



**Notice of a public
Decision Session - Executive Member for Environment and Climate
Change**

To: Councillor Widdowson (Executive Member)

Date: Wednesday, 7 April 2021

Time: 3.00 pm

Venue: Remote Meeting

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00 pm on Friday 9 April 2021**.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Customer and Corporate Services Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00 pm on Tuesday 6 April 2021**.

1. **Declarations of Interest**

At this point in the meeting, the Executive Member is asked to declare:

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

which he might have in respect of business on this agenda.

2. **Minutes** (Pages 1 - 4)

To approve and sign the minutes of the Decision Session held on Wednesday 3 March 2021.

3. **Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

The deadline for registering at this meeting is **5:00pm** on **Tuesday 6 April 2021**.

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

Webcasting of Remote Public Meetings

Please note that, subject to available resources, this remote public meeting will be webcast including any registered public speakers who have given their permission. The remote public meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. **Friends of St Nicholas Fields – Service Level Agreement** (Pages 5 - 14)

This report informs the Executive Member of the Friends of St Nicholas Fields Service Level Agreement, and seeks approval for a three year funding agreement from the 1st April 2021 to 31st March 2024 for Friends of St Nicholas Fields.

5. **Urgent Business**

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

Democracy Officer: Joseph Kennally
Telephone No- 01904 551573
Email- joseph.kennally@york.gov.uk

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

 **(01904) 551550**

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City of York Council

Committee Minutes

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| Meeting | Decision Session - Executive Member for Environment and Climate Change |
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|------|--------------|
| Date | 3 March 2021 |
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| Present | Councillors Widdowson |
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| Apologies | |
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20. Declarations of Interest

At this point in the meeting, the Executive Member was asked to declare any personal interests not included on the Register of Interests, or any prejudicial or discloseable pecuniary interests she may have in respect of business on the agenda. None were declared.

21. Minutes

Resolved: That the minutes of the Decision Session held on 6 January 2021 be approved and signed by the Executive Member as a correct record.

22. Public Participation

It was reported that there had been 2 registrations to speak at the session under the Council's Public Participation Scheme.

Robert Gordon raised concerns that he felt the Council was being unambitious and the proposals in the report would not work towards elevating climate change. He suggested that the Council should take the opportunity to begin collecting both food waste and a wider range of plastics at curb side, rather than wait on national changes in 2023. He also requested that the Council investigate what else it could collect to be recycled.

Cllr Rosie Baker noted that she was pleased with a number of steps that Council had taken to addressing the Climate Emergency in waste, such as new electric vehicles. However, she noted that she wished to see the Council explore further increasing the number of materials and food waste collections. She also welcomed the extension to garden waste collections but requested that it be expanded to all streets in the city.

23. Waste Report Update as requested by Executive October 2019

Officers introduced the report, noting work undertaken since the Executive in October 2019 agreed to a review of recycling methodology. It was confirmed that a review of the Council's strategy was required before new vehicles were purchased. Discussion took place about the prospect of increasing the number of materials collected and the collection of food waste. Government changes to their waste and resources strategy meant that the Council would hold on adding additional materials or food waste collection until national policy was announced and potential additional funding. It was confirmed that food waste is currently recovered and used at Alton Park and moving to collections would likely require weekly collections which the Council does not currently offer.

Resolved:

- i. Noted the Government's waste and resources strategy, in particular the uncertainty over food waste and how collections would be funded which is therefore food waste would be considered as a future development once the government have clarified the national position;
- ii. Noted the Government's waste and resources strategy, in particular the suggestion of a deposit scheme for plastic which is likely to change the way plastics are used and recycled. Therefore considering the recent expansion of plastic recycling agreed by Executive further increasing the range of plastics would be considered as a future development once the government have clarified the national position.
- iii. Noted the environmental concerns with fully mixed recycling that mixes glass, plastics, paper and card and the fact this has been in a number of high profile cases shipped around the world illegally. Also the lack of local outlets for fully mixed recycling is an issue and therefore exclude fully mixed recycling from this review.
- iv. To accept the recommended options and criteria outlined in the report and request officers to develop a series of different recycling collection methodologies.
- v. Request E&P Scrutiny to consider the options developed by officers against the criteria and identify a preferred option to be developed further.
- vi. Delegate the decision to consult more widely on a preferred option to the Assistant Director of Transport, Highways and Environment in consultation with the Executive Member for Environment and Climate Change.

