

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held at York Racecourse on Thursday, 17 February 2022, starting at 6.30 pm

Present: The Lord Mayor (Cllr Chris Cullwick) in the Chair, and the following Councillors:

Acomb Ward	Bishopthorpe Ward
Lomas S Barnes	Galvin
Clifton Ward	Copmanthorpe Ward
D Myers Wells	Carr
Dringhouses & Woodthorpe Ward	Fishergate Ward
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 Melly K Taylor

Hull Road Ward

Huntington and New Earswick
Ward

Musson
Norman

Orrell
Runciman

Micklegate Ward

Osbalwick and Derwent Ward

Baker
Crawshaw
Kilbane

Rowley
Warters

Rawcliffe and Clifton Without Ward

Rural West York Ward

Smalley
Wann
Waudby

Barker
Hook

Strensall Ward

Westfield Ward

Doughty
Fisher

Daubeney
Hunter
Waller

Wheldrake Ward

Vassie

Apologies for absence were received from Councillor Pavlovic.

53. 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.

It was noted that the Monitoring Officer had confirmed that government guidance stated Members did not have a disclosable pecuniary interest in the business of setting the council tax and that the Council's code of conduct also stated that Members did not have a prejudicial interest in that business.

Cllr Looker declared a personal interest in the Labour Group amendment to the budget proposals insofar as it related to the Theatre Royal, as a member of the Theatre Royal.

54. Minutes

Resolved: That the minutes of Council meeting held on 16 December 2021 be approved, and signed by the Chair as a correct record, subject to the addition of Cllrs Rowley and Melly to the list of attendees.

55. Civic Announcements

The Lord Mayor announced the death on 17 December 2021 of Hon Alderman David Wilde, who had served the city as both Lord Mayor and Sherriff, and as a councillor for many years. Members observed a minute's silence in his memory.

The Lord Mayor then invited Cllr Aspden to nominate the Lord Mayor Elect for the 2022/23 Municipal Year. Cllr Aspden nominated Cllr David Carr as the Lord Mayor Elect. Cllr Carr confirmed that he would be honoured to accept this office, and nominated Susie Mercer as his Sheriff.

Finally, the Lord Mayor drew attention to a number of forthcoming Lord Mayor's Charity events, including the postponed Charity Ball on 29 April and a curry night at the Parveen restaurant on 7 March.

56. Public Participation

It was reported that 6 members of the public had registered to speak at the meeting under the Public Participation item in relation

to business associated with setting the council's budget for the coming financial year.

Debby Cobbett urged Members to consider the Council's commitment to zero carbon when setting the budget and to engage with workers and local people on moving towards a green economy.

Flick Williams welcomed the allocation of funding for an Access Officer but warned against employing someone 'on the cheap', given the shortage of suitable candidates and the urgent need to make York an accessible city.

Gwen Swinburn expressed disappointment at the lack of consultation on the budget and asked Members to commit to receive a pay rise no higher than that of staff in the forthcoming year.

Sarah Garbacz, on behalf of Explore York, spoke in support of the proposed £7m capital investment in libraries, which would allow Explore to realise its vision and better support local residents.

Ruth Pearson stated that she was the mother of Cllr Pearson and a member of Haxby Town Council but was speaking on her own behalf. She then spoke in support of funding allocated to the new Haxby library and the station development in Haxby.

Andrew Mortimer spoke as a carer for his adult stepson. He expressed approval that, despite financial pressures, the budget proposals included support for the most vulnerable people across the city.

57. Appointment of External Auditors

Members received a report from the Director of Governance & Monitoring Officer and the Chief Finance Officer inviting Council to opt into the national Public Sector Audit Appointments process for the procurement of the Council's External Auditor, as recommended by Audit & Governance Committee.

Cllr Fisher moved, and Cllr Webb seconded, the following recommendation, as set out in the report:

"Full Council is invited to accept the Public Sector Audit Appointments' invitation to opt into the sector-led option for the

appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

Reason: The Local Audit (Appointing Person) Regulations 2015 ('the Regulations') require that a decision to opt in must be made by a meeting of the Council (meeting as a whole). The Council then needs to formally respond to PSAA's invitation in the form specified by PSAA."

A named vote was then taken, and all Members voted in favour. The recommendation was therefore declared CARRIED, and it was

Resolved: That the above recommendation be approved.

58. Recommendations of the Executive in respect of the Capital Programme Monitor 3 2021/22

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendation contained in Minute 93 of the Executive meeting held on 7 February 2022:

"Recommended: That Council approve the adjustments resulting in a decrease of £15.678m in the 2021/22 budget, as detailed in the report and contained in Annex A.

