

Meeting	Audit And Governance Committee
Date	3 September 2025
Present	Councillors J Burton (Vice-Chair), Fisher, Merrett, Rose, Watson and Whitcroft (Substitute)
In Attendance	Bryn Roberts - Director of Governance and Monitoring Officer Debbie Mitchell - Director of Finance David Walker - Customer Finance Risk & Insurance Sara Storey - Corporate Director – Adult Social Care and Integration Becky Eades - Head of Planning and Development Services Councillor Pavlovic – Executive Member for Housing, Planning and Safer Communities
Apologies	Councillor Coles and Independent Member Mr Binney

Part A Minute

16. APOLOGIES FOR ABSENCE (17:30)

Apologies had been received from Cllr Coles who was substituted by Cllr Whitcroft and Cllr Myers.

17. DECLARATIONS OF INTEREST (17:31)

Members were 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 the agenda.

Cllr Merrett noted that he had a non-prejudicial interest in relation to minute 23. *Executive / Scrutiny Protocol for City of York Council* as he had participated in work on the Scrutiny

protocol as the vice chair of the Council's Corporate Scrutiny Committee.

18. MINUTES & ACTION LOG (17:31)

The Committee discussed the minutes from the 14 May 2025 and 30 July 2025. From the 14 May 2025 minutes Members suggest a clarification in wording relating to emergency planning be added and whether the response to the Committee enquiry about being involved in the review of scrutiny be included. From the 30 July 2025 meeting Members noted that a Ward Boundary Review would not need to be included within the Annual Governance Statement as that would be in this municipal year not 2024/25, instead to add reference to talks relating to a Community Governance Review to be added to the Annual Governance Statement.

The Committee discussed the Action Log it was confirmed that actions 83 was complete, updates would be provided at the next Committee meeting on actions 68, 84, and 85, and action 94 would be added back to the main list of ongoing actions.

Resolved: That the minutes of the meeting held on 14 May 2025 and 30 July 2025 be approved and then signed by the Chair as a correct record, subject to the above changes.

19. PUBLIC PARTICIPATION (17:37)

It was reported that there had been 5 registrations to speak at the meeting under the Council's Public Participation Scheme.

Cllr Vassie raised concerns that proposed changes to the Council's planning committees would give too much power to unelected officials. He asked whether people expected the planning system would improve by delegating schemes under 40 houses.

Kevin Holland asked that the Committee reject the proposed changes to the Council's planning committees. He stated that the Committee were not provided with sufficient data to make a decision and stated that they should delay any changes until national policy changes are confirmed.

Johnny Hayes outlined his previous experience on planning committees and with planning applications. He noted that the

removal of being able to call in planning applications with a Ward Councillor was a bad idea. He asked the Committee to defer a decision and set up a working group to discuss the proposed changes.

Andy D'Agorne stated he believed the Government and the Council were creating a developer's charter with less local control over planning. He noted planning applications were improved by going to Planning Committee.

Karim Lalani spoke on behalf of Fulford Parish Council and raised concerns that the proposed changes to planning were too restrictive and worried the impact this would have on heritage assets in the city. He also asked if Parish Councils could be given a guaranteed spot to speak at Committees if an application was within their parish.

20. KEY CORPORATE RISKS MONITOR 2 (17:54)

Officers introduced the report and requested that they bring KCR 12 Major Incidents forward on the work plan. The Committee noted their concerns relating to KCR1 Financial Pressures, particularly while the Council awaits confirmation of the Fair Funding Review, the Director of Finance noted Members concerns and confirmed that Corporate Scrutiny were currently undertaking a working group on the budget.

Members noted the report on KCR 4 Changing Demographics and enquired about whether the data provided should focus more on the impact of displacing York residents, due to things such as high housing costs. The Corporate Director for Adult Social Care and Integration confirmed they were in the process of refreshing data relating to KCR 4 and would share the updated data set with the Committee.

Resolved:

- i. Noted the key corporate risks included at Annex A, summarised at Annex B;
- ii. Noted and provide feedback on the in-depth review of KCR 4 (Changing Demographics) at Annex C;

Reason: To provide assurance that the authority is effectively understanding and managing its key risks.

21. TREASURY MANAGEMENT MONITOR 1 (18:07)

The Director of Finance introduced the report and noted that there had been no new borrowing in Quarter 1 of 2025/26, but that the Council would be borrowing for things such as York Central. She noted that officers would monitor borrowing rates to determine when to borrow and help the Council fill out borrowing maturity costs. It was also confirmed that while the Fair Funding Review might not benefit funding for the Council, the three-year settlement would assist in financial planning for the Council.

Resolved:

- i. Noted the Treasury Management Quarter 1 Report and Review of Prudential Indicators 2025/26 at Annex 1.