Reason: To ensure York takes the opportunity to increase its recycling rate.

Cllr. P. Widdowson, Executive Member
[The meeting started at 5.01 pm and finished at 5.16 pm].

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**Decision Session - Executive Member for
Environment and Climate Change****7th April 2021**

Report of the Director Environment, Transport and Planning

Friends of St Nicolas Fields Service Level Agreement**Summary**

1. This report seeks approval for three year funding agreement from 1st April 2021 to 31st March 2024 for Friends of St Nicholas Fields.

Recommendation

2. The Executive Member is asked to approve the funding award set out in paragraph 6 and the associated service level agreement (SLA) set out in Annex 1.

Reason: To increase the wellbeing and quality of life of York residents.

Background

3. In accordance with national best practice the Council has previously negotiated three year partnership funding agreements with significant infrastructure and cultural organisations in York. This SLA mirrors others that the Executive Member for Culture, Leisure and Communities Environment is considering at this time.
4. Friends of St Nicholas Fields (“the Friends”) have held a series of SLA’s from the authority going as far back as 1994. The core requirements are to:
 - Manage and maintain the 24 acre St Nicholas Fields Local Nature Reserve
 - Provide York residents with year round access to the green space
 - Offer environmental education services
 - Offer advice regarding environmental and conservation issues

5. The Friends have complied with the 2018-21 SLA. The SLA is a catalyst to the Friends being able to access funding and to achieve key achievements and projects, including:
- Over 44,400 people per year engaged through events, ecotherapy, volunteering, schools and heritage skills training, including over 7,700 hours of volunteering time donated. Over 90 local professionals and key volunteers in the sector trained.
 - Continue to meet the Community Green Flag award, 2020 being the 10th anniversary of their first award.
 - Secured £142,300 grants over the past three years solely on greenspace work.
 - Maintained the Nature Reserve status and recorded over 1,040 recoded species of flora and fauna on-site including 17 key indicator species (including water voles and tansy beetle). This includes new species for North Yorkshire discovered on St Nicks.
 - Increased their activities and presence beyond the Nature reserve. 19 off-site projects have been enabled by having St Nicks as a base. e.g.
 - Water vole monitoring and habitat management
 - Developing mink monitoring and control strategy for the Foss catchment
 - Urban river catchment restoration
 - Grassland Management training and practical management
 - Support the City Council in the restoration of Osbaldwick Beck in Hull Road Park (ongoing)

Funding

6. It is proposed to offer the Friends of St Nicholas Fields £23,008 per year for three years. This is the same level as previous years and mirrors the freeze in service budgets for this type of activity.
7. The proposed SLA is attached as annex 1.

Options and analysis

8. The principal options open to the Executive Member are to:
 - Determine whether to make the award recommended
 - Ask officers to explore additional aspects to the SLA Agree the 3 year term or suggest an alternative length.

Council Plan

9. This proposal supports and contributes to the following Council Plan priorities
 - good health and wellbeing
 - a better start for children and young people
 - a greener and cleaner city
 - safe communities and culture for all

Implications

10. **Financial** - The funding offered is within existing budget provision.
11. **Public Health** – “Access to open spaces ... has direct and indirect impacts on people’s physical and mental health, but can also enable people to build social capital” (Kings Fund)

Legal

12. It is noted that the nature reserve is currently leased to the Friends for a period of 99 years from 1st June 2014, therefore there is an ongoing relationship between the Council and the Friends in respect of their use of the site.
13. Where any payment of any grant funding is being considered, the new subsidy control regime (formerly State Aid) must be taken into account. This regime would apply where financial assistance is provided by a public authority, such as the Council, and confers an economic advantage on one or more economic operators over any others. There must also be an element of interference with trade either between the UK and EU, or otherwise internationally.
14. Although it is possible for charities to be considered economic operators where they act commercially, in this instance the intended purpose of the activities undertaken by the Friends is the general benefit of the public and improvement of local green space rather than generating profit for the charity’s own benefit. It is

therefore unlikely that providing grant funding for the stated purposes will be caught by the new subsidy control regime.

