

CITY OF YORK COUNCIL SUMMONS

All Councillors, relevant Council Officers and other interested parties and residents are formally invited to attend a meeting of the **City of York Council at York Racecourse**, to consider the business contained in this agenda on the following date and time

Thursday, 15 July 2021 at 6.30 pm

A G E N D A

1. Declarations of Interest

At this point, Members are asked to declare:

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

which they may have in respect of business on this agenda.

2. Minutes (Pages 1 - 42)

To approve and sign the minutes of the Ordinary Council meeting held on 22 March 2021, the Extraordinary meeting held on 4 May 2021 and the Annual meeting held on 27 May 2021.

3. Civic Announcements

To consider any announcements made by the Lord Mayor in respect of Civic business.

4. Public Participation

At this point in the meeting, any member of the public who has registered to address the Council, or to ask a Member of the Council a question, on a matter directly relevant to the business of the Council or the City, may do so. The deadline for registering is **5:00pm on Tuesday, 13 July 2021**.

To register to speak please visit

www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this 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 at www.york.gov.uk/COVIDDemocracy for more information on meetings and decisions.

5. Petitions

To consider any petitions received from Members in accordance with Standing Order No.15. No notice of petitions has been received.

6. Report of Executive Leader, Questions, and Executive Recommendations (Pages 43 - 52)

To receive and consider a written report from the Leader, to answer questions on the work of the Executive, and to consider the Executive recommendations for approval, as set out below:

Meeting	Date	Recommendations
Executive	24 June 2021	Minute 13: Capital Programme Outturn 2020/21 and Revisions to the 2021/2- 2025/26 Programme

7. Report of Deputy Leader and Questions (Pages 53 - 54)

To receive and consider a written report from the Deputy Leader, and to question the Deputy Leader thereon.

8. Motions on Notice

To consider the following Motions on Notice under Standing Order 22:

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

- (i) From Cllr Daubeney

A Planning System that Works for Residents

“Proposed changes to existing planning legislation risk further reducing the democratic oversight and deregulating the planning process, failing to address the need for a balance in the planning system to maintain heritage and accountability.

Council notes:

- The significant concerns expressed by residents, Housing, Communities and Local Government Select Committee, CPRE and many professional planning bodies and local government representatives over the Conservative Government's Planning Reforms.
- Local resident concerns about their reduced ability to object to building works under Permitted Development Rights which have been extended under this Government.
- Widespread concerns and condemnation of the Planning White Paper proposals across Local Government, The Planning and Architecture Sector, and organisations concerned with protecting green open spaces and heritage.
- Government proposals to deregulate planning will remove the rights of residents to influence or object to inappropriate development where they live.
- Local councils, in consultation with their businesses and residents are best placed to understand the issues in their area and respond with a spatial strategy tailored to that area.

Consequently, Council resolves to call on the Government to scrap its Planning White Paper and instead:

- Undertake a wholesale review of Permitted Development Rights.
- Make the Planning Inspectorate more accountable to local people.
- Ensure that local resident engagement is at the heart of planning and any reforms do not threaten the accountability and engagement process and Councillors are able to play their democratic role.
- Implement reforms that would help local authorities build more social housing, including cheaper loans, access to low-priced public land and the right to keep 100 per cent of the sale price of council homes sold off under Right to Buy scheme to reinvest in new homes.”

(ii) From Cllr Doughty

Working Towards Improving Democracy and Services

“Council acknowledges the challenges Covid-19 has brought to everyday life of our citizens. Many millions have worked tirelessly and shown resilience without complaint in order to help keep the city and country running. This applies to within the Council organisation and we give grateful thanks to them.

Council is pleased the UK vaccination programme has been amongst the most advanced, with a sizeable majority of adults having received their first vaccination and a majority (almost two thirds at time of print) of adults now having had their second jabs. Data shows that despite further new Covid cases, the vaccination programme is breaking the link between cases and the levels of serious hospital admissions previously seen.

Now, Council believes more ambition is needed by the Council leadership in restoring basic democracy which has been sidelined and improving basic services our residents expect. The administration has shown no urgency to properly restore the Committee Calendar so elected Councillors (not just the Executive) can have oversight and scrutinise decisions being taken. It remains unacceptable for many meetings taking place ‘informally’ with no minutes publicly available for accountability. Concerning for residents is the continued deterioration in basic services, recently including repeatedly late and in many cases completely uncollected green waste, overgrown vegetation which is once again becoming a problem and deteriorating roads and paths throughout the city.

Therefore, Council asks that the current administration commits to:

- Return to work at West Offices of all Directors and Senior management. While working at home might be possible for some tasks sometimes, after 16+ months, a focus on leadership is needed to address some of the service issues experienced here in York.
- A report to Customer and Corporate Services Scrutiny Management Committee on actions and mitigations taken to save taxpayer money in York. This in light of claims of a

£6M funding shortfall in York due to Covid despite record national spending by Government. The report should detail how savings have, are and will be made and also indicate how the Council ensures the upto 20 likely redundancies indicated in local media recently are not amongst frontline key workers directly providing the services that residents value.

- A commitment to review the Council Committee Calendar in the coming weeks to enable a return to as normal as possible a Calendar.
- A commitment that Council meetings are held at West Offices where possible, or similar prominent city buildings (ensuring sensible cost) if they have a greater capacity. It would be hoped that educational establishments such as the universities and Community stadium management etc. would be cognisant that their institutions have already received huge financial assistance (and otherwise) from the taxpayer, directly or via the Council.
- Risk assessments for possible meeting venues to be shared with all Councillors especially in light of concern that a large City venue, which despite being open to the general public (in large numbers at times) appeared to be discounted for meetings by CYC, on health grounds for CYC staff and Councillors.”

(iii) From Cllr Runciman

Fixing Social Care

“The past year has further underlined the vital role that our social care services play in supporting our communities. The pandemic has exposed the fragility of those services and amplified the workforce, funding and sustainability challenges.

Council notes:

- Our thanks to all those who work in social care systems, from carers to cleaners and caterers, to those working in care homes and domiciliary care, and those who provide so much care for friends and family, expecting nothing in return.
- Despite years of promises, the Government has failed to outline a feasible plan which would fix the long term funding

issues in social care.

- Social care must be a full and equal partner with the NHS in enabling more people to remain independent, living in their own home or in their community.
- Using adult social care precept to fund social care is unsustainable; depending on unfair council tax is not the solution.
- Social care costs for over-65s have increased in recent years in York as well as the rest of the UK.

Consequently, Council resolves:

- To have all Group leaders jointly call on the new Health and Social Care Secretary to urgently begin cross-party discussions to enable Ministers to bring forward comprehensive plans that would address short and long term funding needs of the care sector.
- Such proposals should set out:
 - Funding for short-term stabilisation, addressing short-term funding challenges, which have been worsened by Covid, to prevent further deterioration in the access to and quality of care.
 - A long-term plan for social care that sets the priorities for investment and transformation of services and systematically addresses the workforce challenges;
 - A funding settlement that provides local government with the necessary finance to implement the long term plan over the next five years; and
 - Arrangements to protect people from incurring catastrophic care costs by pooling the risk and making the current means-test more comprehensive.”

(iv) From Cllr Melly

Ensuring Access for All

Council notes:

- that York is a Human Rights City;
- that every local authority has a duty under the Equalities Act to enable people to get as close as reasonably possible to where they need to get to;

- that disabled people are not a single homogenous group and therefore a raft of measures may be required in order to make the city centre fully accessible and to appropriately mitigate any reduced vehicular access;
- that having alternative provision of services - eg online services - is not a substitute for access;
- the significant numbers of complaints made by Blue Badge holders who feel excluded from the city centre following recent extensions to the pedestrianised footstreets area;
- that even before the Covid19 access changes, accessibility to York city centre was poor for many residents;
- the “Healthier, Greener York” motion passed by Council in December 2019 calling for a city-wide approach to reducing car-dependency, which drew a clear distinction between essential and non-essential journeys and which specifically requested that the Executive Member for Transport “works closely with disability advocacy groups and Blue Badge Holders to ensure that access to the city centre is maintained and improved for people with mobility difficulties or who are otherwise unable to use public transport”.

Council believes:

- that there are many benefits to extending the pedestrianised footstreets area for residents, businesses and visitors, including disabled and non-disabled people;
- that increasing city centre access for some should not come at the cost of creating barriers for others;
- that accessibility is about meeting the needs of all residents visiting the city centre as opposed to merely ensuring access to the edge of the city’s historic core;
- that ensuring accessibility includes ensuring sufficient provision of appropriately located seating, toilets, changing places, baby change facilities, cycle racks and Blue Badge parking;
- that whilst at times the different needs of different disability groups may conflict with one another, City of York Council must not privilege one group over another, nor pit the needs of one group against another;
- that City of York Council has not yet done enough to ensure the city centre is accessible to all residents.

Council resolves to request that the Executive and relevant Executive Member:

- undertake a review of city centre seating, working closely with older adult and disability advocacy groups, to ensure sufficient 'rest-stops' are available throughout the pedestrianised footstreets area;
- ensure that all new benches installed across York are age and disability friendly, with appropriate backs and arm rests;
- ensure sufficient provision of fully accessible toilets, baby-changing facilities and changing places that are open at appropriate times and that are well-signposted;
- undertake a review of cycle rack provision to ensure secure parking is available for the full range of cycles, including mobility aids and trailers;
- explore options for a frequent shuttle 'train'/bus that is fully accessible, not limited to Blue Badge Holders, not stigmatising and that enables people to get to and from a range of places within the pedestrianised footstreets area that they need access to;
- review the provision of charging points for mobility aids such that those who wish to access the city centre via this method can be confident that they will not get stuck and be forced into embarrassing or stressful situations;
- direct council officers to work with partners, through the Quality Bus Partnership, to work collaboratively with local disability representative groups to review how drivers prioritise wheelchair users' access and makes Class 3 access training available in York;
- in conjunction with Age Friendly York, local disability representative groups and Quality Bus Partnership, develop agreed criteria for accessible bus stops;
- review the policy around choice of road and pavement surfaces city-wide, to ensure that aesthetic and financial considerations are not prioritised over ergonomics or accessibility, and that a consistent approach is taken to tactile paving city-wide;
- ensure that an easily accessible, up-to-date map of Blue Badge parking is available to residents online and in hard copy upon request;
- review and consider national best practice examples for

pedestrian core accessibility such as Chester and Leicester, and implements measures that improve pre-existing access such that City of York Council meets its obligation to ensure equality of city centre access for all York residents.”

9. Questions to the Leader or Executive Members

To question the Leader and/or Executive Members in respect of any matter within their portfolio responsibility, in accordance with Standing Order 20.

10. Report of Executive Member (Pages 55 - 60)

To receive a written report from the Executive Member for Environment and Climate Change and to question the Executive Member thereon, in accordance with Standing Order 19.

11. Scrutiny - Report of the Chair of the Customer & Corporate Services Scrutiny Management Committee

To receive a report from Councillor Crawshaw, Chair of the Customer & Corporate Services Scrutiny Management Committee, on the work of the Committee (*to follow*).

12. Pay Policy 2021/2022 Update (Pages 61 - 86)

To receive for approval the Pay Policy Statement for 2021/2022, which has been updated since the report to Council on 22 March 2021 to reflect changes to the Chief Officer Structure.

13. Adoption of the LGA Model Code of Conduct for Elected Members 2020 (Pages 87 - 112)

To consider a report requesting Council to adopt the LGA Model Code of Conduct for immediate implementation across City of York Councillors and recommend the adoption of the Model Code by Parish Councils.

14. Update on Allocation of Seats and Appointments to the Council Structure for 2021/22 (Pages 113 - 116)

To consider a report which invites Council to make decisions in respect of the allocation of seats and appointments deferred from the Annual Council meeting on 27 May.

15. Appointments and Changes to Membership (Pages 117 - 118)

To consider the appointments and changes to membership of committees and outside bodies set out on the list attached to this summons.

16. Urgent Business

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

Democracy Officer

Fiona Young

Contact details:

- Telephone – (01904) 552030
- Email fiona.young@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 (Polish)
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

(Urdu) یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہے۔

 **(01904) 551550**

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held remotely on Monday, 22 March 2021, starting at 6.00 pm

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

Acomb Ward

Bishopthorpe Ward

Lomas
S Barnes

Galvin

Clifton Ward

Copmanthorpe Ward

D Myers
Wells

Carr

Dringhouses & Woodthorpe Ward

Fishergate Ward

Widdowson
Fenton
Mason

D Taylor
D'Agorne

Fulford and Heslington Ward

Guildhall Ward

Aspden

Fitzpatrick
Craghill

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 Norman Pavlovic

Cullwick
Orrell
Runciman

Micklegate Ward

Osbaldwick and Derwent Ward

Baker
Kilbane
Crawshaw

Rowley
Warters

Rawcliffe and Clifton Without Ward Rural West York Ward

Smalley
Wann
Waudby

Barker
Hook

Strensall Ward

Westfield Ward

Doughty
Fisher

Daubeney
Hunter
Waller

Wheldrake Ward

Vassie

94. Declarations of Interest

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests they might have in the business on the agenda.

Cllr Melly declared a pecuniary interest in Motion (iv) at Agenda Item 8 (Fair Funding Deal for Police and Fire Services). She left the meeting during consideration of that motion and took no part in the debate or decision thereon.

Later in the meeting, Cllr Norman declared a pecuniary interest in the Executive recommendation at Agenda Item 6 (Plans for the Future of the Health and Care System in York), as an employee of Nottingham Rehabilitation Service. He left the meeting during consideration of that recommendation and took no part in the debate or decision thereon.

95. Minutes

Resolved: That the minutes of the Budget Council meeting held on 25 February 2021 be approved and then signed by the Chair as a correct record.

96. Civic Announcements

The Lord Mayor made reference to the recent tragic death of Sarah Everard, a former resident of York. Members observed a few moments' silence in memory of Sarah, and other victims of violent assaults upon women, in the context of International Women's Week.

