

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held at York Racecourse on Wednesday, 27 April 2022, starting at 6.45 pm

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

Acomb Ward

Bishopthorpe Ward

Lomas

Clifton Ward

Copmanthorpe Ward

D Myers
Wells

Carr

Dringhouses & Woodthorpe Ward

Fishergate Ward

Fenton
Mason
Widdowson

D'Agorne
D Taylor

Fulford and Heslington Ward

Guildhall Ward

Aspden

Craghill
Fitzpatrick
Looker

Haxby & Wigginton Ward

Heworth Ward

Cuthbertson
Hollyer
Pearson

Douglas
Perrett
Webb

Heworth Without Ward

Holgate Ward

Ayre

Heaton
Melly
K Taylor

Hull Road Ward

Huntington and New Earswick
Ward

Musson

Orrell
Runciman

Micklegate Ward

Osbaldwick and Derwent Ward

Baker
Crawshaw
Kilbane

Rowley
Warters

Rawcliffe and Clifton Without Ward

Rural West York Ward

Smalley
Waudby

Barker
Hook

Strensall Ward

Westfield Ward

Fisher

Daubeney
Hunter
Waller

Wheldrake Ward

Vassie

Apologies for absence were received from Councillors Barnes,
Doughty, Galvin, Norman and Wann.

64. Declarations of Interest

Members were invited to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

Cllr Melly declared a pecuniary interest in Agenda Item 12 (Recommendations of the Licensing & Regulatory Committee). She left the room during consideration of that item and took no part in the debate or decision thereon.

65. Minutes

Resolved: That the minutes of the Budget Council meeting held on 17 February 2022 be approved, and signed by the Chair as a correct record.

66. Civic Announcements

The Lord Mayor announced the recent death of June Vaughan, who had served as a city councillor until 2003 and as Lady Mayoress during the 1999/2000 Municipal Year. Members observed a minute's silence in her memory.

The Lord Mayor then welcomed the imminent re-opening of the Guildhall, where the Annual Council meeting would take place next month, and looked forward to the return of future meetings to the Council Chamber. He thanked all those who had made it possible to hold Council meetings at the Racecourse and the Citadel while the Guildhall was closed.

67. Public Participation

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

Rachael Maskell MP spoke on Motion (iii) at Agenda Item 8 (Addressing York's Dental Crisis), highlighting the work she had undertaken in Parliament to address this issue and urging Members to sign the petition that she intended to present there.

Gwen Swinburn spoke on governance matters relating to the re-scheduling of the Council meetings, which she said was un-

democratic, and on Agenda Item 11 (Review of the Constitution), stating there had been a failure to consult on the draft Constitution.

Kate Ravilious spoke in support of the petition objecting to a multi-storey car park on St George's Field (Agenda Item 5 a)), asking that the business case for the car park be made public and the project delayed until the Local Transport Plan was in place.

Lynette Mills also spoke in support of the St George's Field petition on behalf of the Friends of New Walk. She outlined the history of the site and suggested it should be made into a park instead.

Peter Mills also spoke in support of the St George's Field petition, urging that plans for the car park be re-thought and the money spent on promoting Park and Ride instead.

Johnny Hayes also spoke in support of the St George's Field petition, and in particular the proposal that the decision on the car park be deferred until sufficient data was obtained.

Paul Wordsworth spoke in support of Motion (i) at Agenda Item 8 (York Stands With Ukraine), highlighting the work being undertaken by York City Sanctuary and the council to assist Ukrainian refugees.

Laura Cox spoke on Motion (ii) at Agenda Item 8 (End Fuel Poverty in York) as a member of Extinction Rebellion, stressing the need to reduce reliance on fossil fuels and end fuel poverty earlier than 2030.

Christopher Brace also on Motion (ii), drawing attention to the role of the inadequacy and inefficiency of housing stock in compounding the global energy crisis.

