

AGENDA SUPPLEMENT

Council – Ordinary Meeting

To: All Members of Council

Date: Wednesday, 27 April 2022 (Postponed from 24 March 2022)

Time: 6.45 pm

Venue: Exhibition Hall, York Racecourse

The Agenda for the above meeting was published on **16 March 2022**. The attached additional documents are now available for the following agenda item:

- 6. Report of Executive Leader, Questions, and Executive Recommendations** (Pages 1-4)
Part B Minutes of the Executive meeting on 17 March 2022 (marked 'to follow' on the agenda)

Also attached are:

- Coronavirus protocols for attending the meeting
(Pages 5-6)
- A list of recommendations, motions and amendments to be moved at the meeting
(Pages 7-21)

This agenda supplement was published on **22 March 2022**.

City of York Council

Committee Minutes

Meeting	Executive
Date	17 March 2022
Present	Councillors Aspden (Chair), Ayre, Cuthbertson, Runciman and Smalley
Apologies	Councillors Craghill, D'Agorne, Waller and Widdowson

PART B - MATTERS REFERRED TO COUNCIL

108. Housing Delivery Programme Update - Delivering Affordable Housing on Council Land

[See also under Part A]

The Director of Housing, Economy & Regeneration presented a report which provided an update on the progress of the Housing Delivery Programme, sought approval to proceed to construction on the Duncombe Barracks and Burnholme sites and deliver further affordable homes, and presented proposals for the disposal of 17-21 Piccadilly (currently the site of Spark:York) for affordable housing.

The Programme was set to deliver 600 sustainable homes, mostly Passivhaus zero-carbon housing, with a minimum of 40% affordable homes. High levels of inflation had resulted in an increase of £4.762m to the design and construction budget for the Duncombe and Burnholme sites. However, opportunities had been identified to increase affordable housing on both these sites to 60%, via a grant bid to Homes England to change the tenure of 23 homes to shared ownership.

In respect of 17-21 Piccadilly, the following options were considered, as detailed in paragraphs 24-35 of the report:
Option 1 – dispose of the site without restricting the permitted use, in order to achieve the maximum market value.
Option 2 – dispose of the site for mixed use but specify high levels of mixed tenure affordable housing. This was the recommended option, as it would deliver affordable
Option 3 – council to deliver a mixed scheme as part of the Castle Gateway project.

In response to questions and matters raised under Public Participation, it was confirmed that:

- The increased cost of building to Passivhaus standards was offset by future energy savings and removal of the need for retrofitting;
- Profit from open market sales would be re-invested in the programme;
- Shared ownership affordability had been modelled on an average household income of £35k, which was lower than the York average;
- Relationships between Spark:York and neighbouring residents had improved, with ongoing engagement from the council.

The Executive Member for Finance & Performance welcomed the proposals and congratulated the Housing team on being shortlisted for Local Government Excellence Award.

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.

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

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

109. Adoption of Minerals and Waste Joint Plan

[See also under Part A]

The Corporate Director of Place presented a report which explained the outcome of the Examination in Public by the Government's Appointed Inspector into the Minerals & Waste Joint Plan (2015-2030) and accompanying Policies Map, and asked Executive to recommend that Council adopt the Joint Plan.

The Inspector's Final Report, at Annex 2 to the report, stated that the Joint Plan satisfied all requirements and was

considered to be 'sound', subject to the Main Modifications at Annex 3. The Joint Plan had subsequently been adopted by North Yorkshire County Council on 16 February 2022 and would be reported to the North York Moors National Park Authority in March. The Local Plan Working Group had considered the Joint Plan at their meeting on 7 March, and recommended it for approval to Executive.

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.

(ii) That Council adopt the accompanying Policies Map.

Reason: To allow the Plan to progress to adoption.

Cllr K Aspden, Chair

[The meeting started at 5.32 pm and finished at 6.50 pm].

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**Coronavirus protocols for attending Full Council at York
Racecourse (Dante Suite, 2nd Floor of the Ebor Stand)**

If you are attending Full Council, you must observe the following protocol, which adheres to any risk assessment conducted by the external venue.

Good ventilation is a key control point, therefore, any windows and doors which have been opened must remain open within the meeting room to maintain good ventilation.

Furniture must not be moved from the designated layout.

If you're displaying possible coronavirus symptoms (or anyone in your household is displaying symptoms), you should follow government guidance. You are advised not to attend the meeting.

Testing

The Council encourages regular testing of all Officers and Members and also any members of the public in attendance at the meeting. Any members of the public attending Full Council are advised to take a test within 24 hours of attending a meeting, the result of the test should be negative, in order to attend. Test kits can be obtained by clicking on either link: [Find where to get rapid lateral flow tests - NHS \(test-and-trace.nhs.uk\)](https://www.nhs.uk/conditions/coronavirus/covid-19/testing/rapid-tests/), or, [Order coronavirus \(COVID-19\) rapid lateral flow tests - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/order-coronavirus-covid-19-rapid-lateral-flow-tests). Alternatively, if you call 119 between the hours of 7am and 11pm, you can order a testing kit over the telephone.