97. Public Participation

It was reported that ten members of the public had registered to speak at the meeting under the Public Participation item, but one had since withdrawn.

Verity Glendenning of York Must Act spoke in support of the petition to be presented under Agenda Item 5, noting that other local authorities had already signed up to a similar pledge.

Amy Creighton also spoke in support of the York Must Act petition, highlighting the worsening plight of refugees during the Covid-19 pandemic.

Charlotte Russell also spoke in support of the petition, referring to her own experience of volunteering in the refugee camps in Greece.

Johnny Hayes spoke in support of Motion (i) at Agenda Item 8 (Protecting Jobs, Investing in our Communities and Transparency in the Planning System), applauding the motion as promoting investment in the future.

Daniel Loyd spoke in support of Motion (iii) at Agenda Item 8 (Becoming an Inclusive Council), on behalf of the University of York LGBT+ Network.

Lali Hewitson, proprietor of the Portal Bookshop, also spoke in support of Motion (iii), which she referred to as 'basic' in circumstances where trans people were feeling unsafe.

Sue Pascoe also spoke in support of Motion (iii), as a transgender woman who had benefited from services in York.

Rowan Casey also spoke in support of Motion (iii) from a personal perspective, stating there was moral obligation to approve the motion.

Tom Franklin, Chair of York Green Party, spoke in support of Motion (iv) at Agenda Item 8 (Fair Funding Deal for Police and Fire Services), highlighting the need to transfer funding for certain areas of work to other organisations more qualified to carry it out.

98. Petitions

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

- Cllr Webb - an online petition from York Must Act, signed by 828 people to date, calling on the Council to support the Europe Must Act campaign to welcome refugees from the Greek Aegean Islands.¹

Action Required

1. Add to petitions schedule for reporting to CCSMC SB and relevant Executive Member

99. Report of Executive Leader and Executive Recommendations and Questions

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:

York Central

Cllr K Taylor: how will plans progress if the public inquiry determines Leeman Road should remain open?

(Supplementary from Cllr Webb: what will be the impact of Network Rail’s apparent threat at Planning Committee to pull out of the land deal?)

Response: should this happen the York Central Partnership will need to look at that aspect of the reserved planning matters. An update will be provided to the Executive meeting in April. Stakeholders wish to protect their commercial position in any negotiations, but the fact that the project has progressed this far demonstrates the success of the partnership approach.

Local Government Reorganisation

Cllr Fisher: can you outline what the council has done to progress the aim to keep York within its current boundaries?

Response: partners aree working together on making the case for decisions on York to be taken within the city, and also working with North Yorkshire on devolution, so that the government can consider the strength of feeling in York. The government’s response is expected in summer 2021.

Local Plan

Cllr Kilbane: the Chair of York Property Forum was quoted in the Press as describing the lack of progress as an embarrassment – has the council failed to follow the Inspector's instructions?

(Supplementary from Cllrs Wells and Kilbane on the timetable and the consequences of it not being met).

Response: we have been without a Local Plan for decades, across many administrations. More progress has now been made on the Plan than ever before; it has cross-party support and a timetable has been agreed. It is in all our interests to keep to the timetable and work to get the Plan adopted.

Responding to Covid-19

Cllr Vassie: following the success of the local test and trace system last year, what are the future plans for this?

Response: this success has been due to the hard work of our public health team, and if local authorities had been trusted earlier the systems would have operated more smoothly. York was one of the first to start local test and trace, and the government has now agreed that all local testing for the city will be undertaken locally. We can all be part of that effort.

B – Executive Recommendations

Plans for the Future of the Health and Care System in York

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendation contained in Minute 118 of the Executive meeting held on 18 March 2021:

Recommended: That the York Health and Care Alliance be adopted as a sub-group of the Health and Wellbeing Board.

Reason: In order to prepare the system in York to respond to the coming Government reforms to health and social care and to put York in the best place to benefit from these changes.

A named vote* was taken on the recommendation, with the following result:

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

Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Looker (Lord Mayor)		
46	0	0

The recommendation was therefore declared CARRIED unanimously, and it was

Resolved: That the above recommendation be approved.¹

**Note: Cllr Norman was not present for the vote, having declared an interest in this matter.*

Action Required

1. Note the approval of the recommendation and SS take any appropriate action.

100. 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:

Responding to the pandemic

Cllr Kilbane: will you join us in condemning the conspiracy theories fuelling anti-vaccination campaigns, and put on record the Green Party's position on 5G masts?

(Supplementary from Cllr Taylor: what can the council do to control the circulation of this misinformation?)

Response: vaccination is an essential part of dealing with the pandemic and I have been vaccinated myself. The Green group have not discussed this matter but clearly support protecting people from Covid. I support the work the council has done on social media to help people access the correct information and understand that concerns around the Astra Zenica vaccine have been allayed.

Reducing Emissions

From Cllr Hollyer: York has been awarded £300k by DEFRA to reduce emissions. How will the project be rolled out and sit within air quality improvement programmes?

Response: air quality is an important concern, and we cannot rely on just one approach. Our successful bid will allow us to investigate an approach to freight in the city that will reduce emissions and address the issue of damage to historic buildings by large vehicles. This will complement other aspects of our work.

Hazel Court

From Cllr Fitzpatrick: what longer-term plans traffic plans do you have for tackling tailbacks here at peak periods?

(Supplementary from Cllr Fitzpatrick and Cllr Rowley: what about the problems that are still ongoing? Will you look at a complete review and re-design of that junction?)

Response: Problems were caused by a lot of people having a 'clearout' during lockdown, combined with reduced opening hours and capacity due to Covid restrictions. As set out in my report, the opening hours have been extended. I'd be happy to look at any ongoing problems in more detail, and at a possible review.

101. Motions on Notice

(i) Protecting Jobs, Investing in our Communities and Transparency in the Planning System

Cllr Pavlovic sought consent to alter his motion to incorporate the amendments submitted by Cllrs Doughty and Ayre respectively.

Council having granted consent, the altered motion was moved by Cllr Pavlovic and seconded by Cllr Douglas, as follows:

"Council recognises the importance of the planning process in achieving balance between residential and commercial development and in ensuring communities derive benefit from such development through developer contributions.

Council further recognises:

- York as a vibrant city centre needing a strong business and commercial heart for the city to maintain its competitiveness;

- the significant loss of office space through office-to-residential conversions following the Government's extension of permitted development rights (PDRs) in 2013;
- the critical importance and democratic role of the local planning authority in determining where conversions are appropriate and where they are not - a power lost through PDRs;
- the current loss of community benefit through developer contributions such as open space and affordable housing provision in cases of office to residential conversions;
- existing opaqueness in the seeking of, decision making around and subsequent spending of developer contributions (through the Section 106 mechanism);
- the need for transparency and democratic accountability in how millions of pounds of developer contributions are spent each year in York.

Council believes the loss of significant amounts of office space - both sustained to date and anticipated in the future - risks hollowing out the city and systematically reducing better paid career opportunities in York for both the current and the next generation of York workers.

Council believes it is imperative that democratically-elected local representatives retain the tools and flexibility to adapt to changes in order to protect the character of the city and support the local workforce as we emerge into a post-pandemic world.

Council resolves to request that Executive:

- explore options for pursuing Article 4 Direction powers to suspend Permitted Development Rights (under The Town and Country Planning (General Permitted Development) (England) Order 2015) on conversions that continue to threaten the viability of York's economy through the loss of both retail and office space, without diverting necessary resources from the Local Plan process;
- develop a system whereby all developer contribution agreements with the council are publicly available in an easily accessible format, including trigger points for the release of those funds, and a record of any unspent monies returned to developers;
- facilitate improved Ward Councillor involvement, and for parish councils where in existence, in the S106 process, such that the priorities of individual communities are taken

- into account prior to opening negotiations with developers (whilst not hindering adherence to statutory deadlines);
- request that Planning Officers roll-out a programme of high-level training on the S106 process, including its current limitations, for all councillors.

Council asks the Directorate for Housing, Economy and Place to actively investigate CPOs of buildings and land which are evidently consistently neglected by landlords and development of which can improve the area and be revenue beneficial to taxpayers. Council further asks the Directorate for Housing, Economy and Place to actively investigate this where appropriate.”

A named vote* was taken on the altered motion, with the following result.

For	Against	Abstained
Cllr Aspden		
Cllr Ayre		
Cllr Baker		
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
Cllr Cullwick		
Cllr Cuthbertson		
Cllr D'Agorne		
Cllr Daubeney		
Cllr Doughty		
Cllr Douglas		
Cllr Fenton		
Cllr Fisher		
Cllr Fitzpatrick		
Cllr Galvin		
Cllr Heaton		
Cllr Hollyer		
Cllr Hook		
Cllr Hunter		
Cllr Kilbane		
Cllr Lomas		
Cllr Mason		
Cllr Melly		
Cllr Myers		

Cllr Norman		
Cllr Orrell		
Cllr Pavlovic		
Cllr Pearson		
Cllr Perrett		
Cllr Rowley		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr K Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Warters		
Cllr Waudby		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Looker (Lord Mayor)		
46	0	0

The motion was therefore declared CARRIED unanimously, and it was

Resolved: That the above motion be approved.¹

**Note: Cllr Musson was not present during the vote, for technical reasons.*

(ii) York's Pension Investment in a Sustainable Future

Cllr Vassie sought consent to alter his motion to incorporate the amendment submitted by Cllr D'Agorne.

Council having granted consent, the altered motion was moved by Cllr Vassie and seconded by Cllr Fisher, as follows:

“Council notes:

- More and more pension funds are divesting from fossil fuels both in the UK and across the world. Globally \$14.56 trillion is now committed to divestment. It is clear that pension funds across the UK and around the world no longer view fossil

fuel production as a wise or a long term investment with increased awareness of the potential for these to become ‘stranded assets’.

- The York and North Yorkshire Pension fund still has holdings in fossil fuels, thought to be around £33 million in total.
- On 5th March 2021 the York & North Yorkshire Pension Fund signed up to a new strategy, which would see the reduction of the fund’s holdings in equities from 57% to 50%, and the creation of a new investment portfolio in infrastructure (10% or £450 million of the total fund). The fund’s new strategy commits to investing £200 million in infrastructure this year.
- City of York Council declared a climate emergency in March 2019 and is currently drawing up a zero carbon pathway to deliver a zero carbon York.
- City of York Council and North Yorkshire County Council have declared the joint ambition to become the country’s first carbon negative region.
- Council is working with the Local Enterprise Partnership (LEP) and North Yorkshire County Council to bring to life our Zero Carbon Strategy for the region, recognising both the strategic value of doing this and the significant positive benefit in terms of developing new skills and jobs.

Council commends this change in strategy and the Pension Fund’s decision to support sustainable infrastructure.

Council believes that investment in green infrastructure is one of the keys to transition to a zero carbon future and the creation of green jobs.

Consequently, Council resolves:

- To call on the York and North Yorkshire Pension Fund to commit to invest £120 million of the infrastructure portfolio in green infrastructure, to be split equally between the region, the UK, and global projects.”
- To welcome the increased awareness of pension fund managers of the urgent need to move all holdings away from fossil fuels to avoid the potential impact of ‘stranded assets’ on future performance of their funds.
- To raise awareness of the content of this motion among council employees (who are mostly contributors to the North Yorkshire Pension Fund) to ensure they can be more engaged with decisions affecting their future pensions.”

A named vote was taken on the altered motion, with the following result:

For	Against	Abstained
Cllr Aspden		Cllr Doughty
Cllr Ayre		Cllr Rowley
Cllr Baker		Cllr Warters
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
Cllr Cullwick		
Cllr Cuthbertson		
Cllr D'Agorne		
Cllr Daubeney		
Cllr Douglas		
Cllr Fenton		
Cllr Fisher		
Cllr Fitzpatrick		
Cllr Galvin		
Cllr Heaton		
Cllr Hollyer		
Cllr Hook		
Cllr Hunter		
Cllr Kilbane		
Cllr Lomas		
Cllr Mason		
Cllr Melly		
Cllr Musson		
Cllr Myers		
Cllr Norman		
Cllr Orrell		
Cllr Pavlovic		
Cllr Pearson		
Cllr Perrett		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr K Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		

Cllr Waudby		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Looker (Lord Mayor)		
44	3	0

The motion was therefore declared CARRIED, and it was

Resolved: That the above motion be approved.²

(iii) Becoming a Trans Inclusive Council

Moved by Cllr Melly and seconded by Cllr Norman.

“Council notes:

- The CYC staff survey shows that only 76% of council staff think that the council respects individual differences.
- Fewer than 50% of Health and Social Care staff nationally think their employers meet their responsibilities under the Public Sector Equality Duty to eliminate discrimination towards, and advance equality for LGBT people.
- 33% of local LGBTQ+ survey respondents experienced negative attitudes within the previous 12 months towards their sexuality or gender identity when trying to access public health and social care services in York.
- 25% of LGBTQ+ people have experienced barriers to accessing health and/or social care services as an LGBTQ+ person in York.
- A high proportion of transgender respondents to a York LGBT Forum survey gave examples of incidences of completely inappropriate or distressing treatment and questioning when accessing sexual health and contraceptive services
- that the percentage of transgender children is unclear with limited research having been carried out to date, however the Equality Act 2010 does recognise transgender children and prohibits discrimination against them in places of learning.
- 62% of transgender people have alcohol dependency or abuse issues
- 10% of transgender people have been an inpatient at a mental health unit at least once

- 1 in 3 homeless people are LGBTQ+
- A CYC survey of older people found that more than 1 in 3 LGBTQ+ people say that it is somewhat, very, or extremely important to them that they live with other members of the LGBTQ+ community in their later years.

Council believes:

- That transgender men are men, transgender women are women, and non-binary genders are equally valid.
- That the new CYC LGBTQ+ staff network is welcome and should be supported
- That transgender people may require specific support to overcome barriers to access services without facing discrimination, and that all council services must be equipped to provide appropriate service and good customer care to suit transgender people.
- That there are transgender people in York of all ages, and that the need for better understanding and acceptance of what it means to be transgender is an inter-generational issue.