68. Petitions

Under Standing Order 15, the following petitions were presented for reference to the Customer and Corporate Services Scrutiny Management Committee, in accordance with the Council's petition arrangements:

- a) A petition presented by Cllr Kilbane, on behalf of residents and others objecting to the proposed siting of a multi-storey car park on St George's Field.¹

- b) A petition presented by Cllr K Taylor, on behalf of residents seeking speed calming measures on New Lane.²

Action Required

1. Add the petition re the multi-storey car park on St George's Field to the petitions log for referral to CCSMC SS
2. Add the petition on speed calming measures on New Lane to the petitions log for referral to CCSMC SS

69. **Report of Executive Leader, Questions, and Executive Recommendations**

A – Executive Leader's Report

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

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

Devolution

From Cllr Crawshaw: Given that we are technically a hung Council, how will you engage with the different political groups on devolution so that we are not left with a 'take it or leave it' deal?

Response: We are currently at the pre-consultation stage and will engage once we know what the formal government process will be. I would welcome discussions about attending Scrutiny meetings. There will be several stages of engagement before we reach the series of final steps that will include discussions at Full Council, and cross-party conversations will need to take place.

[Supplementary: Can you guarantee that Group Leaders, at least, will be engaged at every point?]

Response: I am happy to agree to that and welcome as much engagement and consultation as possible. There is much work to do, and it will be a challenge to meet government deadlines.

Great British Railways

From Cllr D Taylor: Can you give more insight into York's bid for GBR and how you are communicating the city's strengths to the decision-makers?

Response: The bid has been submitted to government; I am aware we need to go beyond this and have worked with partners to ensure the right messages are given to get York onto the shortlist. Once on the list we will communicate in a different way. It's about working with the whole city to get our message across I don't yet know how the public vote will be dealt with or whether it will be binding. Network Rail have confirmed that York will remain one of its regional headquarters.

[Supplementary from Cllr Douglas: What plans are there for a unified approach to the bid within the Council?]

Response: I agree this is important and am glad to see York and North Yorkshire MPs getting together to give cross-party support to the bid. Our North Yorkshire and East Yorkshire partners have been invited to an upcoming event for the announcement of the shortlist so that we can all work together on this.

Purple Flag

From Cllr Hunter: Can you give an update and more detail on what the Purple Flag scheme means for the city?

Response: It's very important to the city due to the way it brings about partnership working between the council, police, businesses and residents, particularly in relation to the city centre where residents want improvements. We are working to highlight issues and come up with an action plan to ensure that progress is made.

B – Executive Recommendations

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendations contained in Minutes 108 and 109 of the Executive meeting held on 17 March 2022:

Minute 108 - Housing Delivery Programme Update – Delivering Affordable Housing on Council Land

“Recommended: (i) That Council approve a budget increase of £2,614k for the scheme at Burnholme and £2,148k for the scheme at Duncombe Barracks. ¹

(ii) That Council approve increase HRA borrowing of £2,570k for the scheme at Burnholme and £832k for the scheme at Duncombe Barracks. ¹

Reason: In order to enhance the delivery of affordable housing in the city.”

Minute 109 – Adoption of Minerals and Waste Joint Plan

“Recommended: (i) That Council adopt the Minerals & Waste Joint Plan at Annex 1 to the Executive report, incorporating the Inspector’s Modifications at Annex 3. ²

(ii) That Council adopt the accompanying Policies Map.” ²

Reason: To allow the Plan to progress to adoption.”

On being put to the vote, both sets of recommendations were declared CARRIED and it was

Resolved: That the above recommendations be approved.

Action Required

1. Note the approval of the budget increases PL
relating to the Housing Delivery Programme and
make the changes to the ledger.
2. Note the approval of the Minerals & Waste Joint JR
Plan and take appropriate action.

70. Report of Deputy Leader and Questions

A written report was received from the Deputy Leader, Cllr D’Agorne.

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

Digital Respark

From Cllr Crawshaw: Can you point to the section in your report that says what you are doing to address the issues with digital Respark to ensure that residents can at least have a grace period, as under the old system?

Response: I am happy to provide a written response, as that is not referred to in the report.

Transport Schemes Progress

From Cllr Mason: Can you tell me about the cycle path from Scarborough Bridge to the hospital, especially the section across Bootham Park, and where we are with that?

Response: Progress is being made with completing this route and most of the work to signalise the junction at the Bootham Park Hospital end has been done. Future use of the Bootham Park site was approved by Executive in December, when the successful negotiations to secure continuing access across the site were reported. While the proposals are subject to planning permission, we have been talking to the owners of the hospital and the developer about a temporary arrangement to complete works at the junction. The roadway at St Mary's has been resurfaced for a new ramp to be fitted in July.