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

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

For	Against	Abstained
Cllr Aspden		Cllr Warters
Cllr Ayre		
Cllr Baker		
Cllr Barker		
Cllr Barnes		
Cllr Carr		
Cllr Craghill		
Cllr Crawshaw		
Cllr Cullwick		
Cllr Cuthbertson		
Cllr D'Agorne		

Cllr Daubeney		
Cllr Doughty		
Cllr Douglas		
Cllr Fenton		
Cllr Fisher		
Cllr Fitzpatrick		
Cllr Galvin		
Cllr Heaton		
Cllr Hollyer		
Cllr Hook		
Cllr Hunter		
Cllr Kilbane		
Cllr Lomas		
Cllr Looker		
Cllr Mason		
Cllr Melly		
Cllr Musson		
Cllr Myers		
Cllr Norman		
Cllr Orrell		
Cllr Pearson		
Cllr Perrett		
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)		
4 5	0	1

The recommendation was therefore declared CARRIED and it was

Resolved: That the above recommendation be approved.

59. Recommendations of Executive on the Council's Financial Strategy 2022/23 to 2026/27, Capital Budget 2022/23 to 2026/27, Capital Financing and Investment Strategy and the Treasury Management Strategy Statement and Prudential Indicators for 2022/23 to 2026/27

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendations made by Executive at its meeting on 7 February 2022 in relation to:

- the Financial Strategy 2022/23 to 2026/27
- the Capital Budget 2022/23 to 2026/27
- the Capital Financing and Investment Strategy
- the Treasury Management Strategy Statement and Prudential Indicators 2022/23 to 2026/27,

as set out in paragraphs 45 to 48 of the report at Item 7 on the Council agenda:

“Revenue Budget

Executive recommends that Council:

- i. Approve the budget proposals outlined in the Financial Strategy report and in particular:
 - a. The net revenue expenditure requirement of £135.384m;
 - b. A council tax requirement of £102.043m;
 - c. The revenue growth proposals as outlined in the body of the report;
 - d. The 2022/23 revenue savings proposals as outlined in annex 2;
 - e. The fees and charges proposals as outlined in annex 3;
 - f. The consultation feedback as set out in annex 4;
 - g. The Housing Revenue Account (HRA) savings proposals set out in annex 6 and the HRA 2022/23 budget set out in annex 7;

- h. The dedicated schools grant proposals outlined from paragraph 194;
- i. The use of £650k New Homes Bonus to fund one off investment, as outlined in paragraph 118.
- ii. That Council note that the effect of approving the income and expenditure proposals included in the recommendations would result in a 2.99% increase in the City of York Council element of the council tax, 1% of which would relate to the social care precept.

Reason: To ensure a legally balanced budget is set.

Capital Budget 2022/23 to 2026/27

Executive recommends that Council:

- i. Agree to the revised capital programme of **£459.625m** that reflects a net overall increase of **£70.176m** (as set out in table 2 and in Annex A). Key elements of this include:
 - a) New schemes funded by a combination of both prudential borrowing and external funds of £16.300m as set out in table 4;
 - b) Extension of prudential borrowing funded Rolling Programme schemes totalling £31.411m as set out in table 5;
 - c) Extension of externally funded Rolling Programme schemes totalling £10.475m as set out in table 8;
 - d) An increase in HRA funded schemes totalling £10.090m funded from a combination HRA balances/Right to Buy receipts as set out in table 9.
- ii. Note the total increase in Council borrowing as a result of new schemes being recommended for approval is £37.611m the details of which are considered within this report and the financial strategy report.

- iii. Approve the full restated programme as summarised in Annex B totalling **£459.625m** covering financial years 2022/23 to 2026/27 as set out in table 13 and Annex B.

Reason: In accordance with the statutory requirement to set a capital budget for the forthcoming financial year.

Capital and Investment Strategy

Executive recommends that Council approve the Capital and Investment Strategy at Annex A.

Reason: To meet the statutory obligation to comply with the Prudential Code 2017

Treasury Management Strategy Statement and Prudential Indicators

Executive recommends that Council approve:

- i. The proposed treasury management strategy for 2022/23 including the annual investment strategy and the minimum revenue provision policy statement;
- ii. The prudential indicators for 2022/23 to 2026/27 in the main body of the report;
- iii. The specified and non-specified investments schedule (annex B);
- iv. The scheme of delegation and the role of the section 151 officer (annex D).

Reason: To enable the continued effective operation of the treasury management function and ensure that all council borrowing is prudent, affordable and sustainable.”

Labour Amendment

Cllr Kilbane sought Council’s consent to alter the amendment submitted on behalf of the Labour Group in order to correct some numerical errors relating to the Capital proposals.

