

Meeting	Executive
Date	14 November 2024
Present	Councillors Douglas (Chair), Kilbane (Vice-Chair), Kent, Pavlovic, Ravilious and Webb
Officers in Attendance	Ian Floyd – Chief Operating Officer Bryn Roberts – Director of Governance Debbie Mitchell – Chief Finance Officer Sara Storey - Corporate Director of Adult Services and Integration Martin Kelly - Corporate Director of Children and Education Peter Roderick – Director of Public Health James Gilchrist - Director of Environment, Transport and Planning Niall McVicar - Head of Innovation and Children’s Champion Joe Micheli - Head of Communities Julian Ridge - Sustainable Transport Manager Michael Howard - Head of Highways and Transport
In Attendance	Councillor Ayre Carol Pugh – York Youth Network
Apologies	Councillors Lomas and Steels-Walshaw

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### **Part A Minute**

#### **48. Apologies for Absence**

It was confirmed that apologies had been received from Councillors Lomas and Steels-Walshaw.

#### **49. Declarations of Interest**

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not

already done so in advance on the Register of Interests. None were declared.

**50. Minutes**

Resolved: That the minutes of the Executive meeting held on 10 October 2024 be approved and then signed by the Chair as a correct record with the additional note that Councillor Ayre was also in attendance at the meeting.

**51. Public Participation**

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

**52. Forward Plan**

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings at the time the agenda was published.

**53. Establishing a Joint Committee between City of York Council and the Humber and North Yorkshire Integrated Care Board**

The Director of Public Health introduced the report and outlined the proposal to establishing a Joint Committee between City of York Council and the Humber and North Yorkshire Integrated Care Board. He outlined that the objective would be to create better care through bringing the commissioning of care together and work beyond organisational boundary lines.

The Executive Leader welcomed the objective to deliver better services and remove duplication of work between the Council and Health partners. She welcomed the work on the inclusion of budgetary controls to ensure the joint committee works effectively for the Council and the Integrated Care Board. Finally she also noted a desire to see how services for children and young people could be considered in the future.

Resolved:

- i. Agreed to the establishment of a Joint Committee between City of York Council and Humber and North Yorkshire Integrated Care Board, under section 71 of the Health and Care Act 2022.

Reason: This will enable the necessary governance arrangements to be established for the s75 agreement.

- ii. Delegated authority to the Chief Operating Officer, in conjunction with the Director of Governance (Monitoring Officer), to enter into s75 arrangements with Humber and North Yorkshire ICB, in relation to the formation of a joint committee and the pooling of a defined set of funds as set out in the report.

Reason: This will better enable joint decisions to be made around the funding and commissioning of health and care in York, including whole services and also individual packages of care.

#### **54. Care Experience as a Protected Characteristic**

The Corporate Director of Children and Education introduced the report noting that over 100 local authorities had adopted care experienced as a protected characteristic. It was noted that the Council had worked closely with young people on developing the proposal. It was confirmed that this change would not make care experienced legally a protected characteristic.

The Executive Member for Children, Young People and Education stated that the work to outline how the Council would treat care experience as a protected characteristic showed the positive work that had been undertaken to improve the Corporate Parenting Board and putting young people at the heart of its work. By adopting this policy, he outlined that it would assist in improving outcomes for young people and give the Council greater understanding of those with care experience.

Resolved:

- i. Agreed to treat care experience as if it were a protected characteristic.

Reason: To ensure the Council's Equality Impact Assessment and other council policies would closely align with the implementation of the Council's new Equity, Diversity & Inclusion Strategy.

## **55. York Youth Strategy**

Officers introduced the report on the new York Youth Strategy, they highlighted the aim to make York a place that young people belong.

The Executive Member for Children, Young People and Education welcomed the strategy noting the importance of the York Youth Partnership wanting to see York as a place for young people to thrive. He outlined the need for the partnership to support tackling issues faced by young people such as through the work of the holiday activity food project. He noted that the strategy would take York in the right direction.