Extension of TIER e-scooter trials

From Cllr Hollyer: Can you give an update on the partnership with TIER?

Response: It is part of a DfT national trial, initially for a period up to March, which the government has now extended to November. At one of my decision sessions, it was agreed that that the trial should continue with the current provider. At the end of the trial, the council will decide whether to continue that arrangement. TIER have been very responsive to concerns raised and have provided regular reports on the operation of the scheme.

[Supplementary from Cllr Rowley: I and many residents see regular breaches of the rules by users of these scooters. When will Members get to see the reports from TIER and what sanctions are in place to prove they are being taken seriously?]

Response: I am happy to share the reports, subject to the company's agreement. With regard to sanctions, as with any novelty the abuses will diminish with time. The company do apply sanctions where they are aware of people breaking the rules and, depending on the severity, may ban them from use. I am confident that they respond appropriately.

[Supplementary from Cllr D Taylor: Are you concerned about the cost?]

Response: The cost is not insignificant but, anecdotally, people choose the scooters for convenience and they are no more expensive than a taxi. Different packages are offered, including business deals for staff etc.

71. **Motions on Notice**

(i) York Stands With Ukraine

Moved by Cllr Smalley and seconded by Cllr Hook.

“This Council notes that:

- York stands with Ukraine and its people in their fight to maintain democracy and self-determination as a nation, those affected locally with relatives caught up in the hostilities having to escape the war, and with those Russians who are not responsible for this war, many of whom bravely speak out against it.
- Symbolic displays of support have taken place all across the city, including lighting the city in blue and yellow, flying the Ukrainian flag, organising support rallies and providing donations to local charities.
- According to recently published ONS figures, approximately 50 Ukrainian citizens currently live in York.
- Locally the Council is working closely with key partners and charities across the city to provide information and support, including supporting City of Sanctuary to provide a locally based Ukraine support group for Ukrainians in York.
- Work has begun with Migration Yorkshire to set in place the necessary preparations for welcoming refugees from Ukraine.

This Council believes:

- As a city and Council of sanctuary, we should reaffirm our commitment to stand with the brave people of Ukraine and support and welcome those fleeing this war.
- At this difficult and dangerous time we must all stand united against the aggressor, making sure not to repeat or give credence to narratives used by Putin to divide and defer blame for this horrific attack.

This Council therefore resolves to:

- Continue to fly the Ukrainian flag from the Mansion House in a show of solidarity with the people of Ukraine.
- Ask that relevant officers initiate the process of adopting Lviv, Ukraine, as York’s sister city with a memorandum of understanding.

- Provide help and support to all Ukrainian nationals living in York by ensuring that the council works collaboratively alongside citizens, businesses and voluntary organisations in the city to help them in their efforts to support refugees to settle in the city.
- Request that Executive Members and relevant senior officers continue to review all investments, contracts and procurement arrangements to ensure that the Council divests itself of any financial interest it may hold in Russian companies and investments; and encourage local businesses and city partners to follow suit.
- Call on Government to ensure an open a simple, fast and safe route for refugees to come to the UK is urgently established, providing information and resources to local councils to support those seeking sanctuary.
- Write to the Secretary of State for Levelling-Up, Housing and Communities to clarify the powers open to the council on the actions it may take to ensure that no pathway is left available for Russian financial investment, also calling for existing procurement laws to be changed to recognise this.
- Call on the York and North Yorkshire Local Government Pension Fund to divest itself of any similar interests, particularly in gas, oil and energy.”

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

Resolved: That the above motion be approved.¹

(ii) End Fuel Poverty in York

Moved by Cllr Perrett and seconded by Cllr Pavlovic.

“Council notes the work to date on tackling fuel poverty in York, but recognises that 12,000 of 88,000 households in our city were living in fuel poverty in 2019, a 20% increase in just four years.

Council also notes that areas within the city contain a greater proportion of households experiencing fuel poverty, with some areas within wards such Hull Road, Clifton, Fishergate, Huntington and New Earswick, Acomb and Westfield seeing over one in five households living in fuel poverty.