Council having granted consent, Cllr Kilbane moved and Cllr Douglas seconded the altered amendment, as follows:

“In relation to the Executive’s recommendations on the revenue budget (paragraph 45 of page 50 of Council papers refers):

In sub paragraph (c) add at the end of the sentence ‘subject to the following amendments:

- £30k one off investment in development of planning policy (SPD) to restrict number of short term holiday lets, inc. Air BnBs
- £5k one off nominal funding necessary to enable the Theatre Royal to apply for external funding elsewhere of a far greater amount, to broaden participation and support its immediate future
- £50k one off investment for Front Street secondary shopping area investment
- Part Reversal of one off growth £85k – part reversal of the £500k one off growth to ensure that there is sufficient general reserve contingency.’

In sub paragraph (d) add at the end of the sentence ‘subject to the following amendments:

- Reverse saving proposal PE001 Home to School Transport - £150k
- Reverse saving proposal ECC1 Carbon Reduction Central Team - £100k
- Reverse saving proposal ECC2 Reduction in 1FTE in Transport and Parking - £25k
- Reverse saving proposal HASC2 Mental Health - £31k
- A reduction of 1 FTE in Executive policy team - £55k
- A reduction of two Executive Members - £38k
- Removal of 2 Scrutiny Chair - £12k
- Increase income from Corporate advertising £15k
- Reduction of 1.7 FTE in the Communications Team - £74k
- Delete vacant post – Head of Democratic Governance £82k’.

In sub paragraph (e) add at the end of the sentence ‘subject to the following amendments:

- PLA03: Bulky Waste collection charge increase from £24 to £30 for 10 items– £10k
- Additional green bin waste collection fee increase to better cover full cost of the service - £20k.’

In sub paragraph (g) add at the end of the sentence ‘subject to the following amendment:

- £100k recurring allocation of HEIP budget into minimum 2 FTE intensive support officers (Housing Services), helping to reduce ASB in our communities’.”

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

For	Against	Abstained
Cllr Barnes	Cllr Aspden	Cllr Carr
Cllr Crawshaw	Cllr Ayre	Cllr Warters
Cllr Douglas	Cllr Baker	
Cllr Fitzpatrick	Cllr Barker	
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 Perrett	Cllr Hunter	
Cllr K Taylor	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)	
17	27	2

The Labour amendment was therefore declared LOST.

[The meeting was adjourned for a break at 8:10 pm and reconvened at 8:25 pm.]

Conservative amendment

Cllr Doughty then moved, and Cllr Rowley seconded, the following amendment on behalf of the Conservative Group:

“In relation to the Executive’s recommendations on the revenue budget (paragraph 45 of page 50 of Council papers refers):

In sub paragraph (a) delete ‘£135.384m’ and replace with ‘£134.894m’

In sub paragraph (b) delete ‘£102.043m’ and replace with ‘£101.553m’

In sub paragraph (c) add at the end of the sentence ‘subject to the following amendments:

- £100k investment in additional pothole repair budget;
- £10k investment to cover the annual maintenance cost of 40 new street benches;
- £60k investment to cover 2FTE Public Realm Officers for City Centre and Out of Town hubs;
- £75k investment to target travel solutions to communities lacking adequate bus travel. Bid would be invited for schemes from the likes of the York Bus Forum and Parish Councils.’

In sub paragraph (d) add at the end of the sentence ‘subject to the following amendments:

- A reduction of 2 FTE in Executive policy team - £88k
- A reduction of two Executive Members - £38k
- Removal of Climate Change Committee Chair - £6k
- Increase income from advertising in ‘Our City’ - £60k
- Reduction of 2 FTE in the Communications Team - £87k

- A reduction of member allowances increase, including all special responsibility allowances, to 2019/20 levels, allowing only for inflation at the rate previously agreed in 2015 - £77k
- A reduction of purple flag promotion budget - £50k
- A reduction in the Climate Change Delivery Fund - £100k
- Reduction in overtime budgets - £100k
- Staff reduction of 2 FTE political assistant posts - £87k
- A reduction in the print budget, by switching to paperless meetings - £25k
- Reduction in Executive Support Assistants (Business Support) - £50k.'

In sub paragraph (e) add at the end of the sentence 'subject to the following amendments:

- PLA03: Bulky Waste collection charge decrease from £24 to £20 for 10 items– £8k
- PLA04: reverse evening charge for Minster Badge holders - £25k'.

In paragraph 45 (ii) third line, delete '2.99%' and replace with '2.5%.'"

