

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held remotely on Thursday, 16 December 2021, starting at 6.30 pm.

Present: The Lord Mayor (Cllr Chris Cullwick) 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 Looker
Haxby & Wigginton Ward	Heworth Ward
Cuthbertson Hollyer Pearson	Douglas Perrett Webb
Heworth Without Ward	Holgate Ward
Ayre	Heaton K Taylor

Hull Road Ward

Musson
Norman
Pavlovic

Huntington and New Earswick
Ward

Orrell
Runciman

Micklegate Ward

Crawshaw
Kilbane

Osbaldwick and Derwent Ward

Warters

Rawcliffe and Clifton Without Ward

Smalley
Wann
Waudby

Rural West York Ward

Barker
Hook

Strensall Ward

Doughty
Fisher

Westfield Ward

Daubeney
Hunter
Waller

Wheldrake Ward

Vassie

Apologies for absence were received from Councillor Baker.

41. **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.

The following **prejudicial** and **pecuniary** interests were declared. The Members in question left the meeting during consideration of the items in which they had an interest and took no part in the debate or decisions thereon.

Councillor	Agenda Item	Description of Interest
Cullwick (Lord Mayor)	8. Motion (iii) – Houses in Multiple Occupation	Manages a small number of HMOs.
Perrett	8. Motion (i) – End Violence Against Women and Girls	Works with local charities supporting victims of domestic abuse.
Webb	8. Motion (i) – End Violence Against Women and Girls	Partner works with local charities supporting victims of domestic abuse.

42. **Minutes**

Resolved: That the minutes of Council meeting held on 21 October be approved, and signed by the Chair as a correct record.

43. **Civic Announcements**

The Lord Mayor announced the death of former Councillor Roger Farringdon on 8 November 2021, at the age of 78. He invited Members to observe a minute's silence in memory of Roger's life and his contribution to the city.

The Lord Mayor went on to announce:

- The cancellation of the Christmas Cheer event due to the pandemic; it would be replaced this year by the delivery of hampers to successful applicants over the age of 65, funded partly from the proceeds of the Barbican carol concert;

- The cancellation of Christmas Eve carols on the steps of the Mansion House, again due to the spread of the virus;
- Recent visits to York by a delegation from Lviv in Ukraine and a group from the German rail industry.

44. Public Participation

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

Ian Craven spoke on Haxby Rail Station, as a matter relevant to the City. On behalf of Haxby Town Council, he objected to proposals to locate the new station on Towthorpe Road site and suggested the decision on this be deferred to allow a detailed investigation to take place.

Ruth Pearson also spoke on Haxby Rail Station. Although a member of Haxby Town Council, she expressed her personal views in support of Towthorpe Road as the best site for the station.

Evie Duarte, the regional manager for IDAS in North Yorkshire, spoke in support of Motion (i) at Agenda Item 8 (End Violence Against Women and Girls), emphasising the need to stop victim blaming and challenge gender stereotypes.

Flick Williams also spoke on Motion (i), in relation to the council's application for White Ribbon status. She queried what this would mean in practical terms and for disabled people, given the recent decision to exclude Blue Badge Holders from the city centre.

David Harbourne spoke on Agenda Item 11 (Report of the Chair of CCSMC), with reference to the calling-in of the Executive decisions on Blue Badge access. He said that those decisions should be set aside pending a public inquiry, as required by law.

45. Petitions

It was reported that no petitions had been received under Standing Order 15.

46. Report of Executive Leader, Questions, and Executive Recommendations

A – Executive Leader's Report

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

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

Integrated Rail Plan, GBR and Haxby Station

From Cllr Douglas: Are the comments made by the public speaker regarding lack of consultation on Haxby Station true?

Response: The issue of Haxby Station has been discussed for decades and the site location has been the subject of briefings and consultation. We took the opportunity to purchase land to enable us to proceed at pace. If the programme slips we risk losing the opportunity to obtain new stations funding. The other site suggested would bring a wider raft of disbenefits, and opposition from nearby householders. There is more consultation to come with the local community and Haxby Town Council.

[supplementary: Were the speaker's comments true?]