Reason: That those responsible for scrutiny and governance arrangements are updated on a regular basis to ensure that those implementing policies and executing transactions have properly fulfilled their responsibilities with regard to delegation and reporting.

22. CONSTITUTION CHANGES (18:18)

The Director of Governance introduced first the Contract Procedure Rules changes which were presented for noting, prior to consideration at Full Council. The changes to the Contract Procedure Rules themselves it was confirmed were within the delegated powers of the Director of Finance.

The Head of Planning and Development Services then outlined the proposed Planning Committee changes. She noted that the proposed changes would aim to deliver robust planning procedures while speeding up the planning process. It was also confirmed that officers had reviewed procedures at other Councils to ensure the Council would be in line with best practice in its planning procedures. Members asked why the Council was seeking to make changes to its planning procedures prior to Government changes to planning. Officers stated that these changes would ensure the Council addressed

a range of issues in its current planning procedures including the Council's capacity to process applications and provide cost savings to the Council. Officers confirmed that they did not expect these changes to be out of line with Government proposals.

Officers confirmed that currently 96% of all planning applications were considered by Council officers. From March 2024 to March 2025, it was confirmed 54 applications had gone before a Planning Committee, 19 of these were from call-ins with only 4 applications did Members did not approve the officer recommendation for approval or rejection, one of these 4 have since been overturned.

The Committee asked about the proposed exemptions on the ability to call-in planning applications and why these exemptions were being proposed. Officers outlined that they had reviewed the Council's previous call-ins and proposed exemptions for things that currently were not going to Committee, the proposals would also assist in creating more support to ensure call-ins include clear planning reasons within their proposal. Members also enquired as to why they would not expect to have Reserved Matters applications at Planning Committee. Officers confirmed that Reserved Matters applications could still be called in, however, Committee time would be better focused on outline applications where they would be considering the principles of any development.

Members enquired as to whether due to the proposed changes, if the period for Ward Councillors to call-in an application could be extended to 14 days. Officers and the Executive Member for Housing, Planning and Safer Communities supported this proposed change to the call-in process.

The Committee asked whether the planning process could be sped up by having more items on each committee meeting or more meetings scheduled. Officers noted that large applications were frequently taking as long as five hours at Committee and therefore it was not possible to schedule lots of items on individual meetings. Officers also noted that there would be significant challenges to officer time to try and schedule lots more meetings to meet the Council's workload and would risk not meeting deadlines relating to applications.

Members enquired as to whether the Council had consulted externally on the proposed changes with Parish Council's, other organisations, or the public. Officers noted that the Council had not held any consultation on the proposed changes and was not required to do so, they confirmed that it was the Council's role to review and amend its Constitution and determine how it dealt with administrative applications in the Council's operating procedures. Members asked if this was in line with the Council's Parish Charter, and it was confirmed that the Parish Charter did not require the Council to consult them on these proposed changes. Members also asked about whether Parish Council's would have the automatic right to speak at planning applications in their area. It was confirmed that Parish Council and their planning panels abilities to engage with the planning process would not change, there was currently no reserved space for Parish Council's to speak on applications at Committee and this would not change, they would be able to continue to register to speak on an application as was currently the case.

The Committee discussed the procedures relating to public participation including the number of speakers per item. Proposals it was noted would provide the opportunity for 3 speakers in favour and 3 against alongside Ward Councillors, there would also be the opportunity for pooling of time. It was also confirmed that the chair would maintain the power of discretion as to how public participation would be administered.

Members asked about the threshold of 40 dwellings before an application would routinely be considered at a Planning Committee meeting. It was confirmed that 40 was the current number for consideration at Planning Committee A meetings and had not been proposed to be changed. Councillors asked whether the Council could be taken advantage of by applicants that could attempt to submit smaller applications several times on a site to avoid requiring a committee meeting. Officers noted that Planning Officers would be expected to, as they currently do, identify issues and address these appropriately. As an example, it was noted that if an applicant wanted to build 30 houses on a site capable of building 60, the Council would be expected to challenge that application on the grounds of things such as not meeting required density for a site of that size.

Members debated the proposed Planning Committee changes. Those in favour of the changes noted that they believed, as outlined by officers, that the proposed changes would allow the

Council to address issues relating to planning such as, the time taken to consider applications, while maintaining democratic oversight of important applications at Planning Committee and the ability to call-in applications. They noted that the Council already had 96% of applications considered by planning officers. They highlighted that with the Council now having approved its Local Plan it was important that applications are dealt with in a more efficient manner. It was also proposed that the Committee should request that a review of any changes if approved by Full Council be brought to the Audit and Governance Committee after a year to consider their effectiveness.

Other Members noted their concerns relating to the proposed changes. These concerns included a reduction in Member led decision making on planning applications with more applications delegated to officers for decision, they noted that Members were experts in their local area and ensured applications meet the needs of the city. They highlighted concerns that the changes could lessen public support in the city's planning processes. They stated that speeding up consideration of planning applications would not increase the speed of house building in the city, as this was determined more by market factors rather than if enough sites have approval. They noted that they felt that the Council should await the Governments changes to planning legislation before making changes to York's procedures.