Council resolves:

- To provide “Free to be Me” or equivalent training, available to all council and council service provider employees annually.
To encourage take-up of the training, especially for team managers and staff who have contact with the public.
- To encourage staff to make small gestures that make it clear that transgender people are welcome and valued, and that normalise things like talking about pronouns. For example, adding pronouns to email signatures.
- To fly the trans pride flag twice annually, on trans day of remembrance and trans day of visibility.
- To ensure that the service level agreements for council commissioned family planning and contraceptive services include awareness training of transgender matters.
- To ensure that all local authority schools and local academies are aware of their responsibilities and duty of care for trans children and respecting of their pronouns.
- Introduce a code of acceptance for all foster carers.
- Work with partner organisations who work to combat homelessness and support people experiencing homelessness to ensure that transgender people are not marginalised or discriminated against while accessing homelessness support.

- Work with older people's accommodation providers to ensure services are LGBTQ+ friendly and to factor the LGBTQ+ community into decisions about residential placements."

A named vote was taken on the motion, with the following result:

For	Against	Abstained
Cllr Aspden	Cllr Warters	
Cllr Ayre		
Cllr Baker		
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
Cllr Cullwick		
Cllr Cuthbertson		
Cllr D'Agorne		
Cllr Daubeney		
Cllr Doughty		
Cllr Douglas		
Cllr Fenton		
Cllr Fisher		
Cllr Fitzpatrick		
Cllr Galvin		
Cllr Heaton		
Cllr Hollyer		
Cllr Hook		
Cllr Hunter		
Cllr Kilbane		
Cllr Lomas		
Cllr Mason		
Cllr Melly		
Cllr Musson		
Cllr Myers		
Cllr Norman		
Cllr Orrell		
Cllr Pavlovic		
Cllr Pearson		
Cllr Perrett		
Cllr Rowley		
Cllr Runciman		
Cllr Smalley		

Cllr D Taylor		
Cllr K Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Waudby		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Looker (Lord Mayor)		
46	1	0

The motion was therefore declared CARRIED, and it was

Resolved: That the above motion be approved.³

(iv) Fair Funding Deal for Police and Fire Services

Moved by Cllr Mason and seconded by Cllr Pearson.

“The Council acknowledges and commends the hard work of the North Yorkshire Police Force and North Yorkshire Fire Service in what has been a particularly difficult year.

Council notes:

- The Home Office is allocating £73 per head more for police services in London than Yorkshire in 2021/22.
- Government has further pushed the responsibility to fund these crucial services on local communities in the form of increased council tax precepts.
- In real terms North Yorkshire Police are now £18 million a year worse off than they were in 2010. In the last two years alone they've been under pressure to slash £10m from their budget and make staff redundant.
- Over the last ten years the number of police officers in the country has been cut year on year by more than 20,000 and one third (12) of North Yorkshire's police stations have been closed.
- £1.8m in annual funding has been cut by the government for fire and rescue services in North Yorkshire since 2016.
- Fire Brigades Union (FBU) estimates that the combined threats of climate change-related events such as flooding and wildfires, pandemics, terrorism, and the post-Grenfell

Tower building safety crisis will require immediate funding for at least 5,000 additional firefighters nationally in 2021.

- Despite Police and Fire Service budgets being slashed, in the last four years, costs of the PFCC office have risen by 27%.
- Funding and staff shortages have seen police and fire services suffer, particularly when it comes to neighbourhood policing, frontline support and the ongoing concerns over 101 response times.

Consequently, Council resolves:

- To thank all of York and North Yorkshire's police and fire service staff alongside all key workers for their ongoing efforts in what has been a particularly difficult year.
- To lobby the Government to carry out a comprehensive funding review of fire and police services in North Yorkshire, in order to futureproof sustainable service provision, including long-term improvements to the 101 service.
- To call on the Government to provide additional resources to Neighbourhood Policing Teams in order to strengthen the working relationships between the Force and local communities in the city.”

Cllr Rowley then moved, and Cllr Doughty seconded, an amendment to the above motion, as follows:

“In the second paragraph, **delete** all after ‘Council notes’ and **insert**:

- *Regional variations, as there always have been, in Police funding.*
- *That all funding is paid by taxpayers whether collected by national or local government.*
- *The significant increase in funding for North Yorkshire Police delivered by the Conservative government, as opposed to the cuts delivered when the Lib Dems supported the government. In 2012 under the Lib Dem supported government the number of police officers was 1392 and the police budget was £147,051 million. For 2020/21 the gross Police budget is £177.2m and that will increase further thanks to a £8.4 million settlement grant from Central Government for 2021/2 allowing yet more police officers to be appointed. Any precept increase is limited to 1.9% by the Conservative Government. North Yorkshire now has 1,563 officers with more currently being recruited as part of the*

Conservative Government's commitment to the recruitment of 20,000 more police officers.

- *North Yorkshire Police also has a record number of PCSOs and a large number of Special Constables. The new fulltime officers are funded by Central Government in recognition of the needs of North Yorkshire Police.*
- *Like every police force and every organisation there have been changes in where staff are based and the region has for example seen new stations and changes such as Harrogate and Pateley Bridge and fire service have combined together to form a combine station as in the case of Ripon, or moved into the headquarters as in the case of Northallerton or partnered with a local authority like Selby. In a report published in 2016, some police stations were only getting just one visitor a day. By combining police stations with the fire service it makes better use of existing assets and also allows partnership working with Councils. Any savings made are reinvested back into frontline policing to support the extra 300 police officers recruited since 2012.*
- *The only cuts in policing were brought in during the Lib Dem supported coalition; Conservatives on their own in government have increased police funding and are increasing police officer numbers.*
- *There have been significant changes to the way Fire & Rescue services have been delivered and will be delivered.*
- *A major review of the fire service is taking place because thanks to improvements in the road network like the A1/M the number of accidents have declined, whilst new build property is highlighting the need for potentially more longer term the relocation of some fire stations. Much of North Yorkshire is serviced by retained fire fighters who together with their fulltime colleagues we owe a debt of gratitude. During in the last few years the police and fire service have been working closer together. This has enabled the Fire Service to move to a balanced budget and has also allowed some innovation to take place, where recruitment of retained fighter fighters has been challenging due to the shortage of local trades people who have traditionally been the bedrock of the crews. It is therefore good to see plans to extend the rollout of multiservice officers following a successful pilot in Craven, which has seen the appointment of combined retained firefighters, PCSOs and first responders to serve in the more rural parts of North Yorkshire.'*

In the third paragraph, after 'Council resolves', **delete** the second and third bullet points and **insert**:

- To call on City of York Council, along with neighbouring authorities to work together with the help being given from Government to strengthen Neighbourhood Policing Teams through improved working relationships between the Force and local communities in the city."*
- That all councillors should work with the Police & Fire Commissioner to ensure the most effective way of delivering Police, Fire & Rescue services for residents of York and North Yorkshire rather than chasing cheap and often hypocritical headlines."*

A named vote* was taken on the amendment, with the following result:

For	Against	Abstained
Cllr Doughty	Cllr Aspden	Cllr Galvin
Cllr Rowley	Cllr Ayre	Cllr Warters
	Cllr Baker	
	Cllr Barker	
	Cllr Barnes	
	Cllr Carr	
	Cllr Craghill	
	Cllr Crawshaw	
	Cllr Cullwick	
	Cllr Cuthbertson	
	Cllr D'Agorne	
	Cllr Daubeney	
	Cllr Douglas	
	Cllr Fenton	
	Cllr Fisher	
	Cllr Fitzpatrick	
	Cllr Heaton	
	Cllr Hollyer	
	Cllr Hook	
	Cllr Hunter	
	Cllr Kilbane	
	Cllr Lomas	
	Cllr Mason	
	Cllr Musson	
	Cllr Myers	
	Cllr Norman	

	Cllr Orrell	
	Cllr Pavlovic	
	Cllr Pearson	
	Cllr Perrett	
	Cllr Runciman	
	Cllr Smalley	
	Cllr D Taylor	
	Cllr K Taylor	
	Cllr Vassie	
	Cllr Waller	
	Cllr Waudby	
	Cllr Webb	
	Cllr Wells	
	Cllr Widdowson	
	Cllr Looker (Lord Mayor)	
2	42	2

The amendment was therefore declared LOST.

A named vote* was then taken on the original motion, with the following result:

For	Against	Abstained
Cllr Aspden		Cllr Doughty
Cllr Ayre		Cllr Rowley
Cllr Baker		Cllr Warters
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
Cllr Cullwick		
Cllr Cuthbertson		
Cllr D'Agorne		
Cllr Daubeney		
Cllr Douglas		
Cllr Fenton		
Cllr Fisher		
Cllr Fitzpatrick		
Cllr Galvin		
Cllr Heaton		
Cllr Hollyer		

Cllr Hook		
Cllr Hunter		
Cllr Kilbane		
Cllr Lomas		
Cllr Mason		
Cllr Musson		
Cllr Myers		
Cllr Norman		
Cllr Orrell		
Cllr Pavlovic		
Cllr Pearson		
Cllr Perrett		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr K Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Waudby		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Looker (Lord Mayor)		
43	0	3

The motion was therefore declared CARRIED, and it was

Resolved: That the above motion be approved.⁴

**Note: Cllr Melly was not present for the votes, having declared an interest in this item.*

Action Required

1. Note approval of the motion on Protecting Jobs/ Investment in City / Transparency in Planning System and take appropriate action. NF
2. Note approval of the motion on Pension Investment in a Sustainable Future and take appropriate action. DM
3. Note approval of the motion on Becoming a Trans Inclusive Council and take appropriate action. IF
4. Note approval of the motion on a Fair Funding IF

Deal for Police & Fire Services and take appropriate action.

At 9:53 pm, the guillotine fell and the remaining business was deemed to have been proposed and seconded and was voted on without debate, in accordance with Standing Order 11.

102. Questions to the Leader or Executive Members

No questions were taken under this item, as the guillotine had fallen.

103. Report of Executive Member

A written report was received from Cllr Waller, Executive Member for Economy and Strategic Planning.

104. Scrutiny - Report of the Chair of the Customer & Corporate Services Scrutiny Management Committee

A written report was received from Cllr Crawshaw, Chair of the Customer and Corporate Services Scrutiny Management Committee, on the work of the Committee since the last report to Council, on 29 October 2020.

105. Pay Policy 2021/22

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 paragraph 16 of the report:

“That Council approve the Pay Policy Statement for 2021/22 relating to the pay of the Council’s senior staff.

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

Action Required

1. Note approval of the Pay Policy and take any action required. JB

106. Joint Standards Committee - Annual Report 2019/20

A written report was received from Cllr Rowley, Chair of the Joint Standards Committee, on the work of the Committee for the 2019/20 Municipal Year.

107. Joint Standards Committee - Changes to Parish Council Membership

Council received a report from the Monitoring Officer in respect of a change to the terms of reference of the Joint Standards Committee.

Cllr Rowley moved, and Cllr Fisher seconded, the following recommendations contained in the report:

“Council is asked to:

1. Approve the amended terms of reference for the Joint Standards Committee as detailed at Appendix Two of this report to reflect that Rawcliffe Parish Council and Strensall and Towthorpe Parish Council are members of the Committee.
2. Approve the appointment of Parish Councillor Waudby from Rawcliffe Parish Council to the Joint Standards Committee.”

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

Resolved: That the above recommendations be approved.¹

Action Required

1. Note approval of the change to the terms of reference and take any action required. JB

108. Appointments and Changes to Membership

Resolved: That the appointments and changes to membership on the list at page 93 of the agenda papers be approved.¹

Action Required

1. Note approval of the appointments and make the JB required changes to memberships on the system.

Cllr Janet Looker
LORD MAYOR OF YORK

[The meeting started at 6.00 pm and concluded at 9.57 pm]

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held remotely on Tuesday, 4 May 2021, starting at 6.00 pm.

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

Acomb Ward

Bishopthorpe Ward

Barnes
Lomas

Galvin

Clifton Ward

Copmanthorpe Ward

Myers
Wells

Carr

Dringhouses & Woodthorpe Ward

Fishergate Ward

Fenton
Mason
Widdowson

D'Agorne
D Taylor

Fulford and Heslington Ward

Guildhall Ward

Aspden

Craghill
Fitzpatrick

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
Norman
Pavlovic

Cullwick
Orrell
Runciman

Micklegate Ward

Osbaldwick and Derwent Ward

Baker
Crawshaw
Kilbane

Rowley
Warters

Rawcliffe and Clifton Without Ward Rural West York Ward

Smalley
Wann
Waudby

Barker
Hook

Strensall Ward

Westfield Ward

Doughty
Fisher

Daubeney
Hunter
Waller

Wheldrake Ward

Vassie

109. Declarations of Interest

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests they might have in the main item of business on the agenda (Agenda Item 3).

The following **personal** interests were declared:

Councillor	Description of Interest
D'Agorne	As a member of the Staffing Matters & Urgency Committee (SMUC) at the meeting on 17 February 2020 referred to in the Public Interest Report (PIR).
Hook	As a member of the SMUC at the meeting on 17 February 2020 referred to in the PIR.
Lomas	As she had submitted a complaint in June 2020 regarding matters referred to in the PIR.
Myers	As a member of the SMUC at the meeting on 17 February 2020 referred to in the PIR.
Pavlovic	Having had sight of information on the 17 February 2020 meeting of the SMUC that was not in the public domain, in his capacity as Chair of Audit & Governance Committee.

In declaring their interests, the above Members all confirmed that they remained open-minded in respect of the Public Interest Report.

The following **prejudicial or disclosable pecuniary** interests were declared:

Councillor	Description of Interest
Aspden	As Respondent in the Employment Tribunal claim referred to in the PIR.

