

## Council – 20 October 2022

### Recommendations, Motions and Amendments

#### Agenda Item 8 – Motions on Notice

Motions on Notice submitted under Council Procedure Rule B13.

(i) From Cllr Fenton

#### **Protecting and improving local bus services**

“Council notes that:

- Bus operating companies have been affected by falling passenger numbers, rising costs and driver shortages since the Covid pandemic.
- Financial aid from Government has been important in supporting the provision of bus services since the start of the pandemic, but this is due to come to an end in March 2023
- Intensive work is currently taking place by Council officers and providers to encourage and support residents to return to buses and retain as many services as possible.
- City of York Council has entered into an ‘Enhanced Partnership’ with bus operators, which is a prerequisite for unlocking the £17.3m Government funding secured from York’s successful Bus Service Improvement Plan bid.
- City of York Council was successful in securing £8.4m from the Government’s Zero Emission Bus Regional Area (ZEBRA) fund, which will support the purchase of 44 more electric buses.
- Encouraging more residents and visitors to choose to travel by bus rather than car is an important part of the city’s efforts to tackle transport-related carbon emissions and reduce congestion.
- Some communities and individuals are poorly served by current bus services, which limit their ability to access employment, education, essential services and social interaction.

Council believes that:

- A reliable, accessible and affordable bus service is essential to all York residents to access shops, services, leisure, employment and education, and to help tackle air pollution, congestion and the Climate Emergency.

- Continued engagement with bus operators through the ‘Enhanced Partnership’ will be vital in making best use of available financial resources and ensuring that bus routes and timetables are configured in a way that best serves the needs of residents.
- The absence of certainty around Government funding support beyond March 2023 creates the risk of a ‘cliff edge’ situation where some bus services may be reduced or cut entirely, leading to a material impact on residents’ lives.

Council therefore resolves that:

- Officers should continue negotiations with bus providers to retain as many routes as possible and to prevent a gap in service provision.
- Officers should actively engage with members and user groups as part of their work with operators to review bus routes and timetables.
- The Executive should use all opportunities, including working with regional political leaders, to continue to lobby Government for long-term funding to support public transport networks, including support for driver recruitment and training schemes.
- Whilst the agreed ‘Enhanced Partnership’ approach should be pursued, alternative feasible models should be kept under review and lessons learned from the experience of other cities and regions.”

#### Amendment from Cllr Melly

“In the first paragraph, under ‘Council notes that’:

- After the second bullet point, insert:
  - *‘There is a wide variety of support for local bus franchising powers to better tailor services to meet local need, from the Government through its devolution deals to leading think tanks focussed on economic growth such as Centre for Cities;’*
- After the 5<sup>th</sup> (now the 6<sup>th</sup>) bullet point, insert:
  - *‘The £2 maximum single fare delivered in West Yorkshire by Labour Metro Mayor, Tracy Brabin, is under an ‘Enhanced Partnership’ arrangement, something not achieved through York’s EP;’*
- To the end of the final bullet point, after ‘social interaction’ add: *‘particularly in some outer parts of York, a situation that will not change under an Enhanced Partnership’*.

In the second paragraph, under ‘Council believes that’:

- Insert after the 1<sup>st</sup> bullet point:
  - *Part of the way to start planning a reversal in the decline of bus journeys taken in York is to update a strategic Local Transport Plan that’s over a decade old and increasingly out of date, so that infrastructure investment better supports local bus services;*
- In the 2<sup>nd</sup> (now the 3<sup>rd</sup>) bullet point:
  - after ‘financial resources’, delete ‘and’ and insert ‘however’;
  - after ‘needs of residents’, add: ‘*will not be achieved locally unless franchising powers are taken up through a Mayoral Combined Authority*’.
- Insert a 4<sup>th</sup> bullet point, as follows:
  - *‘The absence of certainty around Government funding support beyond March 2023 creates the risk of a ‘cliff edge’ situation where some bus services may be reduced or cut entirely, leading to a material impact on residents’ lives.’*

In the third paragraph, under ‘Council therefore resolves that’:

- To the end of the 1<sup>st</sup> bullet point, add: ‘*while recognising that when Govt funding stops in March, this can only be guaranteed if the Lib Dem-led council is willing to subsidise and secure such services.*’
- In the 2<sup>nd</sup> bullet point, delete ‘members’ and insert ‘*all elected councillors, including transport spokespersons*’
- To the end of the 4<sup>th</sup> bullet point, add: ‘*including the bus franchising systems being pursued by Labour Metro Mayors in Liverpool City Region and Greater Manchester”.*”

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

“Council notes that:

- Bus operating companies have been affected by falling passenger numbers, rising costs and driver shortages since the Covid pandemic.
- Financial aid from Government has been important in supporting the provision of bus services since the start of the pandemic, but this is due to come to an end in March 2023.
- **There is a wide variety of support for local bus franchising powers to better tailor services to meet local need, from the Government through its devolution deals to leading think tanks focussed on economic growth such as Centre for Cities.**
- Intensive work is currently taking place by Council officers and providers to encourage and support residents to return to buses and retain as many services as possible.