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

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

	Cllr Fitzpatrick	
	Cllr 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 Pearson	
	Cllr Perrett	
	Cllr Runciman	
	Cllr Smalley	
	Cllr D Taylor	
	Cllr K Taylor	
	Cllr Vassie	
	Cllr Waller	
	Cllr Wann	
	Cllr Waudby	
	Cllr Webb	
	Cllr Wells	
	Cllr Widdowson	
	Cllr Looker (Lord Mayor)	
2	43	1

The Conservative amendment was therefore declared LOST.

After debate, a named vote was then taken on the **original recommendations**, with the following result:

For	Against	Abstained
Cllr Aspden	Cllr Barnes	Cllr Galvin
Cllr Ayre	Cllr Crawshaw	
Cllr Baker	Cllr Doughty	
Cllr Barker	Cllr Douglas	
Cllr Carr	Cllr Fitzpatrick	
Cllr Craghill	Cllr Heaton	

Cllr Cuthbertson	Cllr Kilbane	
Cllr D'Agorne	Cllr Lomas	
Cllr Daubeney	Cllr Looker	
Cllr Fenton	Cllr Melly	
Cllr Fisher	Cllr Musson	
Cllr Hollyer	Cllr Myers	
Cllr Hook	Cllr Norman	
Cllr Hunter	Cllr Perrett	
Cllr Mason	Cllr Rowley	
Cllr Orrell	Cllr K Taylor	
Cllr Pearson	Cllr Warters	
Cllr Runciman	Cllr Webb	
Cllr Smalley	Cllr Wells	
Cllr D Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Waudby		
Cllr Widdowson		
Cllr Cullwick (Lord Mayor)		
26	19	1

The original recommendations were therefore declared CARRIED and it was

Resolved: That the Executive's recommendations to Council be approved.

60. Council Tax Resolution 2022/23

Finally, and in light of the setting of the budget for 2022/23 under minute 59 above, Councillor Aspden moved, and Councillor D'Agorne seconded, the Council Tax resolution for 2022/23, as set out in the report and schedules at pages 55-66 of the Council agenda.

After debate, the required named vote was taken on the Council Tax Resolution, with the following result:

For	Against	Abstained
Cllr Aspden	Cllr Doughty	
Cllr Ayre	Cllr Rowley	

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

43	3	0
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The motion was accordingly declared CARRIED, and it was

Resolved:

- (i) That it be noted that on 25 November 2021 the Chief Finance Officer, under her delegated authority, calculated the council tax base for the year 2022/23:
 - (a) for the **whole Council area** as 68,220.40 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the “Act”)]; and
 - (b) for those dwellings in those parts of its area to which a **Parish** precept relates as in column 1 in the attached Schedule A.
- (ii) That it be calculated that the Council Tax requirement for the Council’s own purposes for 2022/23 (excluding Parish precepts) is £102,042,710.
- (iii) That the following amounts be calculated for the year 2022/23 in accordance with Sections 31 to 36 of the Act:
 - (a) £462,424,017.45 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £359,515,055 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £102,908,962.45 being the amount by which the aggregate at 14(a) above exceeds the aggregate at 14(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. [Item R in the formula in Section 31B of the Act].
 - (d) £1,508.48 being the amount at 14(c) above [Item R], all divided by Item T (12(a) above), calculated by the Council, in accordance with Section 31B of

the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

- (e) £866,252.45 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Schedule A).
 - (f) £1,495.78 being the amount at 14(d) above less the result given by dividing the amount at 14(e) above by Item T (12(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (iv) That it be noted that the Fire and Crime Commissioner for the North Yorkshire Police Authority and the North Yorkshire Fire and Rescue Authority has issued precepts to the Council in accordance with Section 40 of the Act for each category of dwellings in the Council's area as indicated in the tables below.
- (v) That the Council, in accordance with sections 30 and 36 of the Act, hereby sets the aggregate amounts shown in the tables below, and at Schedule B for Parished areas, as the amounts of council tax for 2022/23 for each part of its area and for each of the categories of dwellings.

City of York Council

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
997.18	1,163.39	1,329.58	1,495.78	1,828.17	2,160.57	2,492.96	2,991.56

North Yorkshire Police Authority

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
187.37	218.60	249.83	281.06	343.52	405.98	468.43	562.12

North Yorkshire Fire and Rescue Authority

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
50.41	58.81	67.21	75.61	92.41	109.21	126.02	151.22

Aggregate of Council Tax Requirements (excluding Parished Areas)

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
1,234.96	1,440.80	1,646.62	1,852.45	2,264.10	2,675.76	3,087.41	3,704.90

- (vi) That it be determined that the Council's basic amount of council tax for 2022/23 is not excessive in accordance with the principles approved under section 52ZB of the Act. As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of council tax for 2022/23 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

Cllr Chris Cullwick
LORD MAYOR OF YORK

[The meeting started at 6.34 pm and concluded at 9.40 pm]