

Meeting	Executive
Date	18 November 2021
Present	Councillors Aspden (Chair), Ayre, Craghill, Cuthbertson, D'Agorne, Runciman, Smalley, Waller and Widdowson
In Attendance	Councillor Kilbane

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## **PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**

### **48. Declarations of Interest**

Members were asked to declare at this point in the meeting any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests, that they might have in the business on the agenda. No additional interests were declared.

### **49. Minutes**

Resolved: That the minutes of the Executive meetings held on 30 September 2021 and 14 October 2021 be approved, and signed by the Chair as a correct record.

### **50. Public Participation and Comments of the Scrutiny Chair**

#### Public Participation

It was reported that there were 22 people registered to speak at the meeting under the Council's Public Participation Scheme. The Chair agreed to waive the usual 30 minute time limit on this item to allow all the speakers to make representations, in view of the extent of public interest in the items relating to the footstreets.

Gwen Swinburn spoke on governance matters within the Executive's remit, including the need for consultation on the Constitution.

The following spoke on **Agenda Item 5** (My City Centre Strategic Vision – Adoption of Vision and Next Steps):

Steve Secker, of York Property Forum and a member of My City Centre Steering Group, spoke in support of the proposals.

Cllr Douglas supported the proposals, with the caveat that Make It York must take on board feedback and listen to residents.

Jamie Wood queried why only blue badge holders and disabled cyclists were excluded from the city centre.

Cllr Vassie was disappointed to see no mention of public transport and suggested the trialling of an electric shuttle bus.

The following spoke on **Agenda Item 6** (Strategic Reviews of City Centre Access and Council Car Parking):

Kate Ravilous stressed that York must be accessible to all, and asked Members to defer the decision on the Car Parking review.

Rob Ainsley, of York Cycle Campaign, urged Members to explore options for a trial cycle route and blue badge cycling in the centre.

Cristian Santabarbara, representing pedal cycle couriers, urged Members to consider the recommendations in the Martin Higgitt report (Annex 7)

Johnny Hayes criticised the data and methodology of the Car Parking review and said it should be rejected.

The following spoke on **Agenda Item 6** (as above) **and Agenda Item 7** (Consideration of Changes to the City Centre Traffic Regulation Order):

Helen Jones, on behalf of York Disability Rights Forum, said that banning blue badge holders was discrimination and there were other solutions that would meet counter-terrorism requirements.

Andrew Lawson, of York Bid, highlighted the success of the footstreets extension, while agreeing that the city centre should be safe and accessible for all.

Cllr Melly noted the benefits of excluding traffic from the city centre but stressed this did not require excluding blue badge holders.

Jane Albon supported the proposed access improvements, but requested an 'green badge' exit facility for disabled people such as her young granddaughter.

Sophie Jewett, as the owner of a business on Castlegate, highlighted the complexities of the situation there, stressing that it was not a case of businesses versus disabled people.

Cllr Lomas pointed out that consultation was not mitigation and that the proposals would have a disproportionate impact on disabled people.

Simon Williams, of the Federation of Small Businesses, highlighted the effects of access restrictions on some businesses and said there was need to focus on the practicalities of access for all.

The following spoke on **Agenda Item 7** (as above):

Diane Roworth urged Members to reject the proposals and work with those affected to find a solution. She circulated a statement supported by a number of organisations.

Ian Gillies said that the council should do more to bar unauthorised vehicles from the city centre and should prioritise access for blue badge holders over pavement cafes.

Alison Hume spoke against the proposals on behalf of York Accessibility Action, with reference to the petition she had started in 2020, which had been signed by 2,200 people (*this was circulated to Members at the meeting*).

Andrew Morrison, of York Civic Trust, supported the council's ambitions for the city centre but said more innovative and collaborative solutions were needed to realise them.

Anna Baldwin, on behalf of the Sight Loss Council, said that some venues were becoming inaccessible to those using buses and taxis; the council should meet people to work out solutions.