Guidelines for attending Full Council

- Please do not arrive more than 30 minutes before the meeting is due to start.
- You may wish to wear a face covering to help protect those also attending.
- Regular handwashing is recommended.
- Use the hand sanitiser which will be situated on entry and exit and around the room.
- Bring your own drink if required.
- Only use the designated toilets.

Developing symptoms whilst in external venues

If you develop coronavirus symptoms during Full Council, you should:

- make your way home immediately.
- avoid the use of public transport where possible.
- Follow government guidance in relation to self-isolation.

You should also:

- Advise the Meeting organiser so they can arrange to assess and carry out additional cleaning.
- Do not remain in the building any longer than necessary.
- Do not visit any other areas of the building before you leave.

If you receive a positive test result, or if you develop any symptoms before Full Council is due to take place, **you should not attend the meeting.**

Ordinary Meeting of Council – 24 March 2022
Recommendations, Motions and Amendments

Agenda Item 6 – Report of Executive Leader and Executive Recommendations

Executive, 17 March 2022

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.

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

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

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.

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

Reason: To allow the Plan to progress to adoption.

[The link to the Executive agenda online is below]

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=12801>

Agenda Item 8 – Motions on Notice

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

(i) From Cllr Smalley

York Stands With Ukraine

“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.”

(ii) From Cllr Perrett

End Fuel Poverty in York

“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."

(iii) From Cllr Runciman

Addressing York's Dental Crisis

"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 24 months
- 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.”

Amendment from Cllr Douglas

“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.

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

“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 24 months
- The failures of successive Governments, **both Coalition and Conservative, to evaluate and review the 2006 NHS Dental Contract, and to address its shortcomings.**
- 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:

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- 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.”]

(i) From Cllr Myers

End ‘Fire and Rehire’

“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'."

Amendment from Cllr D'Agorne

In the first paragraph (under '*This council notes:*') insert after the 6th bullet point:

- That P&O has fired all 800 of their British workers on ferries, including on the Hull / Rotterdam ferry in order to replace them with cheaper agency workers.

At the end of the final paragraph (under '*Council therefore resolves to:*') add a further bullet point:

- Ask the Chief Operating Officer and Council Leader to write to P&O expressing condemnation of the firing of the 800 ferry workers and to write to the unions (including RMT, Nautilus and TSSA) expressing solidarity with the sacked workers, especially those living in our neighbouring coastal region."

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

"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;
- **That P&O has fired all 800 of their British workers on ferries, including on the Hull / Rotterdam ferry in order to replace them with cheaper agency workers.**
- 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’.
- **Ask the Chief Operating Officer and Council Leader to write to P&O expressing condemnation of the firing of the 800 ferry workers and to write to the unions (including RMT, Nautilus and TSSA) expressing solidarity with the sacked workers, especially those living in our neighbouring coastal region.”**

Agenda Item 11 – Review of the Constitution

A – Recommendations in the report of the Director of Governance / Monitoring Officer:

“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**”.*

1. Adopt the revised Constitution and approve its implementation as follows:
 - a) Extracts for immediate adoption and implementation as follows:
 - Appendix 1 – Scheme of Delegation
 - Appendix 12 – Officer Employment Procedure Rules
 - Appendix 13 – Ethics Statement
 - Appendix 15 – Employee Code of Conduct
 - Appendix 16 – Protocol on Officer Member Relations
 - Appendix 29 – Joint Standards Committee Procedures
 - b) All remaining elements of the Constitution will be adopted and implemented on 26th May 2022, to coincide with Annual Council.
 - c) The Audit & Governance Committee is invited to undertake an annual fitness for purpose review of the Constitution as part of its work programme.
 - d) 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 4th May 2021.

Reasons for the recommendations

To ensure that the Council Constitution is accurate and is fit for purpose to effectively support the service delivery and decision making responsibilities of the Council in a lawful and financially compliant manner.

The staggered implementation of the constitution will allow for the remainder of the ethical governance framework to be implemented to support and complement the Member Code of Conduct which was approved and adopted by Full Council in October 2021.

The Council is required to work towards the delivery of the Action Plan in response to the Public Interest Report.”

B - Recommendations of the Audit & Governance Committee:-

Audit & Governance Committee, 2 February 2022

73. Review of the Constitution

“Recommended: That Council consider the revised Constitution at their meeting on 24 March 2022, for adoption with the following amendments:

- a) That Audit and Governance Committee have room available for two Independent Members of the Committee and not one;
- b) That Independent Members on Audit and Governance Committee be able to hold two four year terms;
- c) That should Council agree that Executive Members would continue to be eligible to sit on planning committees, that on any council application that goes before Planning Committee A, Executive Members would be unable to participate in that item.

Reason: It is noted 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 4th May 2021.”

Agenda Item 12 – Recommendations of the Licensing & Regulatory Committee

Licensing & Regulatory Committee, 2 March 2022

83. 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.

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

[The link to the Licensing & Regulatory Committee agenda online is below]

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=606&MId=13264>

Agenda Item 13 – Pay Policy 2022-2023

Recommendation:

“For the Council to 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.”

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