Response: There have been numerous stages of consultation over many years, including on this site, and we have committed to further consultation around this site. If you are in favour of the new station, then support us to get it done.

From Cllr Fenton: Is the Leader concerned about the government's failure to live up to its promises to level up as part of its rail investment plans?

Response: The government's rail review was not good news for Yorkshire and the North, and the more opportunities we get to make that point the better. We have undertaken to work with all councils and leaders in Yorkshire to tell the government what we think it should do with the investment, but this in no way makes up for the benefits that many cities were told they would get from Northern Powerhouse Rail.

Christmas Holiday Activities / general

From Cllr Webb: At the last meeting, Council approved a motion supporting the right to food. Which member of the Executive has been selected as the Right to Food Champion, and why?

Response: I will need to discuss this amongst my colleagues. I'm happy to ensure that a report is brought forward on this and I will write to you.

[Supplementary: Is it because you don't care, or can't find someone who is up to the task?]

Response: No. I will make sure a report is brought forward, and you will receive a reply.

Devolution in York and North Yorkshire

From Cllr Wann: Once the Levelling Up White Paper has been published, what do you think the next steps are likely to be in the devolution process for York and North Yorkshire?

Response: All councils are trying to understand what is on offer. I want to be able to compare the deal for a mayoral combined authority against what we might get in any of the other arrangements. I hope we will get more detail when the White Paper is published, but there's no reason why we cannot have discussions with civil servants on what devolution will mean for York and North Yorkshire. Once we have that clarity, we will need a series of consultations with businesses and residents on the options, and especially if we want a combined mayoral authority. There will then be a formal procedure to follow.

The Local Plan

From Cllr K Taylor: I understand there has been a shift from permanent staff to external consultants in the period leading up to the local plan hearings. How much has been spent annually on external consultants and why has the council opted for them over the lower cost of experienced permanent staff?

Response: Cllr Ayre has already responded to Cllr Kilbane at Executive on this topic and on his confidence in the local team, and I'd be happy to provide an answer to you on the specific matter of financial spend after this meeting.

B – Executive Recommendations

Capital Programme – Monitor 2 2021/22

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendation contained in Minute 63 of the Executive meeting held on 18 November 2021:

“Recommended: That the adjustments resulting in a decrease in the 2021/22 budget of £15.142m, as detailed in the report and contained in Annex A, be approved.

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

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

For	Against	Abstained
Cllr Aspden		Cllr Warters
Cllr Ayre		
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
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 Looker		
Cllr Mason		
Cllr Melly		
Cllr Musson		
Cllr Myers		
Cllr Norman		
Cllr Orrell		
Cllr Pavlovic		
Cllr Pearson		

Cllr Rowley		
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 Cullwick (Lord Mayor)		
44	0	1

**Cllr Perrett did not participate in the vote due to technical issues.*

The recommendation was therefore declared CARRIED, and it was

Resolved: That the Chief Operating Officer be recommended to approve the above recommendation.¹

Action Required

1. Note the recommendation in respect of the Capital Monitor and take any action required once the formal decision has been made. DM

47. 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:

Active Travel Programme

From Cllr Crawshaw: Two years ago, in December 2019, Council approved a motion to remove non-essential vehicles from the city centre. What have you done about that and where are you up to?

Response: Immediately after that, floods affected the city centre and lockdown followed soon after, which had a significant effect on the council's capacity. We quickly moved to a situation where we were responding to the needs of a city coming out of lockdown, and highways officers were involved in that. Several decisions were made in the interim in response to the Active Travel fund, including improvements for pedestrians and cyclists. The main means for delivering change will be through the development of a new Local Transport Plan, scheduled for the near future, alongside carbon reduction and the economic strategy.

[supplementary from Cllr Lomas: Are you saying you've only succeeded in removing essential vehicles from the city centre?]

Response: You have made your mind up, so I'll leave you to draw your own conclusions.

From Cllr Mason: Can you give an update on the consultation you've been doing with Members as the Active Travel schemes in wards progress?

Response: The scheme programme can now move forward, with project officers in post. I have asked for ward members to be briefed from the outset to help design leads take account of local sensitivities and I hope to see schemes progressing quickly in the coming year.