Karen Woodward, Office Manager for York Wheels, spoke on **Agenda Item 8** (Dial & Ride: Funding and Delivery Arrangements), supporting the proposals in the report.

### Written Comments

Written comments were received from:

- Susan Leadley - on behalf of her disabled daughter, on lack of access to the footstreets;

- Sandra Hutchinson – a blue badge holder, on lack of access to the footstreets;
- Karen Wilson – on lack of access to the footstreets, specifically in the evening due to extended hours;
- Jason Hawkins – a Castlegate business owner, supporting the continued pedestrianisation of Castlegate.

### Comments of the Scrutiny Chair

At the end of the Public Participation session, the Chair invited Cllr Crawshaw, as Chair of the Customer & Corporate Services Scrutiny Management Committee (CCSMC), to speak on the CCSMC's Recommendations / Comments to Executive published in the first Agenda Supplement.

Cllr Crawshaw outlined the discussions that had taken place at the CCSMC meeting on 8 November 2021, explaining the process that had led to the committee's recommendations. He commented on the exclusion of disabled people from the city centre, stated that the legal advice published in the second Agenda Supplement had not come from an equality law specialist, and urged Executive to defer their decisions in relation to access for blue badge holders.

#### **51. Forward Plan**

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

#### **52. My City Centre Strategic Vision - Adoption of Vision and Next Steps**

The Director of Housing, Regeneration & Economy and the Head of Regeneration & Economy presented a report which sought approval for *My City Centre Vision* (the Vision), an aspirational 10 year strategic vision for York city centre, developed through extensive public engagement and stakeholder involvement.

The My City Centre project had been commissioned by Executive in August 2019. The draft Vision, attached as Annex 1 to the report, responded to the challenges and opportunities presented by the changing nature of the high street and the impacts of the Covid pandemic. It aimed to put local residents

and families at the heart of the city centre, ensuring vibrant community use to support businesses and drive social and cultural activity. Details of public and stakeholder engagement were set out in the report and in Annexes 2-4. Feedback from the latest round of engagement indicated strong approval for the draft Vision, with 82% of respondents agreeing with the vision statement.

Members welcomed the report and the Vision; in particular, its focus on creating a family-friendly city centre that was also attractive to visitors, supporting employment opportunities, and putting York in the best place to secure funding. Having noted the comments made on this item under Public Participation and the advice of Scrutiny and officers' responses published in the agenda supplements, it was

Resolved: (i) That the My City Centre Strategic Vision set out in Annex 1 to the report be approved, and adopted as a guide to investment in the centre, to inform policy decision and as a material consideration in planning (where relevant).

Reason: To establish a long term social, environmental and economic strategic vision for a sustainable future for York city centre, and ensure that decisions are made in accordance with this vision.

(ii) That officers be instructed to prepare a delivery strategy for the vision, by working with partners including the project Stakeholder Group, which will be brought to a future Executive meeting.

Reason: To establish a means for delivering the vision, establish roles and responsibilities with partners, and prioritise the actions contained within the vision

### **53. Strategic Reviews of City Centre Access and Council Car Parking**

The Director of Environment, Transport & Planning and the Head of Regeneration & Economy presented a report which summarised the outcomes of the Strategic Reviews of City Centre Access and Council Car Parking, commissioned by the Executive in November 2020, and recommended the adoption of the associated action plans.

The Access review, attached as Annex 1 to the report, was based on extensive public and stakeholder engagement and proposed a clear strategy for travel through the city centre and how access to and through the footstreets could be improved for disabled people, deliveries, cyclists and residents. The car parking review, at Annex 2, had two parts. It:

- identified information gaps in the use and provision of car parks that could be improved to guide future decision making in Local Transport Plan 4; and
- created a hierarchy of council car parks to inform both current investment decisions and responses to any future decline in demand.