Cllr Aspden stated that he had requested and been granted a dispensation by the Monitoring Officer and the Chair of Joint Standards Committee to enable him to take part in the debate and decision on Item 3.

110. Public Participation

It was reported that eleven members of the public had registered to speak under Public Participation in relation to the Public Interest Report (PIR) at Agenda Item 3.

Gwen Swinburn expressed concerns regarding the conduct of senior council officers, and urged Council to reject the officer action plan at Annex B to the report under item 3.

Emilie Knight asked Council to focus on the governance improvements suggested by the PIR rather than on its political aspects, particularly in view of the current pandemic.

Verna Campbell, a former Sheriff of York, spoke in support of Cllr Aspden, stating she had known and worked with him since 2003 and, contrary to reports in the press, he had never bullied anyone.

Philip Goldenberg, a retired solicitor and former standards committee member, expressed concerns about Mazars' interpretation of the Code of Conduct and of the payment to the former Chief Executive.

Ann Reid, a former councillor, disputed suggestions that decisions had been taken in secret and references to allegations of bullying, and said York was a well-managed authority.

Diane Geoghegan-Breen drew attention to the auditors' concerns about the payment to the former Chief Executive, and said Cllr Aspden had put his personal politics above the people of York.

David Ellis said he had been involved in politics for 40 years and expressed disappointment at the conduct of Cllr Aspden, supporting those calling for the Leader's resignation.

Alistair Graham, a former Chair of the Committee on Standards in Public Life, drew attention to the Nolan principles and the issues relevant to the discussion; namely, accountability and leadership.

Dafydd Williams, a former councillor, called on Cllr Aspden to resign on the grounds that he had breached the Nolan principles and brought the council into disrepute.

Johnny Hayes, a former councillor, criticised the officer response to the PIR as inadequate, and said he hoped there would be cross-party support for positive change.

Robert Gordon said the mistakes set out in the PIR had been blown out of proportion and urged Council to vote to implement the action plan at Annex B.

111. Public Interest Report - Early Termination of the Chief Executive's Employment Contract

Council received a report of the Chief Operating Officer (COO) that responded formally to the Public Interest Report (PIR) recently issued by the Council's external auditor, Mazars.

Members were invited firstly to ask questions of the representatives of Mazars in attendance at the meeting in relation to the factual content of the PIR.

On conclusion of the question and answer session, the Lord Mayor moved, and Cllr Ayre seconded, the following recommendations contained in paragraph 4 of the report of the COO:

“Members are asked to:

- i. Accept the recommendations of the Public Interest Report presented by the external auditor.
- ii. Approve the action plan that is attached as Annex B.
- iii. Agree that the Audit and Governance Committee receive updates on implementation of the Action Plan.”

After some debate on the recommendations motion, Cllr Douglas moved, and Cllr Galvin seconded, a motion to suspend Standing Orders 10.2 and 23.1 to enable a motion of no confidence to be moved without notice.

A named vote was taken on this motion, the result of which was a unanimous vote in favour of the motion, with no abstentions. The motion to suspend Standing Orders was therefore declared CARRIED.

[The meeting was adjourned for a break from 7:58 pm to 8:14 pm]

Debate on the original recommendations then resumed. On conclusion of the debate, a separate named vote was taken on each of the three recommendations, with the following result:

Recommendation (i)

All Members voted in favour of this recommendation, which was therefore declared CARRIED.

Recommendation (ii)

For	Against	Abstained
Cllr Aspden	Cllr Barnes	Cllr Galvin
Cllr Ayre	Cllr Crawshaw	
Cllr Baker	Cllr Doughty	
Cllr Barker	Cllr Douglas	
Cllr Carr	Cllr Heaton	
Cllr Craghill	Cllr Kilbane	
Cllr Cullwick	Cllr Lomas	
Cllr Cuthbertson	Cllr Melly	
Cllr D'Agorne	Cllr Musson	
Cllr Daubeney	Cllr Myers	
Cllr Fenton	Cllr Norman	
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 Looker (Lord Mayor)	
Cllr Smalley		
Cllr D Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Waudby		
Cllr Wells		
Cllr Widdowson		
26	20	1

The above recommendation was therefore declared CARRIED.

Recommendation (iii)

All Members voted in favour of this recommendation, which was therefore declared CARRIED, and it was.

Resolved: That the recommendations contained in paragraph 4 of the report of the Chief Operating Officer be approved.

[The meeting was adjourned for a break from 9:14 pm to 9:23 pm]

Motion of No Confidence

Cllr Myers then moved, and Cllr Doughty seconded the following motion without notice:

“Council notes the findings of its independent external auditor’s Public Interest Report (PIR) and the significant role played by the council leader in removing the council’s former Chief Executive from their job.

Council concludes from the report’s findings that the officer’s removal was for reason other than their ability to effectively do their job - at significant avoidable cost to the local taxpayer.

Council further notes from the independent PIR assessment:

- that the Council Leader prioritised political considerations over propriety in the use of public money in making this decision;
- that the Council Leader failed to declare a prejudicial conflict of interest in chairing the meeting and taking part in the (potentially unlawful) decision to commit over £400k to ensure the officer was removed from their job;
- the Council Leader’s decision to use this sum of public money to ensure a bullying and victimisation case made against himself and the council was dropped;
- that while off work ill, evidence provided indicates ‘the council’ did not want the former Chief Executive to return to work.

The Council Leader has already once before been found in breach of the Councillor Code of Conduct.

Council believes pursuing a personal vendetta to remove a council officer for simply doing their job, and using £400k of public money

to do so, is immoral and an unacceptable waste of public money, representing a major failure to adhere to the Nolan principles for standards in public life.

Council resolves that it no longer has confidence in Councillor Keith Aspden to undertake the role of Council Leader with the integrity, professionalism and ethical standards required of someone having the honour to represent this great city at such a high level.”

After debate, a named vote was taken on the above motion, with the following result:

For	Against	Abstained
Cllr Barnes	Cllr Aspden	Cllr Carr
Cllr Crawshaw	Cllr Ayre	
Cllr Doughty	Cllr Baker	
Cllr Douglas	Cllr Barker	
Cllr Fitzpatrick	Cllr Cullwick	
Cllr Galvin	Cllr Cuthbertson	
Cllr Heaton	Cllr D'Agorne	
Cllr Kilbane	Cllr Daubeney	
Cllr Lomas	Cllr Fenton	
Cllr Melly	Cllr Fisher	
Cllr Musson	Cllr Hollyer	
Cllr Myers	Cllr Hook	
Cllr Norman	Cllr Hunter	
Cllr Pavlovic	Cllr Mason	
Cllr Perrett	Cllr Orrell	
Cllr Rowley	Cllr Pearson	
Cllr K Taylor	Cllr Runciman	
Cllr Warters	Cllr Smalley	
Cllr Webb	Cllr D Taylor	
Cllr Wells	Cllr Vassie	
Cllr Looker (Lord Mayor)	Cllr Waller	
	Cllr Wann	
	Cllr Waudby	
	Cllr Widdowson	
21	25	1

The above motion was therefore declared LOST and it was

Resolved: That the motion of no confidence not be approved.

Cllr Janet Looker
LORD MAYOR OF YORK
[The meeting started at 6.00 pm and concluded at 9.59 pm]

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City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in The Assembly Rooms, Blake Street, York on Thursday, 27 May 2021, starting at 11.00 am

Present: The outgoing Lord Mayor (Cllr Janet Looker) in the Chair for the first part of the meeting, the incoming Lord Mayor (Cllr Christopher Cullwick) in the Chair for the second part of the meeting, and the following Councillors:

Acomb Ward

Bishopthorpe Ward

Lomas

Galvin

Clifton Ward

Copmanthorpe Ward

Dringhouses & Woodthorpe Ward

Fishergate Ward

Mason

D'Agorne

Fulford and Heslington Ward

Guildhall Ward

Aspden

Looker
Craghill
Fitzpatrick

Haxby & Wigginton Ward

Heworth Ward

Hollyer

Heworth Without Ward

Holgate Ward

Douglas

Ayre

Hull Road Ward

Huntington and New Earswick Ward

Melly

Musson
Norman

Micklegate Ward

Cullwick
Orrell
Runciman

Osbaldwick and Derwent Ward

Crawshaw
Kilbane

Rawcliffe and Clifton Without Ward Rural West York Ward

Barker

Strensall Ward

Westfield Ward

Fisher

Wheldrake Ward

Waller

Apologies for absence were received from Councillors Perrett and Warters

Civic Announcement

The Lord Mayor called for a moment's silence in memory of Patrick Scott, former Director of Education and Children's Services at City of York Council, who had recently died.

1. **Declarations of Interest**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests they might have in the business on the agenda. None were declared.

2. **Appointment of Lord Mayor**

Councillor Runciman moved, Councillor Rowley seconded, and Council unanimously

Resolved: That Councillor Christopher Cullwick be elected Lord Mayor of the City of York for the ensuing municipal year.

3. **Qualification of Lord Mayor**

Councillor Christopher Cullwick signified Acceptance of the Office of the Lord Mayor of the City of York, subscribed the Declaration of such acceptance and took the Oath of Allegiance prescribed by the law in that behalf.

4. **Appointment of Sheriff**

Councillor Barker moved, Councillor Melly seconded, and Council unanimously

Resolved: That Councillor Ashley Mason be elected Sheriff of the City of York for the ensuing municipal year.

5. **Qualification of Sheriff**

Councillor Ashley Mason made and subscribed the Declaration of Acceptance of Office of Sheriff for the City of York Council and took the Oath of Allegiance prescribed by law in that behalf.

6. Appointment of Deputy Lord Mayor

Councillor Cullwick as Lord Mayor moved, Councillor Galvin seconded, and Council unanimously

Resolved: That Councillor Janet Looker be appointed Deputy Lord Mayor for the ensuing municipal year.

7. Qualification of Deputy Lord Mayor

Councillor Janet Looker made and subscribed the Declaration of Acceptance of Office of Deputy Lord Mayor of the City of York and took the Affirmation of Allegiance prescribed by law.

8. Vote of Thanks to Outgoing Lord Mayor and Consort

Councillor Kilbane moved, Councillor Galvin seconded, and Council unanimously

Resolved: That Council express its sincere thanks to the outgoing Lord Mayor and Consort for their services to the city during the past municipal year.

9. Under Sheriff

The Sheriff advised Council that Andrew Digwood had been chosen to serve as Under Sheriff during this year of office, and thanked him for undertaking this service to the City.

10. Vote of Thanks to Outgoing Sheriff and Sheriff's Consort

Councillor Musson moved, Councillor Fitzpatrick seconded, and Council unanimously

Resolved: That Council express its sincere thanks to the outgoing Sheriff and Sheriff's Consort for their services to the city during the past municipal year.

[The meeting was adjourned at 12:54 pm and re-convened at 1:17 pm]

11. Formal Business of Council - Allocation to Seats and Appointments to the Council Structure and Other Bodies for 2021/22

The Deputy Town Clerk reported her advice that, as further discussions were required with Cllr D Taylor regarding his allocated seats on Audit & Governance Committee and Economy & Place Policy and Scrutiny Committee, the decision in respect of appointments to those committees should not be taken at this meeting. She then reported the following additional amendments to the nominations:

- Customer & Corporate Services Scrutiny Management Committee: Cllr Baker to be nominated to the unallocated seat, with Cllr Wann as Substitute;
- Licensing & Regulatory Committee: Cllr Orrell to replace Cllr Mason as Chair.

With reference to the recommendations contained in paragraph 21 of the report at page 5 of the Council papers, the revised annexes published as supplementary papers, and the further amendments reported at the meeting, Councillor Aspden then moved, and Councillor D'Agorne seconded, that the recommendations be approved, save for the appointments to Audit & Governance Committee and Economy & Place Policy and Scrutiny Committee, which would be deferred to a future meeting.

A vote was taken on the above motion, with the following result:

14 Members voted **for** the motion.

8 Members voted **against** the motion.

1 Member **abstained**.

The motion was therefore declared CARRIED and it was

- Resolved: (i) That the allocation of seats be approved in accordance with the revised Annex A attached to Agenda Supplement 2.
- (ii) That the Executive appointments contained in Annex B1 to the report in the agenda papers be approved.
- (iii) That the appointments to Committees contained in the revised Annex B2 attached to Agenda Supplement 2, together with those reported at the meeting, be approved, save that the nominations to

Audit & Governance Committee and Economy & Place Policy and Scrutiny Committee be deferred to a future meeting.

(iv) That the appointments of Chairs and Vice Chairs contained in the updated Annex B3 attached to Agenda Supplement 1 be approved, with Cllr Orrell replacing Cllr Mason as Chair of Licensing & Regulatory Committee as reported at the meeting.

(v) That the appointments to other bodies contained in the updated Annex B4 attached to Agenda Supplement 1 be approved.

(vi) That the proposed allocation of motions for consideration at Ordinary Full Council meetings for the period 2021-2022, as set out in Annex C to the report in the agenda papers, be approved.

Reason: To fulfil the Council's statutory and constitutional requirements.

Cllr Christopher Cullwick
LORD MAYOR OF YORK

[The meeting started at 11.17 am and concluded at 1.30 pm]



Report to Full Council from the Leader of the Council 15 July 2021

With the 5th July 2021 marking the 73rd birthday of our NHS, the city, our key workers and York's communities are continuing to grapple with the biggest public health crisis seen in our modern history. There is much we can be proud of when looking at how our city has responded to the pandemic, but with the number of positive cases increasing once again and the lack of clarity some aspects of national guidance, the Council is once again having to focus efforts to reduce the spread of the virus.

Despite the concerning increase in infection rates, the continued positive reaction from Council staff, key workers, volunteers, residents and businesses is something that will see us through this crisis. Having already passed National Thank You day on the 4th July, I would like to take the opportunity in this report to echo that thanks to everyone in the city who continues to do what they can to keep our city safe.