Local Transport Plan

From Cllr Douglas: The draft LTP has been due since May 2021 and there is no written report scheduled for next week's Scrutiny meeting. Where is it up to?

Response: We've been having regular cross-party briefings on the progress of the LTP4. As part of government's decarbonisation strategy coming forward in February, there will be a requirement for local authorities to have an LTP and this may need to be a statutory document with an evidence base to access Local transport funding. As I said in my report, the LTP will work alongside the Carbon Reduction and Economic Recovery strategies.

Bootham Park

From Cllr Hollyer: Can you provide an update on work to improve the cycling infrastructure at the former Bootham Park Hospital site?

Response: Decisions were made by Executive [on 9 December] ensuring continued public access to the site. In the short term,

while work is taking place, there will be a safe means of access for cyclists through the gates, which will be linked to a new segregated cycle route. Once the work is complete, there will be a full cycle route from the hospital to the Railway Station, via Scarborough Bridge.

48. Motions on Notice

[At 19:54 the meeting was adjourned and the order of business was varied to bring forward Motion (iii). The meeting resumed at 20:06 with the Deputy Lord Mayor, Cllr Looker, in the Chair.]

(i) Houses in Multiple Occupation

Cllr Warters sought consent to alter his motion to incorporate the amendment submitted by Cllr Pavlovic.

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

“Council notes that following the introduction of the new use class of C4 ‘Houses in Multiple Occupation’ in April 2010 and a requirement for planning permission to be sought for a change from a C3 (single household dwelling house) and the subsequent change by the incoming Conservative/Lib Dem coalition government to make this change of use ‘permitted development’ City of York Council introduced an Article 4 Direction to exert a tighter control on such HMO formation and require planning permission to be sought for C3 to C4 conversion.

Council further notes that single working people and students are often unable to afford the costly alternatives to HMO accommodation, while there is insufficient on-campus accommodation to meet student demand.

The Article 4 Direction was introduced in York in April 2012 and the main tool for controlling the distribution of HMOs were the threshold limits of 20% C4 HMOs at a ‘Neighbourhood Level’ and 10% at a ‘Street Level’.

Council believes that in the light of the large number of off campus purpose built student accommodation flats approved and built in recent years, the large number recently approved awaiting construction and ongoing applications for such developments that the time has come to revisit the ‘Controlling the Concentration of Houses in Multiple Occupation’ Supplementary Planning

Document 2012 (revised 2014) with a view to reducing the acceptable threshold levels of HMOs in residential streets.

Council understands from ongoing planning applications that the pressure on family homes in residential areas near the two Universities for conversion to C4 HMOs is not abating as could be reasonably thought after all the purpose built Student accommodation approvals and completions.

Council resolves therefore in the interests of protecting residential family homes for family use to request Executive:

- initiates without delay a review of the HMO Supplementary Planning Document with a view to halving the acceptable percentage thresholds of HMOs across the Article 4 Direction area, whilst taking into account alternative housing provision available, and being mindful of the need to provide suitable accommodation for vulnerable residents;
- In the interests of transparency, commits council officers to updating concentrations of HMOs across the Article 4 Direction area annually, at residential and street levels, by providing up to date data on both the council website and the York Open Data website.”

Cllr Craghill then moved, and Cllr Fenton seconded, an amendment to the above motion, as follows:

“In the fourth paragraph:

- delete *‘the time has come to revisit’*
- delete all after *‘Supplementary Planning Document 2012 (revised 2014)’* and insert: *‘should be kept under review’*.

In the sixth paragraph:

After *‘Council resolves’*:

- delete *‘therefore in the interests of protecting residential family homes for family use’*;
- in the first bullet point, after *‘HMO Supplementary Planning Document’* insert: *‘to be carried out by Housing Scrutiny, working together with planning officers and other relevant scrutiny committees,’* and delete everything from *‘with a view to’* up to *‘whilst’*.