In response to Members' questions and matters raised under Public Participation, officers confirmed that:

- The Castle car park was not included in the Parking review because the decision had already been made to close it;
- All but two of the recommendations in the Martin Higgitt Associates report at Annex 7 had been captured in the Access action plan;
- The Access Officer, when appointed, would be able to examine the potential for disabled cycling in the city centre;
- Opportunities for blue badge parking on the edge of the footstreets could be kept under review;
- A progress report on the Access action plan could be brought back to Members..

Having noted the comments made under Public Participation and the advice of Scrutiny and officers' responses published in the agenda supplements, it was

Resolved: (i) That the Strategic Review of City Centre Access and associated Action Plan at Annex 1 to the report be approved, including the creation of an Access Officer post.

Reason: To agree a clear strategy for access to and through the city centre footstreets and approve the action plan (subject to the success of identified funding bids) to implement the improvements to access that have been developed through public and stakeholder engagement.

(ii) That the City Centre Access model set out in the Strategic Review of City Centre Access be approved as a key principle in Local Transport Plan 4.

Reason: To ensure the council's strategic priorities are aligned and consistent.

(iii) That the Strategic Review of Council Car Parking and associated Action Plan at Annex 2 be approved.

Reason: To allow the council to define and invest strategically in its priority car parks and to inform future decisions on which car parks could be used for alternative uses should future parking demand decline through either market conditions or policy based decisions.

(iv) That it be noted that a future report on whether to re-commence the paused procurement of a contractor to build St George's Field MSCP will be brought to Executive as part of a wider delivery update on the Castle Gateway project in February 2022.

Reason: To consider whether to proceed with St George's Field MSCP in light of the outcomes of the Strategic Review of Council Car Parking, a review of the business case, and the wider progress of the masterplan.

(v) That the Access Officer be asked to bring updates on the progress of implementing the Access Action Plan to the relevant portfolio holder for review.

Reason: To ensure that the progress of the plan is monitored.

(vi) That more opportunities be explored for blue badge parking on the edge of the footstreets.

Reason: To increase the availability of blue badge parking close to the city centre where possible.

#### **54. Consideration of Changes to the City Centre Traffic Regulation Order**

The Corporate Director of Place presented a report that considered the future operation of the footstreets, being those streets in the city centre that are pedestrianised during certain hours of the day. Members were asked to decide upon the time until which the footstreet hours should operate, the extent of counter-terrorism measures, and mitigations to improve access to the city centre, particularly for disabled people, should the officer recommendations be agreed.

In 2018, Executive had approved the first phase of hostile vehicle mitigation measures in response to counter-terrorism advice. These had retained the exemption allowing blue badge holders access to park on certain footstreets during pedestrianised hours, while identifying those streets for future phases. More recently, the exemption had been removed in response to the Covid-19 pandemic via a Temporary Traffic Regulation Order (TTRO) to increase space for social distancing, in line with government guidance. The TTRO had also extended the pedestrianised hours to 8pm. In July 2021, a statutory consultation had begun on proposals to remove the exemption permanently, with mitigations. Details of the responses to consultation were set out in paragraphs 59-88 of the report, and in the report annexes.

In presenting the report, officers recognised that for some the effects of removing the exemption could not be mitigated. They also referred to their revised proposals, prepared in response to the advice of the Customer & Corporate Services Scrutiny Management Committee (CCSMC) and published in Agenda Supplement 2. Supt. Mark Palmer of North Yorkshire Police commented on the proposals from a police perspective, in view of the recent increase of the UK terrorism threat to severe. In response to Members' questions, it was confirmed that:

- Advice on anti-terror protection had shifted towards protecting publicly accessible land, with footstreets a priority;
- Cities across the UK and Europe were moving towards hostile vehicle mitigation measures;
- The risk profile of authorities varied, so that measures in Bath, Chester etc. would not be identical to those in York;



Having noted the comments made on this item under Public Participation, the comments of the Police at the meeting, and the advice of CCSMC, officers' responses and legal advice published in the agenda supplements, it was

Resolved: Hostile Vehicle Mitigation (HVM) and Future Blue Badge Access to Footstreets

(i) That the responses to the statutory consultation on the removal of blue badge exemptions permitting access to footstreets during pedestrianised hours be noted.