Resolved:

- i. Agreed the 'Young People Belong in York' youth strategy.

Reason: This is to enable the implementation of the youth strategy alongside partners.

## **56. York Mental Health Hub Commissioning Arrangements: Options Paper**

The Corporate Director for Adults and Integration introduced the report and outlined the positive partnership work undertaken at York Mental Health Hub. She presented the commissioning options to the Executive.

The Executive Leader welcomed the partnership working which the hub had facilitated and welcomed the opportunity to

continue the commissioning arrangement with the funding the Council had received.

Resolved:

- i. Approved Option 3, namely the issuing of 2-year term grant agreements by CYC to the existing voluntary sector providers, without a competitive process, and to delegate authority to the Corporate Director - Adults and Integration, in consultation with the Chief Finance Officer and the Director of Governance, to take such steps as are necessary to determine the provisions of, award and enter into the resulting grant funding agreements.

Reason: This allows for a flexible interim arrangement in compliance with the Subsidy Control Act 2022, the Financial Regulations under Appendix 10a of CYC's Constitution and the Contract Procedure Rules under Appendix 11 of CYC's Constitution. This option can be delivered within the required timeframes. The two-year agreements will allow for sufficient time to develop a robust model and specification as well as to confirm future funding and resource commitments. This will allow for a review of service and future requirements under either the Procurement Act 2023 or the Provider Selection Regime in order to determine the most appropriate commissioning route to ensure the best outcomes for the residents of York and the council achieves Value for Money.

## **57. Local Transport Strategy Implementation Plan**

Officers introduced the report on the Implementation Plan for the Local Transport Strategy, covering the 2024-26 period. They outlined their confidence that the Plan would align closely with the emerging transport objectives of the Mayor of the Combined Authority and future central government policies. They confirmed that work continues the Council's Movement and Place Plan, which would provide a longer-term plan for implementing transport policy in York. Officers noted that the Implementation Plan contains stretch goals and schemes which the Council did not currently have funding for but would allow for

plans and schemes to be developed should funding opportunities become available.

The Executive Member for Transport welcomed the Implementation Plan which she said had been influenced by the Council's Big Transport Conversation. While the Council developed the Movement and Place Plan, she stated that the 2024-26 Implementation Plan would allow the Council to deliver on things such as a new parking strategy and speed reduction programme. She welcomed the Council receiving the powers to enforce Moving Traffic Offences from the Department for Transport. The Executive Member discussed the potential City Centre Sustainable Transport Corridor and confirmed that the Council would engage with residents about the proposal.

Resolved:

- i. Approved the Local Transport Strategy Implementation Plan which forms Annex A to this report.

Reason: To implement the transport schemes and initiatives which will support the Transport Strategy adopted by Executive in July 2024.

## **58. Capital Programme Update Monitor 2**

The Director of Finance introduced the report updating the Executive on the Capital Programme. She confirmed that there was a decrease of £10.384m in the monitor resulting in a revised capital programme for 2024/25 of £123.770m.

The Executive Leader welcomed the report and highlighted a range of schemes in the capital programme that the Executive were proud to be delivering. These included schemes such as the delivery of 100% affordable housing on council owned land, Delivery of the Bellfam Insulation Pods, and net zero initiatives including the net zero accelerator with the Combined Authority. She also confirmed that both the Executive and the Mayor of the Combined Authority were lobbying to ensure the completion of the Haxby station project.

Resolved:

- i. Noted the 2024/25 revised budget of £123.770m as set out in paragraph 10 and Table 1 of the report.
- ii. Noted the restated capital programme for 2024/25 – 2028/29 as set out in Annex 1.

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

## **59. Finance & Performance Monitor 2**

The Chief Finance Officer outlined that there had been an improvement in the Council's forecast overspend. She noted that cost controls remained in place to tackle the Council's forecasted overspend as the Council continued to tackle high levels of demand and complexity in areas such as care.