- City of York Council has entered into an ‘Enhanced Partnership’ with bus operators, which is a prerequisite for unlocking the £17.3m Government funding secured from York’s successful Bus Service Improvement Plan bid.
- City of York Council was successful in securing £8.4m from the Government’s Zero Emission Bus Regional Area (ZEBRA) fund, which will support the purchase of 44 more electric buses.
- **The £2 maximum single fare delivered in West Yorkshire by Labour Metro Mayor, Tracy Brabin, is under an ‘Enhanced Partnership’ arrangement, something not achieved through York’s EP.**
- Encouraging more residents and visitors to choose to travel by bus rather than car is an important part of the city’s efforts to tackle transport-related carbon emissions and reduce congestion.
- Some communities and individuals are poorly served by current bus services, which limit their ability to access employment, education, essential services and social interaction, **particularly in some outer parts of York, a situation that will not change under an Enhanced Partnership.**

Council believes that:

- A reliable, accessible and affordable bus service is essential to all York residents to access shops, services, leisure, employment and education, and to help tackle air pollution, congestion and the Climate Emergency.
- **Part of the way to start planning a reversal in the decline of bus journeys taken in York is to update a strategic Local Transport Plan that’s over a decade old and increasingly out of date, so that infrastructure investment better supports local bus services;**
- Continued engagement with bus operators through the ‘Enhanced Partnership’ will be vital in making best use of available financial resources; **however, ensuring that bus routes and timetables are configured in a way that best serves the needs of residents will not be achieved locally unless franchising powers are taken up through a Mayoral Combined Authority.**
- The absence of certainty around Government funding support beyond March 2023 creates the risk of a ‘cliff edge’ situation where some bus services may be reduced or cut entirely, leading to a material impact on residents’ lives.

Council therefore resolves that:

- Officers should continue negotiations with bus providers to retain as many routes as possible and to prevent a gap in service provision, **while recognising that when Govt funding stops in March, this can only be guaranteed if the Lib Dem-led council is willing to subsidise and secure such services.**
- Officers should actively engage with **all elected councillors, including transport spokespersons** and user groups as part of their work with operators to review bus routes and timetables.

- The Executive should use all opportunities, including working with regional political leaders, to continue to lobby Government for long-term funding to support public transport networks, including support for driver recruitment and training schemes.
- Whilst the agreed ‘Enhanced Partnership’ approach should be pursued, alternative feasible models should be kept under review and lessons learned from the experience of other cities and regions, **including the bus franchising systems being pursued by Labour Metro Mayors in Liverpool City Region and Greater Manchester.”**

(ii) From Cllr Pavlovic

### **Controlling the concentration of short term and holiday lets**

“This council notes the rapid rise of whole property holiday lets in our city, particularly in wards in and around but not restricted to, the city centre.

Council welcomes more affordable holiday accommodation options and the positive impact this can have on the local economy. But Council has concerns about the unrestricted nature of whole home lets and their wider impact on a city with a long-standing and serious housing supply and affordability problem.

Council notes:

- the council’s recent Housing Scrutiny report highlighting an almost tripling of whole-property holiday lets in York over the past four years;
- the unsatisfactory position on planning use for holidays lets, which lacks clarity and leaves local authorities with insufficient resources to take on the burden of proving ‘material change of use’ concerning holiday lets;
- Edinburgh’s positive steps this year to control the unrestricted rise of holidays lets, showing what can be achieved where the political will exists;
- Rachael Maskell MP’s current *Short-term and Holiday-let accommodation (Licensing) Bill* progressing through Parliament, which seeks to confer powers on local authorities to both control the concentration of holiday lets and to introduce conditions on how such lets operate.