Responding to COVID-19:

Since my last report to Full Council in March, we have seen a further relaxation of restrictions by reaching stage 3 in the Roadmap out of Lockdown, but still wait clarity from the Government on aspects of social distancing guidance, following the postponement of stage 4 and increased rates of positive cases across the UK.

As many colleagues will have read in the local and national media, the emergence of the Delta variant, combined with the relaxation of some national restrictions, has seen a significant increase in York's rate of positive cases. To illustrate, at the end of May, York's number of positive cases per 100,000 of the population was 26.6. A month later at the end of June, York's number of positive cases per 100,000 was 383.6.

Of course, this increase in the number of cases is concerning and that is why the Council has taken a number of actions to help reduce the spread of the virus. One of the main actions taken has been to increase the city's testing capacity, so we can identify hotspots in the city and ensure targeted testing is offered to those communities. Recently, Council officers have been visiting communities directly to offer free testing kits in an effort to halt the spread of the virus.



Despite the increase in positive cases, the rollout of the vaccination programme continues to proceed and is being received positively. As of the 27th June, 78.5% of York's population have received their first dose of the vaccine, and over half of the city's population have received both doses. To further support the rollout, a number of pop-up vaccination sites have been setup across the city, including York St. John, where those eligible for the vaccine can simply turn up to receive their vaccination on the day.

In those wards where vaccine take-up has been low, health partners have been adapting their approaches to encourage vaccination take up, including the use of pop-up sites. Following that work, we are now seeing an increase in take-up, particularly in wards where more younger people are present. We continue to monitor vaccination rates in wards with less than an 80% take up over the last 2 weeks, so we can target support to those areas.

Regardless of the progress being made in vaccinating the local population, we must continue to be vigilant and do what we can to slow the spread of the virus by being regularly tested and following guidance where it applies. It is worth noting that locally, demand for NHS services is outstripping supply, despite additional virtual and physical appointments being made available. Demand for mental health support has also significantly increased, so whilst there are many positives to take, we must recognise that this remains a challenging period for the city, particularly for those working in our health services.

It remains a difficult time for many local businesses and residents, and in response, the Council has been continuing to process financial support to affected businesses and those facing financial hardship. From May, the Council has been distributing the Additional Restriction Grant funding to local businesses, which means that the Council has now processed over £180 million in grants and rate relief during the pandemic. Our Covid Local Support Grant was also recently extended to provide free school meals over the May half term, following a £50,000 investment.

As ever, the Council will continue to what it can to support residents and businesses by adapting our services where required, providing support and information, or lobbying the Government for additional funding for York's communities. Should anyone need support, then please do



contact the Council on telephone: **01904 551550**, or email: covid19help@york.gov.uk.

Local Government Reorganisation

As many colleagues will be aware, the Government consultation to consider the two proposals to remove 2-tier local government in North Yorkshire concluded on the 19th April. The Government's 8-week consultation asked key stakeholders to express a view on the two proposals submitted, as well as provided local residents, businesses and organisations a chance to express their views on local government reorganisation in York and North Yorkshire.

Responding to the consultation, as agreed by Full Council, the Council shared evidence about the benefits of retaining City of York Council on its existing footprint, and the subsequent risks of any merger. As part of this submission, the strength of existing partnership working and the potential for a Strategic Partnership to support efficient service delivery alongside a new North Yorkshire unitary authority was also highlighted to the Government.

Throughout the consultation, we invited residents to Back York and sign a petition asking the House of Commons to listen closely to York's residents and businesses. I am pleased to say that over 3,200 people signed the petition, which was presented to the House of Commons on 15th April, and I am grateful to colleagues for their support in promoting this campaign.

Local Plan

The Council has submitted further information about the definition of the city's green belt to the Planning Inspector team currently examining the local plan. When carefully considering the boundaries previously identified in 2018, the Council has concluded that it would be appropriate to propose modifications to the boundaries originally identified. The work has concluded that the previously submitted Green Belt boundary proposals were generally sound and conformed to National Planning Policy Guidance (NPPF), with a small number of exceptions where it is considered appropriate to make revisions.



Following this work, a consultation on the proposed modifications is now underway. The consultation runs between Tuesday 25 May and Wednesday 7 July 2021 and those wishing to take part in the consultation can do so by visiting the Council's website or by requesting a consultation form by emailing: localplan@york.gov.uk.

I would like to thank the council's planning officers and government inspectors who have managed to progress this plan, despite the difficult circumstances of the last 15 months.

York Central and Great British Railways

With site clearance works underway at York Central, significant progress continues to be made on taking the project forward and ultimately, attracting new investment and high value jobs to the city.

As many will have already seen, we are working closely with partners across the city and the Government to secure a significant Government presence on the York Central site. With the recent announcement of new Cabinet Office jobs to be created and located in York, we remain positive.

More recently, together with support from colleagues in North Yorkshire County Council and York and North Yorkshire LEP, we have written to the Secretary of State for Transport, and Minister of State for Rail, to urge the Government to locate the newly established Great British Railways' and its headquarters here in York.

The rail sector continues to play a part in major part in our local economy and region, accounting for around 5,000 jobs, representing 10% of the national rail industry and two thirds of all rail jobs in the region. York is already home to Network Rail who manage the East Coast Main Line from York, as well as LNER, Northern, Grand Central, the Siemens train servicing and cleaning depot, the National Railway Museum and many varied rail consultancy businesses, contractors and specialists, from signalling and electrification experts, to civil engineers and railway operatives. There is no doubt that York would be the ideal home for the newly established GBR headquarters.

Castle Gateway



At the beginning of May, the Council shared the emerging plans for new public spaces around the Castle Gateway. The draft sketch from designers BDP shows how the area could meet resident's ambitions for the public space to replace Castle Car Park, while still meeting the current and future needs of the museum, the courts and the Coppergate Centre.

We have worked with local partners My Future York to put residents' views at the heart of the plans to transform the car park, Eye of York and the wider area. The plans that have been published are ideas in response to what residents have told us and moving forward, we want residents to continue to shape these proposals. The feedback we receive will allow us to create detailed proposals and options to be developed and shared with the public through the spring, with a planning application to be submitted in the summer.

Residents are encouraged to join the conversation on social media or through the next phase of My Castle Gateway events.

Good Business Charter

Following agreement at the last meeting of the Executive, York will become the UK's first Good Business Charter city, with City of York Council formally agreeing to become a signatory of the Good Business charter.

The Good Business Charter is an initiative of the charity Good Business Foundation, and aims to encourage businesses to adopt a holistic approach to their social, environmental and economic impacts. Organisations signing up to the Charter agree to ten key commitments, including:

1. Real Living Wage
2. Fairer Hours and Contracts
3. Employee Well-being
4. Employee representation
5. Diversity and inclusion
6. Environmental responsibility
7. Pay fair tax
8. Commitment to customers
9. Ethical sourcing



10. Fair payment to suppliers

By becoming a signatory on the Charter, the Council will work together with local partners, including the University of York, Aviva, Federation of Small Businesses, TUC, CBI and other business networks to take the work of the charter forward and promote its benefits to other organisations. By doing so, we hope that it will help York to promote responsible business practices and provide a practical framework which enables York to build back better.

I would like to thank all partners involved for their efforts in promoting the benefits Good Business Charter, and I welcome colleagues support in taking this work further in the months and years to come.

Our Big Conversation

The Council has launched the next step of the 'Our Big Conversation' consultation, with local residents, businesses and communities being asked to share their views on carbon reduction, future transport priorities and York's local economy.

Our Big Conversation is the Council's city-wide consultation on how we best tackle some of the big challenges facing the city, and that is why the responses we receive from this consultation will help shape the city for generations to come. Views shared during this iteration of Our Big Conversation will be used to inform the development of the Local Transport Plan, Economic Development Strategy and Carbon Reduction Plan, which will be published for consultation Winter 2021.

To support this work, we have been working with partners across the city to ensure a variety of voices are featured. To ensure as many residents as possible are given the opportunity to take part in this city-wide conversation, a special edition of Our City has been landing on doormats, featuring a paper survey that can be returned via a free post envelope.

Community Renewal Fund

The Council has selected 9 bids to be put forward to the £220m UK Community Renewal Fund. The fund has been set up to help support local areas pilot innovative new approaches and programmes that



support communities, local businesses, create new jobs and support people into employment.

Of course, it is disappointing that York has not been classed as one of the Government's 100 'priority places' across the UK, despite the promise of levelling up. Unfortunately, this means that it is less likely that the submitted projects will be selected by the Government to take forward, however, we feel confident that the project proposals are ambitious and offer fresh ideas, which is hoped will play to their advantage.

Special Educational Needs and Disabilities (SEND) Inclusion Review

The Council has been seeking residents' views on a series of broad proposals to ensure that the right provision is available to help all children and young people with SEND fulfil their individual potential.

With the numbers of children and young people with SEND expected to continue to increase over the next couple of years, it is essential that we take stock of what is working well, how we might want to deliver provision differently or what we need to improve. We want to ensure that we have the right range of provision in the city, which best meets the varied and complex needs of all the young people in York.

The consultation has been available online and paper copies were also provided at Explore Library and Gateway Centres. I would like to thank everyone for taking the time to share their views on this incredibly important matter, which will help us shape future provision in the city.

Armed Forces Day

I was pleased to join partners across the city and the UK to celebrate the work of our Armed Forces on Saturday 26 June.

As part of the national celebrations, the national Armed Forces Day flag was flown above the Mansion House throughout Armed Forces week. Many organisations across York also showed their support for Armed Forces personnel in a variety of different ways, including offering a variety of discounts to armed forces personnel during the week 21-27 June.



York is proud of its military history and of our armed forces personnel, veterans and reservists. Armed Forces Day gives us all an opportunity to say our thanks for all their work, including their most recent efforts in the fight against coronavirus. The Council is committed to working across the city to support its armed forces community, setting out its support through the Armed Forces Covenant.

City of York Council	Committee Minutes
Meeting	Executive
Date	24 June 2021
Present	Councillors Aspden (Chair), Ayre, Craghill (substitute for Cllr D'Agorne), Smalley, Waller and Widdowson
Apologies	Councillor D'Agorne

PART B - MATTERS REFERRED TO COUNCIL

13. Capital Programme Outturn 2020/21 and Revisions to the 2021/2- 2025/26 Programme

[See also under Part A]

The Chief Finance Officer presented a report which set out the outturn position of the council's 2020/21 capital programme and its overall funding, and provided an update on the impact of the programme on future years.

An outturn of £92.395m was reported on the approved 2020/21 budget of £119.859m; an overall variation of £27.462m. This comprised requests to re-profile a net -£37.575 of schemes to future years and adjustment to schemes increasing expenditure by £10.113m. The overall programme continued to operate within budget

Key areas of investment and outcomes were highlighted in paragraphs 2 and 3 of the report. Variances and re-profiling requests within each portfolio area were set out in Table 1 at paragraph 11 and detailed in the body of the report. The capital programme for 2021/22 to 2025/26, re-stated as a result of the re-profiling, was shown in Table 3 at paragraph 104 and detailed in Annex 1.

Recommended: That the re-stated 2021/22 to 2025/26 programme of £600.778m, as summarised in Table 3 at paragraph 104 of the report and detailed in Annex A, be approved.

Reason: To enable the effective management and monitoring of the council's capital programme.

Cllr K Aspden, Chair

[The meeting started at 5.30 pm and finished at 6.50 pm].

**Report of the Deputy Leader of the Council****15 July 2021**

A key focus for the administration continues to be supporting residents and businesses to stay safe and recover from the impact of the pandemic. Since 17 May, with the reopening of hospitality, the city has got a lot busier and officers have been working through the process of ensuring a covid safe return to the use of West Offices and other larger venues for in person council meetings. Members of the Executive and senior officers are also developing a strategy for staff to combine the benefits of home working with a part – week return to office-based working. The intention is to upgrade resources to allow for hybrid and remote working where this is most efficient in providing regular communications and the best service delivery while also ensuring effective team working and interaction with colleagues. Opportunities will be taken to provide greater flexibility than has previously been the case but ensure that staff are fully supported in delivering services even if there are continuing restrictions that affect working practices. As part of the budget process, the experience of return to the office may provide the opportunity to let out further space within West Offices to partners and move more towards satellite operations around community hubs for those who are area based customer-facing staff.

In June, we re-launched the ‘Big Conversation’ Consultation with both online and paper-based options inviting residents through a special edition of ‘Our City’ to contribute to the Economic Strategy, Climate Change and the Local Transport Plan. These three core strategies are very interdependent and this first phase, alongside the My City Centre consultation, will start to shape these crucial strategies for the recovery and the coming decade leading us towards delivering our ambitious target of Zero carbon by 2030. Work on developing the updated Local Transport Plan is under way, with the new LTP Working Group meeting later this month and the All Party Transport Group, open to all councillors for cross-party conversations, having met 3 times. I would very much like to thank York Civic Trust for the work in establishing and hosting discussions of the Citizens Transport Forum which will feed into the process along with the officer reports and the outcomes of the consultation.



Recent Transport Decision Sessions have been well attended, with the maximum 10 public participants speaking on the various reports. This has included the approval for new Residents Parking zones in South Bank and the area to the north of University of York and despite the level of working from home and the reduced level of on-site academic activity there appears to be no let up in the level of demand for new zones to be designated. Approval was given for the development of an Enhanced Bus Partnership to support the recovery of public transport. The July decision session will include consideration of over 80 locations where there have been requests for parking or other traffic regulation orders, Proposed improvements to Tadcaster Road and the approval of a renewed York and N Yorkshire Road Safety Partnership to try to work towards Zero road casualties in our area. By the time of the meeting I hope to be able to report progress towards implementing the Active Travel Fund Cycle schemes, now that we have recruited additional staff to lead on these programmes. The phased expansion of TIER e-scooter hire and now e-bike hire is continuing and growing in popularity in the warmer weather, with the extension until Mar 2022 in line with the DfT national arrangements. After having their first UK operation in York TIER have now secured the right to operate in London as well. Regular liaison with the operator has ensured that that irresponsible riding is managed and safety has a very high profile. Electric bus operation is proving to make the park and ride service an attractive offer and work is continuing in earnest installing the Hyper Hub charging facilities in council car parks to support the growing number of electric cars.