Council believes pandemic impacts and current hikes in energy costs will see that figure shoot even higher, and believes that more must be done if fuel poverty in York is to be ended by 2030.

Council further notes the Government's national vision for public health is not simply to improve the nation's health, but crucially, to improve the health of the poorest fastest. Fuel poverty indicators are key to measuring progress against this important public health priority.

Council resolves:

- a) to request that the Executive adopts a bold vision to end fuel poverty in York by 2030, and instructs officers to develop a strategy and action plan to meet the 2030 target, to include:
 - improving the energy efficiency of council housing stock;
 - enforcing existing regulations on energy efficiency and property standards, particularly in the private rented sector;
 - the leveraging in of funds to improve the energy efficiency standards of all housing;
 - providing accessible information, advice and guidance in a variety of formats to those most in need;
 - maximising the incomes of low income households through the efficient delivery of Council-administered benefits, sensitive recovery of debt and the provision of advice and support;
 - working in partnership with other agencies and voluntary and community groups to implement and monitor delivery of the strategy;
- b) to request that Executive receives reports on progress on the above activities and on steps to end fuel poverty every six months;
- c) to become a member of the End Fuel Poverty Coalition;
- d) to ask all Group Leaders to write to Government Ministers for Energy and for Housing, calling for:
 - continuation of the annual Winter Warm Home Discount in line with price cap increases, rather than keeping it frozen at £140;
 - an increase in the 'discount' (loan) for low-income families and individuals, without the requirement that they be repaid later;

- them to work with energy companies to write off the energy cost debt of those in extreme financial hardship;
- a commitment to work with energy companies to end the poverty premium paid by those on pre-payment meters, who can least afford high energy bills, by moving them to the cheapest available tariffs by default - permanently;
- a commitment to a mass rollout of insulation measures for people on low incomes in addition to the existing ECO and Green Homes Grant schemes, and with more lenient EPC eligibility criteria.”

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

Resolved: That the above motion be approved.²

(iii) Addressing York’s Dental Crisis

Moved by Cllr Runciman and seconded by Cllr Vassie.

“This Council notes:

- York, similarly to the rest of the country, is facing an acute NHS dental crisis, which is creating additional pressures in other parts of the health system particularly urgent and emergency care and primary care.
- Our thanks to the dentists, doctors and staff which have had to endure the challenges of the pandemic as well as the dysfunctional target-driven system which is demoralising and failing staff and patients.
- NHS data shows that the number of dentists continues to fall in York, with 30 practitioners having left since 2018/19, 10 of them in the last year. By March 2021 number of local dentists had fallen to 209; lower than at any time since 2015.
- Healthwatch York’s January 2022 report shows that only 59% of the York residents it surveyed had an NHS dentist, down from 84% in 2018.
- According to the most recent NHS data, only 65,819 adults in York have been able to see a dentist in the previous 24months
- The failures of successive Governments since the pivotal 2006 decision by the then Labour Government to establish a new dental contract based on a dysfunctional and demoralising target-driven system.

- NHS dentistry has been subject to cuts not seen anywhere else in the NHS. In real terms, net government spend on general dental practice in England has been cut by about a third in the last decade.
- Government Ministers have recognised that the system is broken, but are failing to set out a plan or timetable for change and no tangible commitment to reverse a decade of cuts.

This Council believes:

- That rapid and significant reform of the way dentistry is commissioned and provided is needed to address the increasing problems of access to NHS dental care in the longer term.

This Council therefore resolves to:

- Ask the Executive Member for Health and Adult Social Care to bring regular reports on the state of local dentistry to decision sessions, seeking input from relevant scrutiny committees.
- Ask that the Executive Member makes the case for harnessing opportunities to improve dental service provision locally through the development of Integrated Care Systems (ICS).
- Ask all group leaders and local health and NHS partners to write a joint letter to the Health Secretary outlining concerns over local provision and access to services, outlining urgent reforms which need to take place, including boosting spending, reforming commissioning to tackle the twin crises of access and affordability, recognising overseas dentistry qualifications and implementing an urgent programme to recruit and retain more NHS dentists.”