Council believes inaction now will undermine the council’s Local Plan and its housing supply projections, by turning a blind eye to an escalating loss of family and other housing to the unregulated holiday

lets sector. It also believes the financial incentives linked to holiday lets is resulting in no-fault evictions and tenancies being abruptly ended, potentially adding to the council's housing waiting list. Council recognises the impact on the private rented sector is already significant, and growing.

Council therefore calls on Executive to:

- agree to commence the process of compiling an evidence base, from which the council can consider adopting a new policy in the future on controlling the spread of short term and holiday let accommodation, post-adoption of the Local Plan;
- consider bringing forward, in a report to Executive in due course, options for s106 planning conditions that include, but are not restricted to:
  - exclusivity sales periods for York residents on new build developments;
  - main residence only conditions/restrictions on short term lets on new developments;
- consider the impact of short term and holiday lets in the development of the council's various housing policies, including the loss of ordinary family and other housing in York;
- ensure the council lobbies Government, through the Local Government Association and its two MPs, to alter the tax regime to ensure parity between short term lets operating as businesses, and long term lets, removing preferential treatment for the former."

(iii) From Cllr Fisher

### **York opposes fracking**

"This Council notes that:

- On 8<sup>th</sup> September, the Prime Minister announced plans to lift the ban on fracking for shale gas, breaking Conservative party's 2019 manifesto pledge to not press ahead with fracking without further scientific study.
- INEOS holds Petroleum Exploration and Development Licences (PEDL) for areas in and around York and Ryedale.
- Companies such as INEOS and Cuadrilla could seek permission to frack in areas where they hold PEDL licences.

- In 2018 City of York Councillors opposed fracking, outlining the Council's objections to fracking through 'permitted development' rights.
- extracting new fossil fuels distracts from investing in renewable projects and decarbonising heating systems
- Fracking could put communities at risk of micro-earthquakes, ground water contamination, loss of species and many other health and environmental hazards.
- There is a lack of evidence that fracking in the UK would lower bills for consumers. It has not done so in the USA.
- Earlier this February, after more than 7 years of work, councillors approved the Minerals and Waste Joint Plan which introduced controls on fracking in York and North Yorkshire if the government lifted the moratorium. The plan will be used to decide planning applications until 2030, with minimum distances between homes and well pads and for greater controls around protected areas.

Council believes that:

- Fracking poses unacceptable risks to people, livestock, wildlife, the climate and the environment, bringing with it the potential threat of earthquakes, water pollution, and green spaces transforming into industrial landscapes.
- With soaring energy bills and inflation overwhelmingly being driven by record-high gas prices – and with renewables four times cheaper – fracking is not the answer. Other sources of energy, including renewable, and 'buffers' such as battery storage, liquid air and hydrogen, are fast making any plans to introduce fracking irrelevant.
- The UK has a vast potential for clean energy. Investment in renewable energy, public transport and energy efficiency will create far more jobs than fracking, deliver energy security, boost York's local economy and allow us to play our part in avoiding dangerous climate change.
- This announcement seriously calls into question the government's commitment to reduce the country's reliance on fossil fuels and to move to net zero emissions by 2050.

This Council resolves to:

- Ask the COO to write on behalf of the Council to the Prime Minister, the Secretary of State for Business, Energy and Industrial

Strategy and the Minister for State (Minister for Climate) to make them aware of the opposition to fracking in York, in light of the Government's statement that it will only progress with fracking where there is local support."

### Amendment from Cllr Doughty

"Under 'This Council resolves to', add a second bullet point, to read:

*'Ask the Government to commit to decision-making on fracking to remain solely with locally elected members in the local planning authority.'*

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

"This Council notes that:

- On 8<sup>th</sup> September, the Prime Minister announced plans to lift the ban on fracking for shale gas, breaking Conservative party's 2019 manifesto pledge to not press ahead with fracking without further scientific study.
- INEOS holds Petroleum Exploration and Development Licences (PEDL) for areas in and around York and Ryedale.
- Companies such as INEOS and Cuadrilla could seek permission to frack in areas where they hold PEDL licences.
- In 2018 City of York Councillors opposed fracking, outlining the Council's objections to fracking through 'permitted development' rights.
- extracting new fossil fuels distracts from investing in renewable projects and decarbonising heating systems
- Fracking could put communities at risk of micro-earthquakes, ground water contamination, loss of species and many other health and environmental hazards.
- There is a lack of evidence that fracking in the UK would lower bills for consumers. It has not done so in the USA.
- Earlier this February, after more than 7 years of work, councillors approved the Minerals and Waste Joint Plan which introduced controls on fracking in York and North Yorkshire if the government lifted the moratorium. The plan will be used to decide planning applications until 2030, with minimum distances between homes and well pads and for greater controls around protected areas.