The Committee therefore agreed to note the changes to the Contract Procedure Rules that would be presented to Full Council. The Committee also voted in favour (4 in favour and 3 against) of recommending to Full Council the proposed Planning Committee changes with an additional amendment to the Call-in procedure to be extended to 14 days and that a review of the changes if approved at Council be brought to the Audit and Governance Committee in a year.

Breakdown of vote relating to recommending to Full Council the proposed Planning Committee changes, including the associated amendments to the Scheme of Delegation.	
In Favour	Against
Cllr J Burton	Cllr Hollyer
Cllr Rose	Cllr Fisher
Cllr Merrett	Cllr Watson

Resolved:

- i. Approved recommendation to Council.

Reason: To allow the Council to determine the proposed Constitutional changes.

23. EXECUTIVE / SCRUTINY PROTOCOL FOR CITY OF YORK COUNCIL (20:15)

The Director of Governance introduced the report containing proposed revisions to Article 8 of the Council's Constitution to incorporate the Executive / Scrutiny Protocol for City of York Council. The Committee noted the proposed changes and agreed to recommend them to Full Council.

Recommended:

- i. That Council approve the proposed revision to Article 8 of the Council's Constitution to incorporate the Executive / Scrutiny Protocol for City of York Council.

Reason: To strengthen the scrutiny function and to fulfil the recommendation endorsed by Council in March 2025 in relation to a refreshed Executive / Scrutiny Protocol.

24. AUDIT AND GOVERNANCE WORK PLAN (20:20)

The Committee discussed the appointment of a second independent member. The Director of Governance outlined that the last advert put out got no applicants, therefore it would need to go back out to advert and he hoped that an appointment would be in place in early 2026. It was confirmed that the advert would be shared with Committee members when it went live.

Resolved:

- i. Noted the Committee work plan.

Reason: To ensure the Committee maintained a programme of work.

Part B Minute – Matters Referred to Council

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The Committee asked whether the planning process could be sped up by having more items on each committee meeting or more meetings scheduled. Officers noted that large applications were frequently taking as long as five hours at Committee and therefore it was not possible to schedule lots of items on individual meetings. Officers also noted that there would be significant challenges to officer time to try and schedule lots more meetings to meet the Council's workload and would risk not meeting deadlines relating to applications.

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Other Members noted their concerns relating to the proposed changes. These concerns included a reduction in Member led decision making on planning applications with more applications delegated to officers for decision, they noted that Members were experts in their local area and ensured applications meet the needs of the city. They highlighted concerns that the changes could lessen public support in the city's planning processes. They stated that speeding up consideration of planning applications would not increase the speed of house building in the city, as this was determined more by market factors rather

than if enough sites have approval. They noted that they felt that the Council should await the Governments changes to planning legislation before making changes to York's procedures.

The Committee therefore agreed noted the changes to the Contract Procedure Rules that would be presented to Full Council. The Committee also voted in favour (4 in favour and 3 against) of recommending to Full Council the proposed Planning Committee changes with an additional amendment to the Call-in procedure to be extended to 14 days and that a review of the changes if approved at Council be brought to the Audit and Governance Committee in a year.

Breakdown of vote relating to recommending to Full Council the proposed Planning Committee changes, including the associated amendments to the Scheme of Delegation.	
In Favour	Against
Cllr J Burton	Cllr Hollyer
Cllr Rose	Cllr Fisher
Cllr Merrett	Cllr Watson
Cllr Whitcroft	

Recommended to Council:

- i. Approval of the amended Contract procedure Rules;
- ii. Approval of the proposed changes to Planning Committees, including the associated amendments to the Scheme of Delegation, with the additional inclusion of extending the call-in deadline to 14 days and that a review by the Audit and Governance Committee be carried out one year after the implementation of any changes.

Reason: To allow the Council to determine the proposed Constitutional changes.

23. **EXECUTIVE / SCRUTINY PROTOCOL FOR CITY OF YORK COUNCIL (20:15)**

The Director of Governance introduced the report containing proposed revisions to Article 8 of the Council's Constitution to incorporate the Executive / Scrutiny Protocol for City of York

Council. The Committee noted the proposed changes and agreed to recommend them to Full Council.

Recommended:

- i. That Council approve the proposed revision to Article 8 of the Council's Constitution to incorporate the Executive / Scrutiny Protocol for City of York Council.

Reason: To strengthen the scrutiny function and to fulfil the recommendation endorsed by Council in March 2025 in relation to a refreshed Executive / Scrutiny Protocol.

Cllr Hollyer, Chair

[The meeting started at 5.30 pm and finished at 8.24 pm].

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