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

For	Against	Abstained
Cllr Aspden	Cllr Barnes	
Cllr Ayre	Cllr Carr	
Cllr Barker	Cllr Crawshaw	
Cllr Craghill	Cllr Doughty	
Cllr Cuthbertson	Cllr Douglas	
Cllr D'Agorne	Cllr Fitzpatrick	
Cllr Daubeney	Cllr Galvin	
Cllr Fenton	Cllr Heaton	
Cllr Fisher	Cllr Kilbane	
Cllr Hollyer	Cllr Lomas	
Cllr Hook	Cllr Melly	
Cllr Hunter	Cllr Musson	
Cllr Mason	Cllr Myers	
Cllr Orrell	Cllr Norman	
Cllr Pearson	Cllr Pavlovic	
Cllr Runciman	Cllr Perrett	
Cllr Smalley	Cllr Rowley	
Cllr Vassie	Cllr D Taylor	
Cllr Waller	Cllr K Taylor	
Cllr Wann	Cllr Warters	
Cllr Waudby	Cllr Webb	
Cllr Widdowson	Cllr Wells	
	Cllr Looker (Deputy Lord Mayor)	
22	23	0

The amendment was therefore declared LOST.

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

For	Against	Abstained
Cllr Aspden		
Cllr Ayre		
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
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 Wann		
Cllr Warters		
Cllr Waudby		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Looker (Deputy Lord Mayor)		
45	0	0

** The Lord Mayor did not participate in either vote, having declared an interest in this motion.*

The motion was therefore declared CARRIED unanimously, and it was

Resolved: That the Chief Operating Officer be recommended to approve the above motion.¹

[Between 21:04 and 21:21 the meeting was adjourned for a break, after which the Lord Mayor resumed the Chair.]

(ii) End Violence Against Women and Girls

Cllr Runciman sought consent to alter her motion to incorporate the amendment submitted by Cllr Douglas.

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

“This Council notes:

- Its commitment to making York a safe place for everyone.
- Work carried out by IDAS (Independent Domestic Abuse Services) and regional organisations and charities supporting women who have experienced abuse or harassment.
- That across the UK harassment and violence towards women and girls is endemic.
- When combining the data from the region's four police forces, it shows an average of 10 women are sexually assaulted every day in Yorkshire.
- Over the last 24 months in York there have been 878 sexual offences and 2,278 stalking and harassment offences reported. 3,117 domestic abuse crimes were reported in York between January 2019 and June 2021 (according to North Yorkshire Police data). Due to underreporting the real extent of the committed offences is likely to be much higher.
- Domestic abuse support referrals in York and North Yorkshire have risen significantly – with the number of requests for help increasing by 80 per cent. Number of victims seeking help from community-based support services rising by about 4,000 people since 2019.
- That the council itself needs to catch up with how its own services treat residents on the issue of coercive control.
- Studies have shown that the intersectional nature of discrimination means that women with additional protected characteristics, such as those who are from Black, Asian or Ethnic Minority communities, disabled or LGBT+, are even

more likely to experience discrimination, harassment, and abuse.

Council welcomes:

- The introduction of the Domestic Abuse Act 2021 and the new statutory responsibilities for local authorities under the Act, however recognises that it does not provide equal protection for migrant women and fails to allocate comprehensive funding to local authorities and organisations.
- The establishment of a multi-agency Domestic Abuse Local Partnership Board to provide strategic leadership and co-ordination of the domestic abuse work across York.

Council believes:

- Victim-blaming narratives and misogyny must be challenged at all levels of society wherever encountered.
- That we must do all we can as a Council and representatives in our communities to champion the rights of women and girls and to tackle violence against them. Raising awareness plays a huge part in changing the cultural and social norms which are recognised as being highly influential in shaping individual behaviour, including the use of violence.

Consequently, Council resolves to:

- 1) Endorse the Council's application to become a White Ribbon Accredited local authority.
- 2) Encourage all Councillors to take the White Ribbon pledge, never to take part in, condone or stay silent about violence against women.
- 3) Updates its own housing services policies as a matter of urgency to ensure that coercive control is taken into account in the same way that domestic violence is, when considering property moves for vulnerable tenants.
- 4) Arrange awareness training around violence against women and girls and misogyny.
- 5) Support the summit regarding violence against women and girls with key city and regional representatives set to be held early next year and support the implementation of the forthcoming North Yorkshire Police strategy to help make York a safer place for women and girls.
- 6) Encourage schools, academies and colleges to develop and implement policies on tackling physical, mental or emotional

harassment of female pupils or staff, separate to their bullying policy.