Reason: To recognise the statutory consultation process as part of decision making.

(ii) That the impact of the proposals on Blue Badge holders and the disabled community, as identified through the statutory consultation and the wider engagement work the council has undertaken, be taken into account, noting that some members of this community have made clear that removal of the exemption will remove their ability to access the footstreets, as set out and duly considered within the Equalities Impact Assessment at Annex AA to the report.

Reason: To recognise the Council's duties under the Equalities Act and Human Rights Act and to ensure that the Council strikes the a proportionate balance between the rights of individuals and the interests of the community and to have due regard to the impacts that the proposals will have on some members of a community with a protected characteristic.

(iii) That, having considered (i) and (ii) above, officers' recommendation to remove the exemption on vehicles displaying a Blue Badge from accessing Blake Street, Church Street, Colliergate, Goodramgate between Deangate and Church Street, King's Square, Lendal, St Andrewgate between its junction with King's Square and a point

50 metres north east and St Helen's Square during the pedestrian hours be accepted and approved.

(iv) That all remaining vehicle access exemptions, such as bullion vehicles, be reviewed to explore how they can be removed or discouraged to protect the integrity of the counter-terrorism measures, and that a report be brought back on a date to be agreed with the Executive Member for Transport, to ensure that the police advice is followed in full.

Reason: To protect more of the footstreets from the risk of a terrorist attack, recognising the responsibilities of the council in relation to the European Convention of Human Rights Article 2, The Right to Life - this article places a positive duty on the state to protect life whilst considering the council's Equalities Duty.

(v) That, having considered (i) and (ii) above, officers' recommendation not to proceed with a permanent change to remove blue badge access to Castlegate at this stage be accepted and approved.

Reason: The case for change at Castlegate is presented in the Castle Gateway Masterplan. Any proposals for this location need to be considered once a delivery and phasing plan for the Castle Gateway project is approved.

(vi) That the additional Blue Badge parking that formed part of the statutory consultation be implemented, with the exception of the two bays on St Andrewgate nearest to its junction with Bartle Garth.

Reason: Recognising the consultation comments relating to St Andrewgate, and because the bays nearest to the junction with Bartle Garth cause an obstruction to vehicles and cycles as well as hindering access in/out of a private drive.

(vii) That, should the Active Travel Fund bid to Improve Disabled Access Routes into and around the city centre (including improved paving and dropped kerbs) be unsuccessful, authority be delegated to the Executive Member for Transport to reprioritise existing transport funding of £250,000, to ensure that this key element of the action plan in the Strategic Review of City Centre Access is delivered.

Reason: Recognising the impact that removing the exemption on vehicles displaying a blue badge from accessing the pedestrian area will have on the disabled community. Implementing these measures will improve access to the city centre.

(viii) That businesses be informed of, and given the option to comment on, the permanent HVM plans and specific barrier placements before these are brought to Executive for approval.

Reason: To enable businesses affected by the proposals to have an input.

#### Permanent Footstreet Hours

(ix) That a statutory consultation be commenced on a permanent change to footstreet hours, to be from 10:30 am to 7:00pm.

Reason: To give effect to the My City Centre Vision, which has an aspiration for long-term footstreet hours that run until 7pm, which was supported in the My City Centre consultation.

#### Covid Response Recommendations

(x) That it be agreed that Blue Badge access and parking will continue to be suspended on Castlegate until the end of September 2022, at which point Blue Badge exemptions to allow access will return and existing pavement café licenses granted to parklets on the street will not be renewed.

(xi) That a further temporary extension of footstreet hours to 8:00 pm be approved through to the end of the calendar year.

Reason: To extend the existing footstreet hours in line with Christmas Markets.

(xii) That a further temporary extension of footstreet pedestrian hours to 7:00pm be approved from January 2022 through to the end of September 2022, in line with the government's legislation for pavement café licenses, and that pavement café licenses be rescinded and re-issued with an amended finish of 8:00 pm instead of 7:00 pm.