Cllr Douglas then moved, and Cllr Looker seconded, an amendment to the above motion, as follows:

“In the first paragraph (under ‘*This Council notes:*’), in the 6th bullet point, **delete** all after ‘*the failure of successive Governments*’ and **insert:** ‘*both Coalition and Conservative, to evaluate and review the 2006 NHS Dental Contract, and to address its shortcomings*’.

In the third paragraph (under ‘*This Council therefore resolved to:*’) **insert** a new 1st bullet point, as follows:

- Welcome and record its thanks to the MP for York Central for her ongoing efforts to secure better access to NHS dentistry

for York residents, including securing a pledge from the Government to look into the problem of 10,000 York residents recently being deregistered from NHS dentists in the city, and for her setting up a petition to encourage public support for a properly funded National Dental Service.”

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

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

Resolved: That the above motion be approved.³

(iv) End ‘Fire and Rehire’

Moved by Cllr Myers and seconded by Cllr Wells.

“This Council notes:

- 1 in 10 workers have experienced ‘fire and rehire’ – having to reapply for their existing jobs on worse pay, terms and conditions or face the sack, with ethnic minority workers facing this at twice the rate of white workers, since March 2020;
- that one quarter of all workers have experienced a worsening of their terms and conditions, including a cut to their pay - since the pandemic began;
- that while the Prime Minister has called the practice “unacceptable”, he has refused to take action to outlaw the practice, raising questions about any real commitment from the current Government to act;
- the escalating number of employers across all sectors using weak employment protections to force their staff to accept worse terms and conditions, leaving many having to work longer hours for lower pay, with often devastating consequences for workers and their families;
- that even before the pandemic, 1 in 9 workers – 3.8 million people – were already ‘insecure’, meaning they did not have access to basic rights at work and could be dismissed at will; including those on zero hour contracts and agency workers;
- that major businesses in York is currently threatening workers with ‘fire and rehire’, in order to worsen their terms and conditions, represent a serious threat to workers and to the local economy. Decent and fair terms and conditions lift

people out of poverty and build strong and vibrant high streets and communities;

- City of York Council has already signed up to the Good Business Charter and as such has already committed to ensuring the residents of York have fair working conditions.

This Council commits to work to ensure that local residents are protected against unscrupulous employers.

Council therefore resolves to:

- ask the MPs for York Central and York Outer to write to the Prime Minister, demanding he acts now to outlaw fire and rehire, and to keep his promise to York residents to protect their terms and conditions of employment;
- ask the council's Chief Operating Officer and Council Leader to write to all businesses in York employing 100 or more staff, inviting them to sign up to the Good Business Charter and its 10 components;

and to call on the council's Executive to:

- not use fire and rehire itself as an employer and through updated council procurement policy, both prevent its use by council contractors as well as ensuring that the council only contracts those with good employment, trade union, equalities and environmental records;
- promote the increasing number of progressive local employers prioritising their employees' standard of living and wellbeing;
- work with York's anchor institutions and the council's key partners to bring forward plans for model employment practices, in partnership with recognised trade unions;
- support the TUC campaign for a 'New Deal for Working People'."

An amendment to the above motion submitted by Cllr D'Agorne was ruled out of order by the Lord Mayor, on the grounds that it did not directly affect services for which the Council had responsibility, nor the geographic area of the City of York.

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

Resolved: That the above motion be approved.⁴

Action Required

- | | |
|---|----|
| 1. Note the approval of the motion 'York Stands With Ukraine' and take appropriate action. | IF |
| 2. Note the approval of the motion 'End Fuel Poverty in York' and take appropriate action. | IF |
| 3. Note the approval of the motion 'Addressing York's Dental Crisis' and take appropriate action. | SS |
| 4. Note the approval of the motion 'End Fire and Rehire' and take appropriate action. | IF |

72. Questions to the Leader or Executive Members

The Lord Mayor having varied the order of business to bring forward Agenda Items 11-13 (Minutes 74-76 refer), the guillotine had fallen by the time this item was reached and no questions were put.

73. Report of Executive Member

A written report was received from Cllr Cuthbertson, the Executive Member for Children, Young People & Education.

