline of 14th August;

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

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

(ii) From Cllr Hook

Declaring a Cost of Living Emergency

"Council notes that:

- There has been an unprecedented increase in the cost of living, which is having a significant impact on working people, pensioners, and those on benefits.
- This is in part caused by the rise in the Ofgem energy price cap, the National Insurance contributions increase, food and petrol/diesel price increases, rising inflation and wage growth stagnation.
- According to a report by the Resolution Foundation, people are facing the worst fall in living standards since the 1970s.
- According to data from the ONS, a typical household will have to spend an extra £1,287 due to rising cost of essentials and tax in 2022/-23.
- In 2021/22 York Foodbanks distributed food parcels at a rate of 5,545 per 100,000 people – a 64% increase compared to 5 years ago (Trussell Trust, 2022)
- The Council has invested £1,3million to support residents facing rising costs through the York Financial Assistance scheme (YFAS) since the start of the pandemic and has provided targeted support and advice to those in most need.

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

Consequently, Council resolves to:

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

(iii) From Cllr Craghill

Creating a more collaborative council

“This Council notes:

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

This Council further notes:

- That a number of councils around the country are moving away from an Executive or Cabinet model of decision making to a Committee System.

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

This Council therefore resolves:

- To request Executive to put in place the necessary preparatory work for a public referendum on a move to the Committee System to take place on Thursday 4th May 2023 alongside the council's local elections. This work to include the communication of unbiased information to York residents on the advantages and disadvantages of a Committee System.
- To request that further plans are put in place, should the referendum be successful, for the necessary formal adoption of the intention to move to a Committee System at an Extraordinary Meeting of the council within 28 days of the result of the referendum. The new governance framework would come into force in May 2024, following further public engagement (for example via a cross-party working group) on the details of the new framework."

Amendment from Cllr Fenton

In the final paragraph, after '*This Council resolves*':

- In the first bullet point, delete all after '*To request Executive to*' in the first bullet point, and insert: '*begin the necessary preparatory work that would explore the various alternative governance models to identify the most suitable, deliverable and financially viable model, taking in account the governance implications of the creation of a combined authority in York and North Yorkshire. This work would include the creation of a cross party task group, identification of the necessary funding, consultation with the Local Government Association and authorities which currently operate some type of committee system, such as Kent, Wirral, Bristol and Liverpool. A report would be brought to a meeting of the Executive to outline the financial and governance implications and possible next steps, enabling a decision on the formal adoption of any alternative forms of governance to be made in May 2023.*'

- Delete the second bullet point.

[For information, the effect of the amendment on the above motion, with changes highlighted in bold:

“This Council notes:

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

This Council further notes:

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

This Council therefore resolves:

- to request Executive to **begin the necessary preparatory work that would explore the various alternative governance models to identify the most suitable, deliverable and financially viable model, taking in account the governance implications of the creation of a combined authority in York and North Yorkshire. This work would include the creation of a cross party task group, identification of the necessary funding, consultation with the Local Government Association and authorities which currently operate some type of committee system, such as Kent, Wirral, Bristol and Liverpool. A report would be brought to a meeting of the Executive to outline the financial and governance implications and possible next steps, enabling a decision on the formal adoption of any alternative forms of governance to be made in May 2023.”]**

(iv) From Cllr Smalley

Stop Unfair Parking Enforcement at Tower Court

“Council notes that:

- A ‘no return within two hours’ policy is rigidly enforced at the privately-owned Tower Court car park at Clifton Moor.
- A number of residents have been adversely impacted by the application of this policy, for example when returning to Tower Court to collect prescriptions.
- This has been a concern particularly through the pandemic, with local councillors contacted numerous times about the unfair parking fines and having supported residents to successfully challenge these fines.
- The ward councillors for Rawcliffe & Clifton Without have launched a petition calling on Boulton Brooks Real Estate Ltd (owners of Tower Court) and ArdPark Ltd (parking enforcement operators at Tower Court) to end the heavy-handed enforcement of parking restrictions at Tower Court, review the parking enforcement method (no return within two hours) and to refund any parking charges issued to residents unreasonably.
- Owners of Tower Court, Boulton Brooks Real Estate, reportedly earn over £440k in rental income from the units at Tower Court ([as of 2018](#)), and yet continue to allow ARDPark to fine residents £60 for visiting twice within two hours.

Council therefore resolves that:

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

Agenda Item 12 – Amendments to the Council’s Constitution

Recommended:

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

- 1) To approve the amendments made to Article 12 – Shareholders Committee;
- 2) To approve the amendments made to Article 20 – Corporate Parenting;

- 3) To approve the amendments made to Article 15 – Corporate Appeals;
- 4) To approve the amendments made to Article 18 - Health and Wellbeing Board;
- 5) To approve the appointment of the Main Opposition Group Shadow Lead Members for both Children and Adults to the Corporate Parenting Board;
- 6) To instruct the Monitoring Officer to ensure the Council’s Constitution is updated in accordance with the recommendations of Full Council.

Full Council is asked to note:

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

Reasons for the Recommendation

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

Agenda Item 13 – Appointment of Independent Member to the Audit & Governance Committee and Appointment of Independent Persons to the Joint Standards Committee

Recommendations

“Full Council is invited to approve the amendment s to the Council’s constitution as follows:

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

Reasons for the Recommendation

These appointments will support the council’s governance framework including the ethical governance framework.”

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