- 7) Support and work to expand such campaigns as the 'Ask for Angela', 'Ask for Clive' and the Our Streets Now.
- 8) Write to the new Police, Crime and Fire Commissioner to ask them to report on performance on tackling violence against women and the progress of implementing a region-wide strategy to support this work."

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

For	Against	Abstained
Cllr Aspden		
Cllr Ayre		
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
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 Looker		
Cllr Mason		
Cllr Melly		
Cllr Musson		
Cllr Myers		
Cllr Norman		
Cllr Orrell		
Cllr Pavlovic		

Cllr Pearson		
Cllr Rowley		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr K Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Warters		
Cllr Waudby		
Cllr Wells		
Cllr Widdowson		
Cllr Cullwick (Lord Mayor)		
44	0	0

** Cllrs Perrett and Webb did not participate in the vote, having declared an interest in the motion.*

The motion was therefore declared CARRIED unanimously, and it was

Resolved: That the Chief Operating Officer be recommended to approve the above motion. ²

(iii) Caring and Dignity for York's Elderly Residents

Moved by Cllr Looker and seconded by Cllr Douglas.

“Council notes the passage through Parliament of the Government’s £86,000 lifetime care cap policy, incorporating a new and punitive condition that will hit those York residents in receipt of council support with their care costs hard.

Council notes the Government’s requirement that those individuals will be expected to personally fund £86,000 of care costs – the same amount as those with millions in the bank – contrary to the recommendations of the national Dilnot Commission on Social Care.

It further notes that the care cap excludes the cost of food and accommodation in care homes, which could cost residents up to an additional £10,400 a year.

Council also notes:

- The debacle of the council's transfer of Haxby Hall Care Home to Yorkare, resulting in low paid York workers caring for our elderly residents being targeted with fire and rehire within six months of the transfer;
- The huge expense to both the council and to affected York residents required to fund care home places in York.

Council believes the financing of the care system is broken, and will remain so in 2023 when the care cap comes into effect, leaving too many, mostly elderly, York residents without the dignity they deserve in the latter stages of their lives.

It further believes that the Government's decision to target the least well off, combined with the living costs of being in a care home in York, will result in a significant number of York residents being forced to sell their homes to fund their personal care.

Council resolves to:

- state its written opposition to Government on the exclusion of financial support for York's least well off residents in calculating when the care cap threshold is reached;
- write to both York MPs, highlighting the number of York residents currently in receipt of support with care costs in their respective constituencies, as an indication of how many are likely to be hard hit by the new policy from 2023;
- request that Executive:
 - commissions a study to investigate more cost-effective market structures for care places in York;
 - carries out a full review of its Haxby Hall transfer decision, both to learn lessons and to determine what support it can provide Yorkare to enable it to honour its legal obligations around staff transfers;

in order to provide a secure, safe and stable local care market, that York residents can better afford."

Cllr Runciman then moved, and Cllr Daubeney seconded, an amendment to the above motion, as follows:

"In the fourth paragraph, (under 'Council also notes'), in the 1st bullet point:

- delete *'The debacle of'*
- delete all after 'Yorkare', and insert: *'to support people to live independently and secure the future and renovation of Haxby Hall, after which, due to ongoing Covid pressures, the provider began a consultation with staff'.*"

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

For	Against	Abstained
Cllr Aspden	Cllr Barnes	Cllr Galvin
Cllr Ayre	Cllr Crawshaw	Cllr D Taylor
Cllr Barker	Cllr Doughty	
Cllr Craghill	Cllr Douglas	
Cllr Cuthbertson	Cllr Fitzpatrick	
Cllr D'Agorne	Cllr Heaton	
Cllr Daubeney	Cllr Kilbane	
Cllr Fenton	Cllr Lomas	
Cllr Fisher	Cllr Looker	
Cllr Hollyer	Cllr Melly	
Cllr Hook	Cllr Musson	
Cllr Hunter	Cllr Myers	
Cllr Mason	Cllr Norman	
Cllr Orrell	Cllr Pavlovic	
Cllr Pearson	Cllr Perrett	
Cllr Runciman	Cllr Rowley	
Cllr Smalley	Cllr K Taylor	
Cllr Vassie	Cllr Warters	
Cllr Waller	Cllr Webb	
Cllr Wann	Cllr Wells	
Cllr Waudby		
Cllr Widdowson		
Cllr Cullwick (Lord Mayor)		
23	20	2

*Cllr Carr did not participate in the vote, due to technical issues.