74. Review of the Council's Constitution

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 Pavolvic then moved, and Cllr Fisher seconded, the recommendations contained in paragraphs 3 and 4 of the report, as altered by the amended advice of the Monitoring Officer in respect of the recommended implementation date, as follows:

“3. Full Council is invited to determine the wording of the following for inclusion within the approved Constitution:

- a) Appointment of Substitutes to Committees (article 7 Decision Making, subsection 14 – substitutes)
 - i. Paragraph 14.1 (a) - the inclusion or not of the following sentence:
“Substitutes shall be appointed from within the same political group”

If included, the paragraph would read (the disputed sentence is highlighted in bold type for ease of reference):

*“For the Planning Committee A and Planning Committee B up to four named substitutes shall be allowed for each of the political Groups. For other Member bodies up to three named substitutes shall be allowed for each political Group. **Substitutes shall be appointed from within the same political group.** Independent Councillors may also be appointed to act as named substitutes for other Independent Councillors within this rule”.*

b) Role of Executive Members on Planning Committee A and Planning Committee B

Full Council is invited to determine the position of Executive Members and their involvement or not in the Council's Planning Committee functions. Therefore Full Council is asked to approve one of the following options for inclusion in the Constitution:

Appendix 30 – Option 1 – maintains the current position in that Executive Members can sit on the Executive and Planning Committee A and Planning Committee B but do need to be mindful of a potential conflict of interest.

Appendix 30 – Option 2 – the Leader of the Council, the Deputy Leader of the Council and all other Executive Members cannot sit on either Planning Committee A or Planning Committee B.

Appendix 30 – Option 3 – where necessary Executive Members must choose whether to sit on the Executive or take up their seat on Planning Committee A or Planning Committee B so as to avoid a conflict of interest

- c) Upon confirmation of the role of the Executive Members on the Planning Committee function, the Director of Governance and Monitoring Officer is requested to make the necessary changes to accurately reflect the position in Article 13 and Appendix 17.

d) The Council's Scrutiny Function

i. Article 8: Policy, Overview and Scrutiny

Paragraph 10.2 (b), Full Council is asked to determine if this paragraph should make reference to the Vice Chair or not (disputed wording is highlighted in bold type for ease of reference). The paragraph currently reads:

*“Allocating, in consultation with the relevant Chair **and Vice-Chair**, urgent issues to be considered by an appropriate committee (including ad-hoc scrutiny committee), as may be necessary”.*

ii. Appendix 5: Scrutiny Procedure Rules

Paragraph 16.3 – Full Council is invited to determine if the time anticipated as a guide to aid the length of the meetings in this paragraph should be 20 minutes or 30 minutes:

The paragraph currently states:

“After all signatories have made their contributions, members of the Committee will be invited to put questions to the signatories and receive responses to those questions. As a guide it is anticipated that this should not exceed 20 minutes in total”.

Paragraph 18.3 – Full Council is invited to determine the procedure for voting where there are a number of alleged breaches detailed in a call in request. The disputed sentence is highlighted in bold type for ease of reference.

The paragraph states:

*“The vote to be taken will be by a show of hands. **Where multiple breaches are alleged, a vote shall take place in respect of each potential breach”.***

4. Adopt the revised Constitution and approve its implementation in full on 26 May 2022, to coincide with Annual Council.

The Audit & Governance Committee is invited to undertake an annual fitness for purpose review of the Constitution as part of its work programme.

Full Council notes that the review of the Constitution also contributes significantly towards the progress against the Action Plan prepared in response to the Report in the Public Interest accepted by Full Council on 4 May 2021.”

A named vote was taken on each element of the recommendations, with the following results:

Vote 1 – on inclusion of the sentence ‘*Substitutes shall be appointed from within the same political group*’ in Paragraph 14.1 (a) of Article 7

For	Against	Abstained
Cllr Crawshaw	Cllr Aspden	
Cllr Douglas	Cllr Ayre	
Cllr Fitzpatrick	Cllr Baker	
Cllr Heaton	Cllr Barker	
Cllr Kilbane	Cllr Carr	
Cllr Lomas	Cllr Cuthbertson	
Cllr Looker	Cllr D’Agorne	
Cllr Melly	Cllr Daubeney	
Cllr Musson	Cllr Fenton	
Cllr Myers	Cllr Fisher	
Cllr Pavlovic	Cllr Hollyer	
Cllr Perrett	Cllr Hook	
Cllr Rowley	Cllr Hunter	
Cllr K Taylor	Cllr Mason	
Cllr Warters	Cllr Orrell	
Cllr Webb	Cllr Pearson	
Cllr Wells	Cllr Runciman	
	Cllr Smalley	
	Cllr D Taylor	
	Cllr Vassie	
	Cllr Waller	
	Cllr Waudby	
	Cllr Widdowson	
	Cllr Cullwick (Lord Mayor)	
17	25	0

The option to include that sentence was declared LOST.