15. When providing grant funding, it will also be necessary to ensure that sufficient provisions are inserted into any agreement enabling the Council to claw back monies paid (or terminate future obligations to pay) in the event that the Friends use any part of the funding for purposes other than those which are specifically approved.
16. There are no Property, Human Resources, Crime and Disorder, or Information Technology implications arising from this report.

Risk Management

17. In compliance with the Council's risk management strategy the main risks that have been identified in this report are those which could lead to the inability to meet business objectives and failure to meet stakeholders' expectations, which could in turn damage the Council's image and reputation. Measured in terms of impact and likelihood, the risk score has been assessed at "Low". This means that the risk level is acceptable.

Contact Details

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| Author: | Chief officer responsible for the report: |
| Dave Meigh Operations Manager Public Realm | James Gilchrist Director Environment, Transport and Planning. |

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| Report Approved | √ | Date: 25.03.21 |
| Specialist Implications Officer(s): Legal – Helen Mitchell, Senior Legal Officer (ext. 4087) Finance - Patrick Looker, Finance Manager | | |
| Wards Affected: | All | √ |
| For further information please contact the author of the report | | |

Background Papers:

None

Annex 1 – Service Agreement for Friends of St Nicholas Fields 1st April 2021 to 31st March 2024, with option to extend to 31st March 2026

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Service Agreement for Friends of St Nicholas Fields
1st April 2021 to 31st March 2024,
with the option to extend to 31st March 2026

This service level agreement allocates funding to the Friends of St Nicholas Fields (Friends) to enable the organisation to:

- Manage St Nicholas Fields Nature Reserve
- Present a programme of volunteer, education and outreach work
- Run projects, events and services which help to make York more sustainable.

During 2021-24 the Friends will use their grant to:

- Maintain the leased area to *Community Green Flag Standards* as defined by the Department for Communities and Local Government or their agents.
- Keep the site safe, clean and accessible.
- Maintain an up to date management plan for the site.
- Provide a year round volunteer programme, including long-term and one off opportunities
- Improve the site for nature conservation by working with partners and maintaining up to date species data records.
- Present a programme of year round events, education and outreach work for York communities to learn about the environment.

- Support the council in the restoration of Osbaldwick Beck in Hull Road Park.

General Conditions

The conditions of the grant are as follows:

- The grant will be used only for the purpose stated in this agreement. If at any time the organisation wishes to use the grant for a purpose other than stated in this agreement they must gain prior approval from City of York Council
- If the organisation is found to falsify any information supplied to City of York Council it will result in all or part of the funds being withdrawn by City of York Council
- Should the organisation disband during the grant period, then City of York Council may ask for all or a proportion of the monies to be paid back
- Where there is a breach of any of the conditions contained within this agreement the City of York Council reserves the right to claim back any grant aid

Acknowledgment

- The organisation will acknowledge the financial support of the City of York Council in all communications with the media and inform their Client Officer of any good news stories relating to use of the grant

Statutory and Legal

- The organisation shall be responsible for ensuring it complies with all statutory and legal obligations (e.g. health and safety, licensing, insurance, building regulations, planning consents etc) applicable to the activities funded by the grant

Financial

- Provision must be made for up to date accounts to be kept by the organisation, and for those accounts to be audited annually by a competent person independent of the organisation.

- The Grant of £23,008 per annum will be paid by BACS in two equal instalments six months apart.
- Confirmation of funding for years 2 and 3 will follow a satisfactory end of year monitoring by the named Client Officer. Years 4 and 5 will be subject to a satisfactory end of year monitoring by the named Client Officer and available budget.

Monitoring

- The organisation must comply if the Client Officer makes a reasonable request to attend a workshop or activity.
- The organisation is required to submit a copy of their Annual Accounts and Report to the Client Officer no less than 3 months following the organisation's financial year end.
- The organisation must make arrangements for performance monitoring and the evaluation of activities funded by this grant. Monitoring reports will be submitted as prescribed by the Client Officer.

SIGNED ON BEHALF OF THE FRIENDS

PRINT NAME

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| LEAD OFFICER | | |
| DATE | | |

SIGNED ON BEHALF OF THE CITY OF YORK COUNCIL

PRINT NAME

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| LEAD OFFICER | | |
| DATE | | |

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