The amendment was therefore declared CARRIED.

The motion, as amended, now read as follows:

“Council notes the passage through Parliament of the Government’s £86,000 lifetime care cap policy, incorporating a new and punitive condition that will hit those York residents in receipt of council support with their care costs hard.

Council notes the Government’s requirement that those individuals will be expected to personally fund £86,000 of care costs – the same amount as those with millions in the bank – contrary to the

recommendations of the national Dilnot Commission on Social Care.

It further notes that the care cap excludes the cost of food and accommodation in care homes, which could cost residents up to an additional £10,400 a year.

Council also notes:

- The council's transfer of Haxby Hall Care Home to Yorkare, **to support people to live independently and secure the future and renovation of Haxby Hall, after which, due to ongoing Covid pressures, the provider began a consultation with staff.**
- The huge expense to both the council and to affected York residents required to fund care home places in York.

Council believes the financing of the care system is broken, and will remain so in 2023 when the care cap comes into effect, leaving too many, mostly elderly, York residents without the dignity they deserve in the latter stages of their lives.

It further believes that the Government's decision to target the least well off, combined with the living costs of being in a care home in York, will result in a significant number of York residents being forced to sell their homes to fund their personal care.

Council resolves to:

- state its written opposition to Government on the exclusion of financial support for York's least well off residents in calculating when the care cap threshold is reached;
- write to both York MPs, highlighting the number of York residents currently in receipt of support with care costs in their respective constituencies, as an indication of how many are likely to be hard hit by the new policy from 2023;
- request that Executive:
 - commissions a study to investigate more cost-effective market structures for care places in York;
 - carries out a full review of its Haxby Hall transfer decision, both to learn lessons and to determine what support it can provide Yorkare to enable it to honour its legal obligations around staff transfers;

in order to provide a secure, safe and stable local care market, that York residents can better afford."

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

For	Against	Abstained
Cllr Aspden		Cllr Carr
Cllr Ayre		Cllr Doughty
Cllr Barker		Cllr Rowley
Cllr Barnes		
Cllr Craghill		
Cllr Crawshaw		
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 Looker		
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 Warters		
Cllr Waudby		
Cllr Wells		
Cllr Widdowson		
Cllr Cullwick (Lord		

Mayor)		
	43	0
		3

The motion was therefore declared CARRIED, and it was

Resolved: That the Chief Operating Officer be recommended to approve the above motion, as amended.³

(iv) Clean Up York's Rivers

Cllr Widdowson sought consent to alter her motion to incorporate the amendments submitted by Cllrs Craghill and Crawshaw.

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

“This Council notes that:

- York's Rivers are a vital part of the city's environment and that the confluence of The Foss and The Ouse at this location is the very reason York was established as a settlement.
- The My Castle Gateway and My City Centre consultations have made clear that York residents wish to make more of the city's rivers.
- Close and effective work is ongoing with the Environment Agency and Yorkshire Water on a wide range of river management issues.
- Environment Agency data gathered to evidence the performance of England's rivers under the Water Framework Directive has indicated that only 14% of rivers were of good ecological status in 2019.
- According to The Rivers Trust, in 2020 water companies dumped raw sewage 2,392 times into the rivers in York, for a total of 14,838 hours.
- Government funding to the Environment Agency to monitor river quality, and regulate farms and water companies has dropped by almost two thirds in the last decade.
- In 2020 just 3.6% of pollution complaints made to the Agency resulted in penalties.
- In 2016 Yorkshire Water Services was fined £1.1m for discharging sewage into the River Ouse.