Council believes that:

- Fracking poses unacceptable risks to people, livestock, wildlife, the climate and the environment, bringing with it the potential threat of earthquakes, water pollution, and green spaces transforming into industrial landscapes.
- With soaring energy bills and inflation overwhelmingly being driven by record-high gas prices – and with renewables four times cheaper – fracking is not the answer. Other sources of energy, including renewable, and

'buffers' such as battery storage, liquid air and hydrogen, are fast making any plans to introduce fracking irrelevant.

- The UK has a vast potential for clean energy. Investment in renewable energy, public transport and energy efficiency will create far more jobs than fracking, deliver energy security, boost York's local economy and allow us to play our part in avoiding dangerous climate change.
- This announcement seriously calls into question the government's commitment to reduce the country's reliance on fossil fuels and to move to net zero emissions by 2050.

This Council resolves to:

- Ask the COO to write on behalf of the Council to the Prime Minister, the Secretary of State for Business, Energy and Industrial Strategy and the Minister for State (Minister for Climate) to make them aware of the opposition to fracking in York, in light of the Government's statement that it will only progress with fracking where there is local support.
- **Ask the Government to commit to decision-making on fracking to remain solely with locally elected members in the local planning authority.]**

(iv) From Cllr Norman

## **Equality for Disabled People**

"Disabled people make up around one quarter of the population and include people of all ages, ethnicities, genders, religions and sexual orientation. Disabled people have varying levels of independence, with some relying on statutory and voluntary services, while others don't.

Some with chronic health conditions, either physical or mental, regard themselves as being unwell rather than disabled, while others do not. Some people with impairment may self-identify as disabled people, whilst others may not.

In other words, disabled people have all the diversity of the non-disabled population.

This Council notes:

- that disabled people still experience widespread discrimination and attitudinal barriers in all aspects of daily life, including the provision of goods and services, the built environment, access to transport and housing across all sectors;
- that failure to provide accessible services of whatever type creates avoidable dependency;
- that its Public Sector Equality Duty (PSED) in the exercise of its functions, to have due regard to the need to eliminate

discrimination which is prohibited by the Equality Act 2010, encourage good relations and advance equality of opportunity between people who share a protected characteristic and those who don't;

- that combined with their own impairment issues, disabled people face many challenges in their daily lives as a result of avoidable barriers they experience;
- that disabled people collectively identify these barriers faced as the Social Model understanding of disability, in direct contrast to the Medical or Individual Models, which identify disabled people as either being or owning the 'problem' of disability.

This Council recognises:

- that city council decisions and policy made using the 'One Planet' tool will give confidence to the public where Equalities Impact Assessments (EqIAs) are completed consistently, helping contribute to the council fulfilling its PSED;
- there is currently a culture of expectation that disabled people will repeatedly participate in consultations and meetings without adequate consideration of their often challenging personal circumstances;
- its tendency to use the language of inclusion without the corresponding understanding of genuine inclusivity in its policy making processes;
- that co-production must be meaningful and the experience and expertise of disabled peoples' lived experience properly listened to, considered and embraced.

This Council resolves:

- to adopt the Social Model of Disability and embed it into every area of its working, operation, policy and practice, including in how it communicates;
- to review the extent to which disability awareness training, inclusive and universal design training and disability equality is embedded across the organisation in how the council delivers services, making recommendations as appropriate;
- to prepare and adopt a Supplementary Planning Document (SPD) on building design, post Local Plan adoption, in order to deliver accessible and inclusive new developments in the future;
- to commit to genuine co-production on all council developments, where disabled people's views are incorporated alongside those of

appropriate professionals when considering inclusion and accessibility;

- upon the appointment of an Access Officer, to convene a quarterly Access Forum, resourced so that it will work in an entirely inclusive and accessible way, supporting a genuine commitment to co-production.”

#### Agenda Item 12 – Recommendations of the Licensing & Regulatory Committee

“Recommended: That Council approve the issuing of *ten* new hackney carriage vehicle licences (three that have not been renewed and seven additional licences), bringing the total number to 190.

Reason: To help meet unmet demand for hackney carriage vehicles, particularly from users with a disability, and coupled with the proposed specification for those newly licensed vehicles provide a more environmentally friendly and easily recognisable hackney carriage fleet in the city in response to the declared climate emergency and continuing desire to improve air quality.”