Whilst we face significant challenges with the additional costs and reduced income resulting from Covid, we are committed to engaging residents at an earlier stage this year to help shape the budget process. An early start is being made by portfolio holders looking at all areas of possible efficiencies, service improvements and areas where we can do things differently to provide the best possible outcome for our residents.

Cllr Andy D'Agorne

Deputy Leader, and Executive Member for Transport

**Report to Council from the Executive Member
for Environment & Climate Change 15 July 2021**

Following on from my last report, we continue to live in interesting times; flooding, a pandemic, more flooding, changing lockdown measures, as well as major investments across the city, including York Central, the Station frontage and more social housing, along with a full consultation on recycling and the creation of York's Climate Commission.

The newly created and appointed Head of Carbon is now finalising his team, which are all due to start before the end of summer. A new Head of Waste and Public Realm is also in place, his team is being recruited to deliver the neighbourhood model, which will ensure our residents continue to be involved and we deliver their services.

Building on the successes of the first 12 months, we can now be proud that we are delivering: 100% of the electricity used in council buildings and streets lights from renewable sources, the UK's first, and only, voluntary clean air zone, a programme to replace current <3.5T council diesel vehicles with electric, new waste vehicles, including 2 fully electric vehicles, a housing retrofit strategy to deliver our carbon neutral ambition for the domestic sector, £1.5M government funding for home energy efficiency improvements, FTSE4Good review of treasury monies, 3 solar-powered EV hyper hubs, successful pilot of e-scooters and e-bikes, new pilot for last mile delivery, increased pedestrianization of the city centre and the creation of York's Climate Commission.

The planning and delivery of this significant workload is only possible due to the dedication and expertise of our Council staff and senior officers. I would like to thank all of these teams, and the front line staff, for their hard work over the past 2 years and their continued energy in making a difference for our City.

In this report I will focus on the breadth and depth of change that has been achieved, in particular the new community woodland, increased delivery and funding from the Environment Agency to alleviate flooding, improvement of waste services and resident engagement, climate change strategy and the work of York's Climate commission.

New Community Woodland

This administration joined the White Rose Forest Partnership, which provides access to forestry expertise and funding. Council officers have consulted with residents across the city, successfully accessed Government funding and will have a final design to be reviewed in August 2021. The £3m project is set to receive approximately £1m of Government funding, meaning that, beyond the original land purchase, the woodland will be created at no cost to the Council. This will enable some of the allocated budget to be refocused on other specific environmental projects.

The new community woodland site has been visited by the Forestry Commission, the Northern Forest and the White Rose Forest and is being hailed as an exemplar for city woodland creation in England. Local schools have created a wildflower meadow on 5 acres, and the planting of 50,000 trees begins in earnest in November. This woodland will be the second largest stray in York, safeguarding the views of the city and creating leisure facilities for residents, whilst also increasing biodiversity and improving carbon sequestration.

Alongside the new woodland, the administration has also committed to increase tree canopy cover from 11% to 13% by 2050 and we will need our residents support to achieve this ambition. There are 90,000 homes and more than 210,000 residents across the City. We will be supporting and encouraging everyone to plant a tree and get us closer to our ambition.

Furthermore, the Council, with significant support from the Climate Change Scrutiny Committee, have adopted a pollinator strategy. This is feeding into our work practices, which are evolving and being updated to ensure we support our pollinators and York's biodiversity.

Flooding

We are working closely with the Environment Agency to support the delivery of flood alleviation schemes across the city, utilising the £100m Government funding. The Council has also identified funding to deliver £4m flood protection for Germany Beck and the Fordlands Road community. In all, this work will protect more than 2,000 homes and businesses.

On a separate strand of work, we have secured initial funding of £6m from Defra to begin work on innovative flood alleviation

schemes upstream of York and across the region. This will enable communities upstream to derive benefits from flood works as York is further protected from flooding. Once the concept is proven, the project will be awarded a further £45m to deliver the action plans, all of which will further enhance our innovative work in flood mitigation and management.

Waste services

The pandemic and Brexit have had major impacts on the waste service teams at the Council. Firstly, in terms of practical delivery of the service, with social distancing and self-isolation. Secondly, due to more than 100,000 HGV driver vacancies in the UK. The waste team continue to work very professionally, in difficult conditions and over long hours. I, as well as residents, am extremely grateful for their ongoing efforts.

The city centre has seen a resounding upturn as covid restrictions have eased and the number of visitors, both residents and tourists, has increased. The café culture has enabled more people to enjoy their leisure time, which has been supported by the work of our teams. As the numbers of visitors have increased, so has the amount of work required from the city centre team. Therefore, we have invested further in front-line services, enabling commercial collections of our bagged waste on a Sunday as well as increasing working hours to support the night time economy.

The waste team has also delivered a comprehensive review and consultation of recycling, receiving over 7,200 residents responses. We will be buying new low-emission diesel vehicles to replace an aging, unreliable recycling fleet, realigning rounds to further improve efficiency and extending the garden waste collection by a month (these collections will now run from March to the end of November). However, having listened to residents, we will not be introducing 3-weekly collections for recycling and we await clarity on central Government plans before we invest further in changes in this service.

Finally, the team are working on moving 6,200 homes from black bin bags to wheeled bin collections. Wheeled bins ensure that residents, and crews, reduce their risk of H&S incidents, reduce the risk of bags splitting and household waste attracting vermin, making the environment much more pleasant. We are also looking at extending garden waste collections into these areas with the aim for the changes to start in March 2022.

Climate change strategy and engagement

The York Climate Change Strategy will be a shared strategy encouraging collaboration and collective action to deliver our shared vision. The draft strategy will be available in August and is built on the research delivered by Prof Andy Gouldson of the University of Leeds, detailing York's carbon footprint and suggesting steps which will support rapid carbon emission reduction.

The Head of Carbon Reduction has launched a city-wide engagement to gather opinions, ideas and feedback to inform the strategy. It will ensure key audiences understand each other's perspectives and explore responses within the context of economic development and transport. The first step of this engagement is Our Big Conversation, which launched on 18 June in Our City, across social media and local press and radio. The feedback from research, experts and the survey will inform the climate change strategy, which is expected to be published in December.

Further to this extensive engagement, the communication strategy regarding the climate action we are taking is being improved. A new section of the Council website has been created, dedicated to climate change www.york.gov.uk/climatechange. The new section brings together carbon reduction, climate hazards, biodiversity and behaviour change to provide residents with the latest information on what the Council is doing to tackle the climate emergency.

A new monthly Climate Change e-newsletter was launched in June 2021. The newsletter, which already has over 200 subscribers, is another tool for informing and influencing residents. It includes updates on council projects, wider initiatives across the city and advice for reducing carbon emissions.

Climate Commission

York Climate Commission was launched in December 2020. It is an influential body, independent of the Council, with Council executives and officers playing a supporting role. The Commission has the task of prompting businesses and residents to act to jointly address the climate emergency. The members of the Commission feature representatives from industry, academia, health and SMEs,

with the 3 largest single source emitters of CO2 also represented on this board.

Over the past 8 months the Commission has analysed the report from the University of Leeds and looked at the City's priorities and delivered a series of projects:

1. A submission has been made to the Mayoral Bloomberg Challenge for a sustainable supermarket which would combat food poverty. Although the submission was unsuccessful, Nestle and the Joseph Rowntree Foundation are working to deliver the idea.
2. A project, led by First Group, is identifying all the business EV charging points across the City with the aim of matching need to operational efficiency.
3. The Chamber of Commerce have supported a project to understand how we tackle our domestic CO2 footprint – the largest part of the City's emissions. The work has brought together all social housing providers, both Universities, several developers and the Council's planning and housing departments. The aim is to build an action plan to deliver our aim of carbon neutral by 2030.

Summary

We continue to work hard and deliver to progress towards our shared aim of carbon neutrality, harnessing the drive and experience of our residents, businesses and visitors.

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Council	15 th July 2021
Report of the Director of Governance Portfolio of the Executive Member for Finance & Performance	

Pay Policy 2021/22 Update

Summary

1. The purpose of the report is to present the council's updated Pay Policy Statement for 2021/2022.
2. This has been updated since the March report to reflect the changes to the Chief Officer Structure as agreed through Staffing Matters and Urgency in December 2020.

Background

3. Section 38 – 43 of the Localism Act 2011 introduced a requirement 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.
4. The Pay Policy Statement has been produced following the requirements of the Act and guidance issued by the Secretary of State for Communities.

Consultation

5. Approval of the Policy Statement is by full council, consultation with other management bodies is not required.

Options

6. Option one - To endorse the updated Pay Policy Statement.

7. Option two - To reject / amend the Pay Policy Statement.
Analysis

8. There is no change in the councils pay policy since the annual March report. This update merely serves to show the information relating to the new Chief Officer structure.
9. The Council is a Living Wage employer and its minimum level of pay is the rate set by the Living Wage Foundation for 'Outside London'. For 2021/22 this rate is £9.50 per hour, equivalent to an annual salary of £18,328. For the majority of staff in the Council their basic pay will be at the Living Wage rate but the Council's Living Wage supplement is in place to bridge any gap between basic pay and the Living Wage rate.
10. The pay multiple (the ratio between the highest paid base salary in the council and the median salary) is reported as part of the Pay Policy Statement. The ratio is based on the salary of the highest paid permanent role; that of the Chief Operating Officer. The median average has been used for calculating the pay multiple. The ratio remains unchanged from that reported last year at 5.39:1.
11. Salary information is already published for certain senior staff under the requirements of The Accounts and Audit (England) Regulations (2011) and the Local Authorities Transparency Code. Information can also be found in the council's website at: <http://www.york.gov.uk/council/information/opendata/salaries/>. The updated Pay Policy Statement and its Annexes will also be published in this section of the website.

Council Plan

12. The council's pay policy and production of this policy statement aligns with the core outcomes of 'an open and transparent council' and 'well paid jobs and an inclusive economy'.

Implications

(a) Financial

There are no financial implications for the report.

(b) Human Resources (HR)

There are no human resource implications for the report.

(c) Equalities (Contact – Equalities Officer)

There are no equalities implications for the report.

(d) Legal

The Pay Policy Statement meets the requirements of the Localism Act and also meets the requirements of guidance issued by the Secretary of State for Communities and Local Government to which the authority is required to have regard under Section 40 of the Act.

(e) Crime and Disorder

There are no implications for crime and disorder.

(f) Information Technology (IT)

There are no implications for IT.

(g) Property

There are no implications for property.

(h) Other

Other implications are covered in the body of the report.

Risk Management

15. There are no significant risks associated with production of the Policy.

Recommendations

16. That in order to fulfil the requirements of Sections 38 - 43 of the Localism Act 2011:

- (i) Council approves the updated Pay Policy Statement for 2019/20 relating to the pay of the Council's senior staff.

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.

Contact Details

Authors:	Chief Officer Responsible for the report:			
Judith Bennett Pay, Reward and Policy Manager Tel No. 01904 551716	Janie Berry, Director of Governance Tel no. 01904 555385			
	Report Approved	√	Date	7/7/
Specialist Implications Officer(s)				

Wards Affected: None	All	

For further information please contact the author of the report

Background Papers:

None

Annexes:

Pay Policy Statement and its Annexes:

Pay Policy Statement

Annex A - Chief Officer Pay Policy

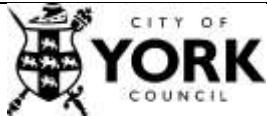
Annex B - Chief Officer Remuneration Details

Annex C - Number of other (non- senior) employees with remuneration over £50,000

Annex D - Public Health Remuneration Details and Policies

Annex E - Publication Requirements

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City of York Council – Pay Policy Statement for the period 1 April 2021 to 31 March 2022. Updated 1st July 2021

Introduction

Under Sections 38 – 43 of the Localism Act 2011 the council is required to produce a Policy Statement that covers a number of matters concerning the pay of the council's senior staff.

This Policy Statement meets the requirements of the Localism Act in this regard and also meets the requirements of guidance issued by the Secretary of State for Communities & Local Government to which the council is required to have regard under Section 40 of the Act.

This Policy Statement also relates to the data on pay and rewards for staff which the council publishes under the Local Authorities (Data Transparency) Code 2015 and the data which is published under The Accounts and Audit (England) Regulations (2011).

It should be noted that the requirements to publish data under the Secretary of State Guidance, the Code of Practice and the Regulations do differ and the respective requirements are summarised in Annex E to this Policy Statement.

This Policy Statement does not cover or include school staff and is not required to do so.

Publication of this Policy Statement

This Policy Statement was considered and approved by full Council at its meeting on 22nd March 2021 and was updated and approved by full council on 15th July 2021. The council has taken the following action to ensure that this Policy Statement is easily accessible to the public:

- it is publicised on the council website in a readily accessible place
 - Senior Salary information, under Governance and Transparency.
- it can also easily be found under global web searches.

Definition of officers covered by the Policy Statement

This Policy Statement covers the following posts:

1. Statutory Chief Officers (as at the date of this report 1 July 2021):

Statutory Officer Role	City Of York Council Post
Head of Paid Service & Returning Officer	Chief Operating Officer
Monitoring Officer	Director of Governance
Director of Children's Services Director of Adult Social Services	Corporate Director People
Chief Finance Officer (S151)	Chief Finance Officer
Director of Public Health	Director of Public Health

2. Non-statutory Chief Officers currently (at 1st July) are the posts of:

- Corporate Director Economy and Place
- Director Customer & Communities
- Director Safeguarding
- Director Commissioning & Prevention
- Director Economy, Regeneration & Housing
- Director Environment, Transport & Planning
- Assistant Director Adults and Social Care
- Assistant Director (Consultant) in Public Health
- Assistant Director Children's Specialist Services
- Assistant Director Education and Skills
- Assistant Director Communities and Equalities

Policy on remunerating Chief Officers

The policy for remunerating Chief Officers can be seen in Annex A .