Vote 2 – on Options for the role of Executive Members on Planning Committee A and Planning Committee B (Appendix 30)

Option 1	Option 2	Option 3	Abstained
Cllr Aspden	Cllr Crawshaw		
Cllr Ayre	Cllr Douglas		
Cllr Baker	Cllr Fitzpatrick		
Cllr Carr	Cllr Heaton		
Cllr Craghill	Cllr Kilbane		
Cllr Cuthbertson	Cllr Looker		
Cllr D'Agorne	Cllr Melly		
Cllr Daubeney	Cllr Musson		
Cllr Fenton	Cllr Myers		
Cllr Fisher	Cllr Pavlovic		
Cllr Hollyer	Cllr Perrett		
Cllr Hook	Cllr K Taylor		
Cllr Hunter	Cllr Warters		
Cllr Mason	Cllr Webb		
Cllr Orrell	Cllr Wells		
Cllr Pearson			
Cllr Rowley			
Cllr Runciman			
Cllr Smalley			
Cllr D Taylor			
Cllr Vassie			
Cllr Waller			
Cllr Waudby			
Cllr Widdowson			
Cllr Cullwick (Lord Mayor)			
26	16	0	0

Option 1 (to maintain the current position) was declared CARRIED.

c) Council indicated its agreement to request the Director of Governance & Monitoring Officer to make the necessary changes to accurately reflect the position in Article 13 and Appendix 17 of the Constitution following the result of the above two votes.

Vote 3 – Article 8, Policy, Overview and Scrutiny – on whether paragraph 10.2(b) should include reference to the Vice Chair.

For	Against	Abstained
Cllr Aspden	Cllr Crawshaw	
Cllr Ayre	Cllr Douglas	
Cllr Baker	Cllr Fitzpatrick	
Cllr Barker	Cllr Heaton	
Cllr Carr	Cllr Kilbane	
Cllr Craghill	Cllr Looker	
Cllr Cuthbertson	Cllr Melly	
Cllr D'Agorne	Cllr Musson	
Cllr Daubeney	Cllr Myers	
Cllr Fenton	Cllr Pavlovic	
Cllr Fisher	Cllr Perrett	
Cllr Hollyer	Cllr K Taylor	
Cllr Hook	Cllr Warters	
Cllr Hunter	Cllr Webb	
Cllr Mason	Cllr Wells	
Cllr Orrell		
Cllr Pearson		
Cllr Rowley		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Waudby		
Cllr Widdowson		
Cllr Cullwick (Lord Mayor)		
26	16	0

The inclusion of the reference to the Vice-Chair was declared CARRIED.

Vote 4 – Appendix 5, Scrutiny Procedure Rules – on whether to amend the time in Paragraph 16.3 from 20 minutes to 30 minutes

For	Against	Abstained
Cllr Crawshaw	Cllr Aspden	Cllr D Taylor
Cllr Douglas	Cllr Ayre	
Cllr Fitzpatrick	Cllr Baker	
Cllr Heaton	Cllr Barker	
Cllr Kilbane	Cllr Carr	
Cllr Lomas	Cllr Cuthbertson	

Cllr Looker	Cllr D'Agorne	
Cllr Melly	Cllr Daubeney	
Cllr Musson	Cllr Fenton	
Cllr Myers	Cllr Fisher	
Cllr Pavlovic	Cllr Hollyer	
Cllr Perrett	Cllr Hook	
Cllr Rowley	Cllr Hunter	
Cllr K Taylor	Cllr Mason	
Cllr Warters	Cllr Orrell	
Cllr Webb	Cllr Pearson	
Cllr Wells	Cllr Runciman	
	Cllr Smalley	
	Cllr Vassie	
	Cllr Waller	
	Cllr Waudby	
	Cllr Widdowson	
	Cllr Cullwick (Lord Mayor)	
17	24	1

The option to amend the time to 30 minutes was declared LOST.