- The Government has failed to include any meaningful targets or a clear action plan to end the regular dumping of sewage into rivers as part of the recently approved Environment Bill, ignoring millions of people who demanded action as part of one of the boldest and more inspiring environmental campaigns in recent years.
- The MP for York Outer and other Conservative MPs failed to support amendments which would have ensured urgent action to clean up the country's rivers.
- The Liberal Democrats have proposed a "Sewage Tax", which would tax the profits of water companies. The proposal would be a 16% tax on pre-tax profits, providing a £340 million fund to fix the sewage system.

Council believes that:

- The city's rivers are a huge and under-appreciated asset to the city.
- Many York residents are not aware of the significance of the confluence of York's two rivers to the city's history and that more could be done to enhance this area of York.
- Any discussion about York's rivers must also acknowledge the importance of river-safety and recognise the unacceptable number of fatalities that have occurred in York's rivers in recent times.
- Government must urgently restore Environment Agency budgets to deliver the necessary oversight.
- Inspection regularity of water companies and farms should be increased and offenders rigorously prosecuted through the Environmental Audit Committee and Ofwat.
- Comprehensive funding must be provided to local and highways authorities to introduce systems to prevent road pollutants from entering our water courses.

Council resolves to request the Chief Operating Officer to:

- Consider what further enhancements to the city's riverside offer can be made
- Confirm that all available measures are being taken to ensure that any development which takes place in proximity to York's rivers is sympathetic to the significance and historic context of its setting, in particular ensuring that where the Council is the developer itself, all opportunities are taken to maximise enjoyment of the rivers and riverside areas.

- Consider whether through working in partnership with all relevant stakeholders more can be done to enhance river safety, including the introduction grab-chains, CCTV and other such safety measures as well as enhanced and improved ongoing river-safety advertising campaigns.
- Write to the Secretary of State for Environment, Food and Rural Affairs calling for the Government to commit to granting the necessary funding, regulatory powers and policy changes to restore the health of Britain's rivers.
- Write to The Chief Executive of Yorkshire Water calling for urgent action to address the impact of waste-water discharges on our local rivers and to consider the implications of the work of the Storm Overflows Taskforce, the recently published Storm Overflow Evidence Project report and their implications in York, particularly relating to the use of real time data releases on overflow spills.
- Write to the Regional Director of the Environment Agency to request an update on the current testing regime in the Ouse and Foss to understand if improvements could be made. As well as to request that consideration is made to house the data on the CYC York Open Data platform and explore if the tests undertaken and information on their findings can be publicised on the Council website and social media channels.
- Write to the charities River Action and The Rivers Trust expressing this Council's support for their campaign to restore the health of Britain's rivers.

Council also resolves:

- In the light of the above, to request that Executive commission an update report on the actions that the council is able to take, along with the Environment Agency, Yorkshire Water, the Canals and Rivers Trust and other local and regional partners to prevent incidents and protect the health and cleanliness of York's rivers;
- To request that this report cover current local powers that are available to control and limit fly-tipping in water courses, control other discharges and require water courses to be kept free from pollution, as well as exploring the options for producing an overarching Strategy for York's Rivers and Becks. This strategy would bring together a single overview of work on flood management, climate change adaptation,

water course related biodiversity and land management and pollution control.

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

For	Against	Abstained
Cllr Aspden		Cllr Doughty
Cllr Ayre		Cllr Rowley
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
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 Looker		
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 Warters		
Cllr Waudby		
Cllr Wells		
Cllr Widdowson		
Cllr Cullwick (Lord Mayor)		
44	0	2

The motion was therefore declared CARRIED, and it was

Resolved: That the Chief Operating Officer be recommended to approve the above motion.⁴

Action Required

1. Note the recommendation to approve the motion IF to End Violence Against Women and Girls and take appropriate action once the formal decision has been made.
2. Note the recommendation to approve the motion IF on Caring and Dignity for York's Elderly Residents and take appropriate action once the formal decision has been made
3. Note the recommendation to approve the motion NF on Houses in Multiple Occupation and take appropriate action once the formal decision has been made
4. Note the recommendation to approve the motion IF to Clean Up York's Rivers and take appropriate action once the formal decision has been made

49. Questions to the Leader or Executive Members

Question to Cllr D'Agorne, Executive Member for Transport

From Cllr Kilbane: You recently attended a talk by the Deputy Mayor of Ghent on their circulation plan, which is their local transport plan. Would a similar plan work in York and would you be in favour of such a plan?