In October 2020 a change was made to the senior structure which replaced the Chief Executive post with the new role of Chief Operating Officer.

The salary scale for this role was agreed as follows:

1	£141,765
2	£145,855
3	£147,899
4	£149,944

Progression through the salary scale is dependent upon performance and approval by the Leader of the Council. Any annual increase to the Chief Operating Officer salary scale is in accordance with awards negotiated nationally by the respective National Joint Council.

Further details on the council's remuneration of Chief Officers and the Chief Operating Officer are set out in the schedule that is attached to this policy statement at Annex B.

Policy on remunerating the lowest paid in the workforce

The council applies terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of council decisions, these are then incorporated into contracts of employment.

The council is a Living Wage accredited employer which means its lowest pay point complies with the outside London Living Wage rate. From 1st April 2021 this rate of pay will be £9.50 per hour (£18,328 per annum). The Living Wage rate is either within basic salary or a consolidation of basic salary and a Living Wage supplement if required.

Increases to the council's salary scales are in line with annual salary awards negotiated nationally by the respective National Joint Councils.

Apprenticeship Pay

The council's pay rates for apprentices are:

- Year 1 (the first 12 months of their training) – the equivalent of the National Minimum Wage for 18 to 20 year olds.
- Year 2 and beyond (from 12 months in training) – the equivalent of the National Minimum Wage for 21 year olds.
- Apprentices aged 23 and above in their second year (or subsequent) of their apprenticeship are paid the National Living Wage.

Rates increase annually in April following any changes made to the National Minimum Wage rates.

Policy on the relationship between Chief Officer remuneration and that of other staff

The highest salary in this council is £145,855 which is paid to the Chief Operating Officer. The median salary in this council is £27,067. The ratio between the two salaries, the 'pay multiple' is 5.39:1. This council does not have a policy on maintaining or reaching a specific 'pay multiple', however the council is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the council as expressed in this Policy Statement.

The council's approach to the payment of other staff is based on locally or nationally negotiated terms and conditions of employment and to ensure that it meets any contractual requirements for staff including the application of these agreements, or council decisions regarding pay.

In addition to the separate arrangements for the Chief Operating Officer and Chief Officers, the council has staff employed under terms and conditions set for the following groups:

- Local Government Services Employees
- Soulbury Employees
- Educational Psychologists
- Workshop for the Blind

The council also employs staff who have separate terms and conditions subject to the Transfer of Undertaking and Protection of Employment (TUPE) Regulations.

Employees with remuneration over £50,000.

The council has 69 other employees with remuneration over £50,000. These employees are covered by the national pay arrangements for Educational Psychologists, Soulbury Officer and Local Government Service Employees. Details of the numbers within salary bands can be seen in Annex C.

Amendments to the policy

Amendments are to be made during the year and will be presented to full Council.

Public Health

Responsibilities for Public Health functions transferred to the council, together with staff on 1st April 2013. The staff transferred under TUPE principles and their Terms and Conditions of Employment are set out in the NHS Terms and Conditions – Consultants (England 2003)'.

The Public Health posts in this council are:

NHS Clinical Advisor

Details of Public Health remuneration details and policies can be found in Annex D.

Policy for future years

This Policy Statement will be reviewed each year and presented to full Council for consideration.

Annexes:

- Annex A - Chief Officer Pay Policy
- Annex B - Chief Officer Remuneration Details
- Annex C - Number of Employees with remuneration over £50,000
- Annex D - Public Health Remuneration Details and Policies
- Annex E - Publication Requirements

Chief Officer Pay Policy

1.0 Scope

- 1.1 This policy applies to employees covered by the Joint Negotiating Committee for Local Authority Chief Officers. In City of York Council this is Assistant Directors, Directors and Corporate Directors. Separate arrangements exist for the Chief Operating Officer.

2.0 Role of the Unions in Chief Officer Terms and Conditions/Pay and Grading

- 2.1 At national level Unison and GMB are recognised for negotiation purposes on Chief Officer terms and conditions. Terms and conditions are set out in the Joint Negotiating Committee for Local Authority Chief Officers Conditions of Service Handbook.
- 2.2 Collective bargaining arrangements for the Chief Officer group at City of York Council are set out in the Trade Union Engagement Framework, (Recognition at City of York Council). The Framework can be viewed here: <http://colin.york.gov.uk/besupported/hr/trade-union-engagement/>

3.0 Policy on remunerating Chief Officers (from Pay Policy)

- 3.1 It is the policy of this council to establish a remuneration package for each Chief Officer post based on evaluation of the role to determine its size and consequently its position in the Chief Officer grading structure. The salaries attached to the structure originate from the historic national framework for Chief Officers.
- 3.2 Increases to the salary scales are based on nationally negotiated settlements by the Joint Negotiating Committee for Chief Officers of Local Government, and progression through a salary scale is incremental and based on performance.

4.0 Salary on Appointment of Chief Officers

- 4.1 The appointments sub-committee; subject to the Chief Officer Pay Policy and job evaluated range for the post determines the salary level and package offered to the successful candidate.
- 4.2 Chief Officer pay packages over £100k in value are subject to approval by the Council's Staffing Matters & Urgency Committee.

5.0 Termination payments of Chief Officers including redundancy and pension discretion

- 5.1 The council applies its normal redundancy payments arrangements to senior officers and does not have separate provisions for senior officers. The council also applies the appropriate Pensions regulations when they apply. The council

has agreed policies in place on how it will apply any discretionary powers it has under Pensions regulations. Any costs that are incurred by the council regarding senior officers are published in the authority accounts as required under the Accounts and Audit (England) Regulations 2015.

- 5.2 Approval of any pension discretions is made by the Staffing Matters and Urgency Committee.
- 5.3 Chief Officer Severance packages over £100k in value are subject to approval by the Council's staffing Matters & Urgency Committee.

6.0 Job Evaluation

- 6.1 Chief Officer's roles are evaluated using Hay Job Evaluation methodology. Trained Hay analysts are employed within HR and there will always be at least 3 analysts trained at any one time.
- 6.2 Where a Chief Officer post is being amended or new posts created two Hay analysts will analyse the job description and provide a Hay score. The analysts will inform the trade unions of the outcome to ensure consistency and transparency. The Hay score will be used to establish the grade for the role within the pay structure.
- 6.3 Where an initial job evaluation exercise is carried out on more than five Chief Officer roles then the unions will observe the evaluations.
- 6.4 If it is not possible for the analysts to determine a score then this will be referred to the Head of HR (who will be Hay trained) to make the final decision, observed by trade unions.

7.0 Pay Structure

- 7.1 There are 3 levels of Chief Officer Grades within CYC. These are shown below with the corresponding Hay scores:

Corporate Director	1401 - 2000
Director	1001- 1400
Assistant Director	800 - 1000

- 7.2 Directors and above are part of the Corporate Management team responsible for delivering the Council's Objectives.
- 7.3 Below shows the structure, incremental points for each of the Chief Officer pay grades:

Chief Officer Pay rates as at 1st April 2020

Corporate Directors	4 3 2 1	£112,067 £108,473 £105,015 £101,661
Directors	4 3 2 1	£99,821 £96,445 £93,184 £90,033
Assistant Directors	4 3 2 1	£81,644 £78,698 £76,097 £73,488

8.0 Pay Awards

- 8.1 Any nationally negotiated annual pay settlement by the Joint Negotiating Committee for Chief Officers of Local Government will be applied to the salary scales. The National pay settlements are effective from 1st April of that year.

9.0 Incremental Progression

- 9.1 Incremental progression is not automatic and is based upon annual performance and achievement of objectives.
- 9.2 Incremental progression is agreed by the line manager i.e. the Chief Operating Officer, Corporate Director or Director.
- 9.3 Only one increment level can be made at a time
- 9.4 Progression through the levels will be either 1st April or 1st October each year, whichever comes first following the completion of 12 months' continuous service. This applies to both new starters and existing employees promoted to a higher Chief Officer grade.

10.0 Pension

- 10.1 Chief Officers have access to the LGPS.

11.0 Market Supplement

- 11.1 A [Market Supplement](#) Policy is in place for Chief Officers which allows, where there is objective justification and evidence for, a supplement to be paid to reflect a market premium for a specific role.

12.0 Stand By

- 12.1 A contractual standby requirement is in place for Chief Officers to participate in a Stand By rota to provide emergency cover out of hours. Payment for hours on Standby is at the agreed rate in force under the Council's standard Stand By Policy for Local Government Service Employees. The stand by rate can be viewed here:

<http://colin.york.gov.uk/besupported/hr/pay-pensions-reward/allowances/>

13.0 Call out

- 13.1 Time worked when called out from Stand By can either be claimed at normal hourly rate or taken as time off in lieu. Work is deemed to have commenced from the time of the call.

14.0 Expenses

- 14.1 Travel and other expenses are reimbursed through normal council [procedures](#).

15.0 Other allowances

- 15.1 There is no provision in the Chief Officer pay policy for:

- Bonus
- Earn Back
- Ex gratia payments
- Honoraria
- Or any other payments not specifically referenced.

16.0 Pay Protection

- 16.1 The council's standard Pay Protection Policy applies to Chief Officers. The policy can be viewed here: <http://colin.york.gov.uk/besupported/hr/supporting-transformation-managing-change/redeployment/>

Post (Job Title)	Base Salary (actual if not FTE)	Employer's Pension Contributions	Market Supplement	Stand by Payment	Election Fee	Expenses	Bonus	Benefits in Kind	Compensation for Loss of Office
Chief Operating Officer Ian Floyd	£145,855	£25,087		£213.96	The COO is the Returning Officer and receives payments for elections. For local elections fees are set locally. For national elections fees are set by the Cabinet Office.	Travel and other expenses are reimbursed through normal authority procedures.	The terms of the contract of employment do not provide for the payment of bonuses	There are no Benefits in Kind attributed to this employment	The authority's normal policies regarding redundancy and early retirement apply to the post holder.
Corporate Director of People Amanda Hatton	£112,067	£19,276		£213.96		The details above also apply to this and all jobs below.			
Corporate Director of Place Neil Ferris	£112,067	£19,276		£213.96					
Chief Finance Officer Debbie Mitchell	£76,097	£13,089		£213.96					
Director of Public Health Sharon Stoltz	£112,067	£19,276		£213.96					

Post (Job Title)	Base Salary (actual if not FTE)	Employer's Pension Contributions	Market Supplement	Stand by Payment	Election Fee	Expenses	Bonus	Benefits in Kind	Compensation for Loss of Office
Director of Governance Janie Berry	£96,445	£16,589		£213.96					
Director Customer & Communities Pauline Stuchfield	£90,033	£15,486		£213.96					
Director Economy, Regeneration & Housing Tracey Carter	£90,033	£14,043		£213.96					
Director Environment, Transport & Planning James Gilchrist	90,033	£15,486		£213.96					
Director Safeguarding Michael Melvin	90,033	£15,486		£213.96					
Director Commissioning & Prevention Vacant									

Post (Job Title)	Base Salary (actual if not FTE)	Employer's Pension Contributions	Market Supplement	Stand by Payment	Election Fee	Expenses	Bonus	Benefits in Kind	Compensation for Loss of Office
Assistant Director Communities & Culture (0.8 FTE) Charlie Croft	£81,644 (£65,315.20 actual)	£11,234		£213.96					
Assistant Director Place (Till end October 2021) Michael Slater	£81,644	£14,043		£213.96					
Assistant Director Education & Skills Maxine Squire	£81,644	£14,043		£213.96					
Assistant Director (Consultant) in Public Health (0.81 FTE) Fiona Phillips	£81,644 (£66,197.84 actual)	£11,386		£213.96					
Assistant Director Adult & Social Care	Vacant								

Post (Job Title)	Base Salary (actual if not FTE)	Employer's Pension Contributions	Market Supplement	Stand by Payment	Election Fee	Expenses	Bonus	Benefits in Kind	Compensation for Loss of Office
Assistant Director Joint Commissioning (Leaves 7 July 2021) Pippa Corner	£81,644	£14,043		£213.96					
Assistant Director Children's Specialist Services Sophie Wales	£81,644	£14,043		£213.96					

Notes:

The information provided is taken from data as at 1st July 2021 and shows the annual salary at that date. (National pay award has not been agreed at this date)

Excludes staff on public health terms and conditions

Employer pension contribution is calculated at 17.2 % of Base salary

Other Employees with Remuneration over £50,000

Salary Band	No of employees
50,000 - 54,999	15
55,000 - 59,999	39
60,000 - 64,999	2
65,000 - 69,999	4

Employees as at 1st February 2020

Post	Base Salary	Clinical Excellence Award Supplement	Supplement based on band of post and population of the post	Additional Programmed Activity	Expenses	Performance Related Pay (PRP)	Severance Arrangements
Clinical Advisor 0.3 Full time equivalent	£84,667.00 Pro rata £25,400.10	There are no payments made related to supplements	Not Applicable	Not Applicable	Travel and other expenses are reimbursed through normal authority procedures	Annual Progression through pay threshold on anniversary of appointment subject to meeting pay threshold criteria.	The NHS terms and conditions for consultants regarding redundancy and early retirement apply to the post holder.

Aspect of Public Health Remuneration	NHS Terms and Conditions – for Consultants
Clinical Excellence Award	Clinical Excellence Awards recognise and reward NHS consultants and academic GPs who perform 'over and above' the standard expected of their role. Awards are given for quality and excellence, acknowledging exceptional personal contributions.