The Executive Deputy Leader stated that the Council had made significant progress to stabilise the Council's finances, since the 2023 local elections and thanked officers across the Council for their work. He also thanked people across the city for supporting the Council through partnerships and external funding.

The Executive Leader highlighted the Council's performance to deliver on Council Plan, including the launch of new domestic abuse strategy, the construction skills initiative, and fourth best smoking quitting rate, as well as, delivering 100% affordable housing on Council owned land.

Resolved:

- i. Noted the finance and performance information.
- ii. Noted that work will continue on identifying the savings needed to fully mitigate the forecast overspend.
- iii. Agreed the annual Garden Waste Subscription Scheme charge for 2025/26 at £49.

Reason: To ensure expenditure is kept within the approved budget.

**60. Treasury Management 2024/25 Mid-Year Review & Q2 prudential indicators**

The Executive noted the Treasury Management 2024/25 Mid-Year Review & Q2 prudential indicators.

Resolved:

- i. Noted the 2024/25 Treasury Management activity to date up to the period ending 30th September 2024.
- ii. Noted the Prudential Indicators outlined in Annex A (updated where applicable) and note the compliance with all indicators.

Reason: To ensure the continued effective operation and performance of the Council's Treasury Management function and ensure that all Council treasury activity is prudent, affordable and sustainable and complies with policies set. It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the first half of the 2024/25 financial year, the Council has operated within the Treasury and Prudential Indicators set out in the Council's Treasury Management Strategy Statement for 2024/25.

There are no policy changes to the Treasury Management Strategy Statement 2024/25 for members to agree and approve; the details in this report update the Treasury Management position and Prudential Indicators in the light of the updated economic position and budgetary changes already approved.

**61. York Christmas Market 2024 and Blue Badge Access**

The Director for Environment, Transport and Planning presented the report which Executive had asked for to provide an update on the plans for this year's Christmas Market and to give consideration as to whether blue badge access is possible this year. It was explained that the previous decisions had shaped the way this year's Christmas market was currently planned with no blue badge holder vehicular access to the



pedestrianised zone, blue badge access to the pedestrianised streets would only be possible from 7pm to 10:30 am the next day.

He confirmed a written request had been submitted earlier in the year to ask Make It York to consider how the 2025 Christmas Market could facilitate blue badge vehicular access.

The report therefore sets out the current plans for Shambles market traders to have vehicular access from 5pm to 7pm as their market finishes before the Christmas Market, this is against Counter Terrorisms advice, but MIY and the Council have sought to mitigate this impact. It was confirmed that there will be no vehicular access for Christmas Market Traders.

It was made clear that all options before the Executive carry an element of risk and officers cannot fully mitigate those risks, some options carry significantly more risk than others. However, it was explained that the decision cannot be made on risk alone, Executive were advised they must also consider the equality and human rights impacts of the options.

Officers have discussed the option of Blue Badge holder vehicular access in the same way as Shambles Market Traders with Counter Terrorism Officers and whilst their advice is no access except for emergency service vehicles, they understand the Council may want to permit some access. They have suggested any permission for vehicular access is sufficiently agile that if the risks change the permission can be removed. As such the Director requested Executive consider another recommendation para 19 roman numeral vii.

The Executive Deputy Leader outlined that the decision on access was a difficult decision but one the Council didn't wish to shy away from. He noted the access that was granted to market traders from 5pm in 2023 during the Christmas market which had operated well. He acknowledged the challenges with delivering blue badge access during the Christmas market but stated that the Council aimed to have a fully accessible city. Therefore, he outlined his support for option D within the report to allow blue badge access during the same time as Shambles Market Traders during this years Christmas Market.

The Executive Leader explained that the Executive had considered the risks and the possible mitigation in relation to

access during this year's Christmas market. The Executive Member for Transport also outlined her support for option D and not option F for this year's Christmas market which would provide access to the Goodramgate loop in the mornings due to the increased level of risk at this time compared to any other time in the year.