Response: I would certainly want to consider how it would work in York. A much more detailed study would be needed.

Question to Cllr Smalley, Executive Member for Culture, Leisure & Communities

From Cllr Crawshaw: As Chair of the Human Rights & Equalities Board, you knowingly voted with Executive to discriminate against disabled people by removing their right to access the city using a Blue Badge, contrary to a report commissioned by the Board. Can you explain what York's status as a Human Rights City means to you?

Response: It means a lot to me. I will get back to you in writing with a fuller response.

[supplementary: The Human Rights City Network released a statement to say the decision was 'a defining moment for York as a Human Rights City' and they had serious concerns about the Board. How do you respond to that? For transparency, I will add that my mother is a member of the Network's Steering Group]

Response: My position is clear. The Board has been reviewing its membership, terms of reference and work plan and we have agreed to have a meeting in the new year about its future relationship with the Network. I will get back to you in writing.

50. Report of Executive Member

A written report was received from Cllr Craghill, the Executive Member for Housing & Safer Neighbourhoods.

51. 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 & Corporate Services Scrutiny Committee, on the work of scrutiny.

52. Recommendations of the Licensing and Regulatory Committee

When the guillotine fell, the following recommendations contained in Minute 79 of the Licensing & Regulatory Committee meeting held on 9 November 2021 were deemed moved and seconded:

“That:

- i. It be recommended to Council that the Statement of Licensing Policy be adopted.
- ii. Authorisation be given to officers to publish the Local Area Profile.

Reason: To meet the legislative requirements of the Gambling Act 2005.”

Cllr Melly raised concerns about the recommendations and proposed that the vote be deferred.

Cllr Orrell then proposed an addition to the recommendations, as follows:

“(iii) [That] the Statement of Licensing Policy be received at the next meeting of the Licensing & Regulatory Committee.”

In order to resolve the matter, the Chair ruled that a vote be taken without debate on each of the above proposals.

A named vote was taken on the proposal to defer, with the following result:

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

	Cllr Waudby	
	Cllr Widdowson	
	Cllr Cullwick (Lord Mayor)	
19	27	0

The proposal to defer was therefore declared LOST.

A named vote was then taken on the recommendations, including the additional recommendation proposed by Cllr Orrell, with the following result:

For	Against	Abstained
Cllr Aspden	Cllr Crawshaw	Cllr Barnes
Cllr Ayre	Cllr Douglas	
Cllr Barker	Cllr Fitzpatrick	
Cllr Carr	Cllr Heaton	
Cllr Craghill	Cllr Kilbane	
Cllr Cuthbertson	Cllr Lomas	
Cllr D'Agorne	Cllr Looker	
Cllr Daubeney	Cllr Melly	
Cllr Doughty	Cllr Musson	
Cllr Fenton	Cllr Myers	
Cllr Fisher	Cllr Norman	
Cllr Galvin	Cllr Pavlovic	
Cllr Hollyer	Cllr Perrett	
Cllr Hook	Cllr K Taylor	
Cllr Hunter	Cllr Warters	
Cllr Mason	Cllr Webb	
Cllr Orrell	Cllr Wells	
Cllr Pearson		
Cllr Rowley		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Waudby		
Cllr Widdowson		
Cllr Cullwick (Lord Mayor)		
28	17	1

The recommendations were therefore declared CARRIED, and it was

Resolved: That the Chief Operating Officer be recommended to approve the above recommendations, including the additional recommendation.¹

Action Required

1. Note the recommendation to approve the recommendations of the Licensing & Regulatory Committee and the additional recommendation, and take appropriate action once the formal decision has been made

JG

Cllr Chris Cullwick
LORD MAYOR OF YORK

[The meeting started at 6.33 pm and concluded at 10.44 pm]