Vote 5 – Appendix 5, Scrutiny Procedure Rules – on whether to include in paragraph 18.3 the sentence *‘Where multiple breaches are alleged, a vote should take place in respect of each potential breach’*:

For	Against	Abstained
Cllr Crawshaw	Cllr Aspden	Cllr D Taylor
Cllr Douglas	Cllr Ayre	
Cllr Fitzpatrick	Cllr Baker	
Cllr Heaton	Cllr Barker	
Cllr Kilbane	Cllr Carr	
Cllr Lomas	Cllr Cuthbertson	
Cllr Looker	Cllr D'Agorne	
Cllr Melly	Cllr Daubeney	
Cllr Musson	Cllr Fenton	
Cllr Myers	Cllr Fisher	
Cllr Pavlovic	Cllr Hollyer	
Cllr Perrett	Cllr Hook	
Cllr Rowley	Cllr Hunter	
Cllr D Taylor	Cllr Mason	
Cllr K Taylor	Cllr Orrell	

Cllr Warters	Cllr Pearson	
Cllr Webb	Cllr Runciman	
Cllr Wells	Cllr Smalley	
	Cllr Vassie	
	Cllr Waller	
	Cllr Waudby	
	Cllr Widdowson	
	Cllr Cullwick (Lord Mayor)	
18	24	0

The option to include that sentence was declared LOST.

A named vote was then taken on the motion to adopt the revised Constitution in its entirety on 26 May 2022. The result was as follows:

For	Against	Abstained
Cllr Aspden	Cllr Crawshaw	
Cllr Ayre	Cllr Douglas	
Cllr Baker	Cllr Fitzpatrick	
Cllr Barker	Cllr Heaton	
Cllr Carr	Cllr Kilbane	
Cllr Craghill	Cllr Looker	
Cllr Cuthbertson	Cllr Melly	
Cllr D'Agorne	Cllr Musson	
Cllr Daubeney	Cllr Myers	
Cllr Fenton	Cllr Pavlovic	
Cllr Fisher	Cllr Perrett	
Cllr Hollyer	Cllr K Taylor	
Cllr Hook	Cllr Warters	
Cllr Hunter	Cllr Webb	
Cllr Mason	Cllr Wells	
Cllr Orrell		
Cllr Pearson		
Cllr Rowley		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Waudby		
Cllr Widdowson		

Cllr Cullwick (Lord Mayor)		
26	16	0

The motion was therefore declared CARRIED and it was

Resolved: That the revised Constitution (*incorporating the amendments agreed above*) be adopted, and implemented in full on 26 May 2022 to coincide with Annual Council.

Action Required

Make the agreed amendments to the Constitution. JB

75. Recommendations of the Licensing & Regulatory Committee

Cllr Orrell moved, and Cllr Looker seconded, the following recommendation contained in Minute 83 of the Licensing & Regulatory Committee meeting held on 2 March 2022 (Licensing Act 2003 - Statement of Licensing Policy and Cumulative Impact Assessment):

“Resolved: That it be recommended to Council that the Statement of Licensing Policy and Cumulative Impact Assessment be adopted. ¹

Reason: To meet the legislative requirements of the Licensing Act 2003.”

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

Resolved: That the above recommendation be approved.

Action Required

1. Note the approval of the recommendation to adopt the Licensing Policy & Cumulative Impact Assessment and take appropriate action. JG

76. Pay Policy 2022-2023

Council received a report which presented the Pay Policy Statement for 2021/22.

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendation contained in the report:

“That Council approve the Pay Policy Statement for 2022-2023.”

Reason: In order to fulfil the requirements of Section 38-43 of the Localism Act 2011 for the council to produce and publish an annual policy statement that covers a number of matters concerning the pay of the council's senior staff, principally Chief Officers and relationships with the pay of the rest of the workforce.”

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

Resolved: That the above recommendation be approved.¹

Cllr C Cullwick

LORD MAYOR OF YORK

[The meeting started at 6.45 pm and concluded at 10.36 pm]

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