Resolved:

- i. Noted and approved the existing arrangements for traders of Shambles Market (year round market) to pass through the Hostile Vehicle Measures during the extended pedestrianised hours of the Christmas Market after 5pm, so that they are not held in the city unnecessarily until the 7pm lifting of the vehicle restrictions. This affects between 20 and 40 Shambles Market traders vehicles per day.
- ii. Noted the advice of Counter Terrorism Policing and the Safety Advisory Group that all vehicular access should not be permitted during the Christmas Market. Recognising that the risk is not just because of increased pedestrian traffic, but because of the specific increased terrorist risk at Christmas markets.
- iii. Noted the increased overall footfall during the Christmas Market period noting that the pattern of peak footfall is not significantly dissimilar between the Christmas Market period and the summer holidays, see Annex B.
- iv. Noted the positive impact of permitting Blue Badge holders' vehicular access to the pedestrianised area for disabled people during the Christmas Market period, noting that on average currently around 18 Blue Badge holders drive into the pedestrianised area between 10:30am to 5pm i.e. an average of 2.7 per hour.
- v. Noted the impacts of increased risk of collisions/accidents between pedestrians and vehicles linked to additional vehicles within the pedestrianised streets, (including the potential negative impacts on some groups with protected characteristics under the Equality Act 2010).
- vi. Agreed to implement Option D within the report – Permit Blue Badge vehicular access to the Goodramgate Loop excluding Church Street, after 5pm during the Christmas Market period, as happens

for the Shambles Market traders. The restrictions are lifted at 7pm when the Christmas Market closes. There would be no Blue Badge vehicular access to the Blake Street, St. Helen's Square and Lendal route. This would provide equity for Blue Badge holders, with the arrangements in place for the Shambles Market traders, but access would not be available in core footstreet hours 10:30am to 5pm. This would be contrary to the advice of Counter Terrorism Policing and the Safety Advisory Group. The figures show that whilst total footfall is significantly higher overall during the Christmas Market period than an August week, the peak hourly footfall after 5pm during the Christmas Market period is similar to peak hourly footfall during August. Parked Blue Badge holders' vehicles combined with the increased footfall may cause an issue for market traders and pedestrians to pass safely and add to a sense of overcrowding.

- vii. Noted that the report had been written in the context of the current threat level. In theory the threat level could be raised by central government/MI5 or the police aware of a local specific risk. Executive therefore recognise that should they instruct some level of blue badge holder vehicular access during the Christmas Market, but the terrorism threat is raised nationally or locally then officers have the right to withdraw permission for blue badge holder access and that of Shambles Market Traders as the basis on which the Executive instructed officers was made has changed.

Reason: Executive, being minded to permit some form of Blue Badge vehicular access during the Christmas Market period, consider whether the chosen option is reasonable and proportionate having fully considered all relevant matters. Executive has weighed-up the equalities and human rights benefits to Blue Badge holders and balanced those with the wider public interest, including the right to life, the duty to protect life, and the potential negative impact that increased pedestrians and vehicular traffic in the pedestrianised area could have on some groups with protected characteristics under the Equality Act 2010.

## **Part B Minute – Recommendations to Council**

### **58. Capital Programme Update Monitor 2**

The Director of Finance introduced the report updating the Executive on the Capital Programme. She confirmed that there was a decrease of £10.384m in the monitor resulting in a revised capital programme for 2024/25 of £123.770m.

The Executive Leader welcomed the report and highlighted a range of schemes in the capital programme that the Executive were proud to be delivering. These included schemes such as the delivery of 100% affordable housing on council owned land, Delivery of the Belfam Insulation Pods, and net zero initiatives including the net zero accelerator with the Combined Authority. She also confirmed that both the Executive and the Mayor of the Combined Authority were lobbying to ensure the completion of the Haxby station project.

Resolved:

- i. Recommended to Full Council the adjustments resulting in a decrease in the 2024/25 budget of £10.384m as detailed in the report.

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

Cllr Douglas, Chair

[The meeting started at 5.30 pm and finished at 8.04 pm].