Additional Programmed Activity	Additional payment for undertaking remunerated clinical work that falls under the definition of Private Professional Services that does not fall within their Job Plan.
Post and Population Supplement	Only payable to Director of Public Health – depending upon the band within which their posts fall and the weight of the post as assessed by their employing organisation.
Pay thresholds – Performance Related Pay PRP	The employee will progress to the next pay threshold provided they have met the pay threshold criteria, based upon length of service and performance.
Expenses	Expenses are paid in line with NHS nationally agreed rates.
Severance Arrangements	Redundancy, early retirement and retirement are managed in accordance with NHS terms and conditions of employment for consultants.

Note: the information provided is taken from data as at 1st February 2021

Publication Requirements - Pay Policy Statement – Annex E

In addition to the requirement Under Sections 38 – 43 of the Localism Act 2011 relating to the Pay Policy Statement the council has further obligations to publish information.

The Local Government Transparency Code 2015 (current code) indicates that local authorities should publish the following data concerning staff:

- The number of employees whose remuneration in that year was at least £50,000 in bands of £5,000
- Details of remuneration and job title of certain senior employees whose salary is at least £50,000. Employees whose salaries are £150,000 or more must also be identified by name. At the council these roles are Chief Officers and the Chief Operating Officer.
- A list of responsibilities and details of bonuses and ‘benefits in kind’, for all senior employees whose salary exceeds £50,000. At the council these roles are Chief Officers and the Chief Operating Officer.
- The ‘pay multiple’ – the ratio between the highest paid salary and the median average salary of the whole authority workforce
- Publish an organisation chart covering staff in the top three levels of the organisation. The following information must be included for each member of staff included in the chart: grade, job title, local authority department and team whether permanent or temporary staff, contact details, salary in £5,000 bands, salary ceiling (the maximum salary for the grade).

The Accounts and Audit (England) Regulations 2015 require that the following data is included in the authority’s accounts:

- Numbers of employees with a salary above £50k per annum (pro-rata for part-time staff) in multiples of £5k
- Job title, remuneration and employer pension contributions for senior officers. Senior officers are defined as Head of Paid Service, Statutory Chief Officers and Non-Statutory Chief Officers by reference to Section 2 of the 1989 Local Government & Housing Act.
- Names of employees paid over £150k per annum

For the above remuneration is to include:

- Salary, fees or allowances for the current and previous year
- Bonuses paid or receivable for the current and previous year
- Expenses paid in the previous year
- Compensation for loss of employment paid to or receivable, or payments made in connection with loss of employment
- Total estimated value of non-cash benefits that are emoluments of the person

For the above pension contributions to include:

- The amount driven by the authority's set employer contribution rate
- Employer costs incurred relating to any increased membership or award of additional pension

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Full Council**15 July 2021**

Report of the Monitoring Officer

Adoption of the LGA Model Code of Conduct for Elected Members 2020

Summary

1. In May 2021, The Local Government Association issued a Model Code of Conduct for Elected Members, and following consultation and review by the Joint Standards Committee, Council is requested to adopt the Model Code as drafted at Annex One of this report for immediate implementation across City of York Councillors and in turn recommend the adoption of the Model Code by Parish Councils.

Background

2. In response to the work undertaken by the Committee for Standards in Public Life relating to ethical governance, (findings published in January 2019), the Local Government Association (hereafter referred to as the “LGA”) has consulted widely and has now published its Model Code for Elected Members for adoption by all tiers of Councils.
3. During the previous municipal year, the Council’s Joint Standards Committee actively participated in the consultation process and more recently in June 2021, convened a workshop to discuss the final published version of the Model Code. As the Model Code is voluntary, Council’s do have a discretion as to whether or not to adopt the Code in its entirety or to adopt elements of the Model Code to amend or update any existing arrangements.
4. On 23rd June 2021, Joint Standards Committee held a virtual meeting, attended by the Chair of Audit & Governance Committee [the Vice Chair is an existing member of the Joint Standards Committee], and proceeded to hold a workshop with Paul Hoey and Natalie Ainscough of Hoey Ainscough Associates. Hoey Ainscough Associates have been commissioned by the Council to support delivery of the Model Code of Conduct across City of York Council and also to work with the Parish Councils in their consideration of whether or not to adopt the Model

Code should the same be implemented by City of York Council as the principal council. The workshop was convened to assist Members with seeking clarity around the following issues:

- Whether the Model Code should be adopted in its entirety;
 - Whether the Council's existing arrangements could be amended by including elements taken from the Model Code;
 - Implications of the Model Code of Conduct on Parish Councils;
 - Timeframes for both adoption of a new code;
 - Requirements for Member training; and finally
 - Would adoption of the Model Code of Conduct address or go a considerable way to, in the view of Joint Standards Committee and Audit & Governance Committee, of addressing some of the conflict issues highlighted in the Report in the Public Interest.
5. A further meeting of the Joint Standards Committee took place on 6th July 2021.
6. Following the short period of reflection from the workshop and after detailed consideration of the above issues arising from the workshop, the Joint Standards Committee has made the following recommendations:

- At para 10.2 of the Model Code, the estimated value of a gift or hospitality should be reduced from £50 to £25;
- That additional wording be added to para 10.3 as follows: "If I decline such a gift or hospitality, I will provide the details to the Monitoring Officer who will maintain an informal register."

Report in the Public Interest and associated Action Plan

7. On 4th May 2021, an Extraordinary Meeting of Council received a Report in the Public Interest and approved the supporting Action Plan prepared to address the five recommendations contained therein.
8. Recommendations 3 and 4 of the Report in the Public Interest states:
- (3) Review the design of its governance policies and procedures to manage conflicts of interest (including self-interest threats); this should include updating the Council's constitution and scheme of delegation.

- (4) Ensure all Members fully understand the requirements of the Code of Conduct in relation to declaration of interest.
 - 9. Audit & Governance Committee has been asked by Council to monitor progress against the Action Plan. In respect of the conflict of interest issue, the Chair and Vice Chair of the Audit & Governance Committee have worked closely with the Joint Standards Committee in the work to consider the Model Code of Conduct.
- ### **Member and Officer Training**
- 10. Joint Standards Committee is keen that a comprehensive programme of Member and Officer training is developed and promoted so as to ensure the Model Code is fully understood and embedded. Joint Standards Committee will work with Hoey Ainscough Associates and key Officers to develop and deliver this programme of training.
- ### **Impact on Parish Councils**
- 11. As aforementioned, adoption of the Model Code is voluntary and therefore there is no requirement on Parish Council's to adopt the same. However to offer greater clarity and consistency to both Parish Councillors and City of York Councillors, work will be undertaken with the York Association of Local Council's to proactively promote the adoption of the Model Code as adopted by City of York in its capacity as the principal council. It is however noted that should the Parish Councils wish to adopt the Model Code, the Parish Charter would need to be updated.
 - 12. By undertaking such action, the response to complaints received would be assisted as currently Parish Councils have differing local codes which makes adjudication of complaints against the Code complex and very often time consuming.
- ### **Options**
- 13. Option 1: To adopt the LGA Model Code of Conduct as recommended by the Joint Standards Committee.
 - 14. Option 2: To retain the existing Code of Conduct for Elected Members.
 - 15. Reasons: It is suggested that Option 1 is the preferred option so as to ensure greater clarity to Elected Members in respect of conflict of

interests and will address concerns expressed by the External Auditor in the Report in the Public Interest.

Implications

16. The implications are:

Financial

The cost of the work undertaken is £7,900 plus expenses. This was commissioned as part of delivery of the action plan approved by Full Council on 4th May 2021 and is being funded from within existing budgets.

Human Resources (HR)

Not applicable to this report.

Equalities

The Equality Act 2010 places specific duties on Local Authorities. Having a clear and concise Code of Conduct which clearly prohibits unlawful discrimination gives the public confidence in Members and the Council as a whole.

Legal

The Council is required to establish, publish and promote a Code of Conduct for Elected Members. The adoption of the LGA Model Code of Conduct is voluntary but adoption of the same would substantially update the existing Code of Conduct which is based on the Model Code launched in July 2012. Adoption of the LGA Model Code will support City of York Council in meeting actions required to be delivered in response to the Report in the Public Interest issued on 19th April 2021, and formally received by Council on 4th May 2021.

Crime and Disorder, Information Technology and Property

Not applicable to this report.

Recommendations

17. Full Council is requested to:

- Adopt the LGA Model Code of Conduct as recommended by the Joint Standards Committee for immediate implementation;
- The Model Code of Conduct will be incorporated into the Council's Constitution and will replace the existing Code;
- The Joint Standards Committee will, in consultation with the Monitoring Officer, develop and promote a Member and Officer Development programme to support the implementation of the Model Code;
- Support the adoption of the Model Code of Conduct as adopted by City of York Council by Parish Councils and ensure recognition of the same is included within the Parish Charter.

**Author & Chief Officer
responsible for the report:**

Janie Berry
Director of Governance &
Monitoring Officer
01904 555385

**Report
Approved**

Date 7 July 2021

Specialist Implications Officer(s):

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

- Committee for Standards in Public Life January 2019.
- City of York Council Code of Conduct for Elected Members dated 2012 contained within the Council's Constitution.
- Meeting of Joint Standards Committee dated 6th July 2021.
- Extraordinary Meeting of Full Council dated 4th May 2021
- Report in the Public Interest dated 19th April 2021.
- (Remote) Meeting of the Audit & Governance Committee dated 16th June 2021

Appendices

- Model Code of Conduct

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Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of Councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as Councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual Councillor affects the reputation of all Councillors. We want the role of Councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become Councillors.

As Councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a Councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and Councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “Councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who:

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

General principles of Councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of Councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor which may include when:

- you misuse your position as a Councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish Councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of Councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a Councillor:

1.1 I treat other Councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's Councillor-officer protocol.

2. Bullying, harassment and discrimination

As a Councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a Councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if

doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a Councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a Councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can

bring your local authority into disrepute.

You are able to hold the local authority and fellow Councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a Councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a Councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a Councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a Councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a Councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow Councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a Councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept. If I decline such a gift or hospitality, I will provide the details to the Monitoring Officer who will maintain an informal register.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner.

Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the Councillor, or a person connected with the Councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.
Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it].

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in

Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which ***directly relates*** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which ***affects*** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) ***affects*** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interestYou may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.
If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.
10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012.](#)

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the Councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the Councillor or his/her spouse or civil partner or the person with

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or is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —
 (a) under which goods or services are to be provided or works are to be executed; and
 (b) which has not been fully discharged.

Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for
Corporate tenancies	Any tenancy where (to the Councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the Councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the Councillor, or his/ her spouse or civil partner or the person with whom the Councillor is living as if they were

spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You must register as an Other Registerable Interest :

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring Councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by Councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both Councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish Councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

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Full Council**15th July 2021**

Report of the Monitoring Officer

Update on Allocation of Seats and Appointments to the Council Structure for 2021/22

Summary

1. At Annual Council on 27th May 2021 Members resolved that the allocation of seats for 2021/22 be approved with the exception of Councillor D Taylor's allocated seats on Audit and Governance Committee and Economy and Place Policy and Scrutiny Committee.

Background

2. At Annual Council which took place on 27th May 2021 Council resolved that the allocation of seats be approved, with the exception of Audit and Governance and Economy and Place Policy and Scrutiny Committee, which would be taken at a later date.
3. Councillor D Taylor has since confirmed that he does not wish to accept a seat on Audit and Governance Committee, therefore an invitation for nominations will be considered at Full Council.
4. Councillor D Taylor has also confirmed that he wishes to accept the seat on Economy and Place Policy and Scrutiny Committee.

Options

5. Options open to the Council are:
 - (i) To decide whether to make an appointment on Audit and Governance Committee.
 - (ii) To approve or not approve the allocation of the seat to Councillor D Taylor on Economy and Place Policy and Scrutiny Committee.
 - (iii) To make any other appointments which may arise from the vote relating to the seat on Audit and Governance Committee.

Implications

Financial

Not applicable to this report.

Human Resources (HR)

Not applicable to this report.

Equalities

The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civic partnership, pregnancy and maternity, race religion and belief, sex and sexual orientation.

Legal Implications

Section 15 of the Local Government and Housing Act 1989 imposes a duty on the Council to allocate seats on its ordinary and advisory committees to party groups, giving effect, “so far as is reasonably practicable”, to principles set out in the Act. These principles are:

- a) Not all the seats on the body are allocated to the same political group;
- b) That the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- c) Subject to (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees as is borne by the number of members of that group to the membership of the authority;

- d) Subject to (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

The Council is statutorily obliged to make appointments to committees, advisory committees, sub Committees and certain other prescribed bodies in accordance with these political balance rules. These rules may only be waived where no Member votes against the proposal. As with previous years, it is suggested that the rules be waived in relation to appointments to the Joint Standards Committee, in the interests of fairness, independence and equality on this Committee.

A failure to meet the above legal requirements brings with it a risk of the Council operating with no agreed political management arrangements (in the form of a decision making and scrutiny structure) should Annual Council fail to make any such arrangements.

Crime and Disorder, Information Technology and Property

Not applicable to this report.

Recommendations

6. Full Council is asked to:

- (i) To decide whether to make an appointment on Audit and Governance Committee.
- (ii) To approve or not approve the allocation of the seat to Councillor D Taylor on Economy and Place Policy and Scrutiny Committee.
- (iii) To make any other appointments which may arise from the vote relating to the seat on Audit and Governance Committee.

Reason: To fulfil the Council's statutory and constitutional requirements.

**Author & Chief Officer
responsible for the report:**
Janie Berry

Director of Governance &
Monitoring Officer
01904 555385

Report
Approved

Date 7 July 2021

Specialist Implications Officer(s):

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

- Meeting of Annual Council dated 27th May 2021.

Appendices

None

**Appointments and Changes to Membership of Committees,
Working Groups and Outside Bodies 2021-22**

West Yorkshire Combined Authority (WCYA)

To appoint Cllr Smalley to the WYCA Culture, Arts & Creative Industries Committee.

To appoint Cllr Cuthbertson to the WYCA Employment & Skills Committee, in place of Cllr Orrell.

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