Reason: Extending the existing footstreet hours in line with the government extension for pavement cafés will allow the temporary pavement café licences that have been awarded to continue, and amending the time to match the proposed permanent change to footstreet hours avoids confusion.

## 55. **Dial & Ride: Funding and Delivery Arrangements**

The Director of Transport, Environment and Planning presented a report which detailed options for the procurement of York's Dial & Ride services versus a grant funding model for the existing provider, York Wheels, following expiry of the current funding arrangements. A decision was also sought on the replacement of two life-expired Dial & Ride minibuses, and the funding of enhancements to the service after further engagement work with blue badge holders.

York Wheels had operated the service for many years under a service level agreement (SLA), in a manner which provided excellent value for money. However, the SLA required annual review, and a longer term agreement was needed to safeguard the future of the service. Two options were available, as detailed in paragraphs 35-56 of the report:

**Option 1** – provide a revenue grant to York Wheels to enable them to operate both Dial & Ride and the Voluntary Car Share Scheme as an independent client organisation, as

recommended (cost: £121k per annum revenue funding plus approx. £15k per annum concessionary travel reimbursement). **Option 2-** provide grant funding to York Wheels to enable them to operate the Care Share Scheme only, as an independent client organisation, and undertake a competitive tender to find a Dial & Ride operator. Not recommended, due to the additional costs likely to be factored in by commercial operators, removal of the flexibility of the existing model and the risk of an adverse impact upon York Wheels as a charity.

Resolved: (i) That authority be delegated to the Corporate Director of Place, in consultation with the S.151 Officer and Director of Governance, to enter into a grant funding model with York Wheels for the Dial & Ride Service.

Reason: To ensure that local community transport services continue to operate at full strength on a stable financial basis.

(ii) That approval be given for the grant-funded replacement of two minibuses, in compliance with current council fleet replacement policies.

Reason: To ensure that the Dial & Ride service meets the highest reliability and safety standards going forward within the available budget.

(iii) That the additional cost of the service going forward be recognised, and that it be noted that this will be funded from Bus Service Operator Grant (BSOG).

Reason: To ensure that new service is funded within available budgets.

(iv) That the Corporate Director of Place be authorised to open discussions with York Wheels about how they may be able to support Blue Badge Holders with access to the City Centre up to the value of £50k.

Reason: To ensure that the Dial & Ride is part of the solution to ensuring disabled access to the city centre in the future.

## 56. **York Railway Station Gateway - Project Update and LNER Funding & Development Agreement**

The Corporate Director of Place presented a report which provided an update on progress on the design and delivery of the York Railway Station Gateway Scheme, including funding status, delivery of the works packages, land acquisition and legal agreements with strategic project partner, LNER.

Key milestones and current activity on the project were detailed in paragraphs 10-25 of the report. Work was ongoing to discharge the conditions of the planning consent achieved in February 2021. The contract for professional services had been re-procured due to the increased scope of this element of work. The preferred delivery strategy for the scheme, as agreed with project partners, was set out in Table 1 at paragraph 12, with the recommended procurement routes (Packages 1-4), along with their estimated costs, in Table 2. In addition to the updated WYCA funding for the scheme of £25.990m, LNER had confirmed funding of £0.5m to re-surface the station portico, bringing the total revised budget to £26.490m.

The Chair welcomed the report, and the continued focus on a project that would enhance sustainable transport links. The Executive Member for Transport highlighted the commitment to rail demonstrated by the project and noted that Package 5 (multi-storey car park) was not included in the funding and would be delivered by Network Rail and LNER.

Resolved: (i) That the progress made to date with the regard to the design and delivery of the York Station Gateway scheme in particular with respect to procurement of a new professional services contract, delivery of the Package 1: Enabling Works, Package 2: Highway Works, land acquisition, design, Contractor procurement, and current funding status, be noted.

Reason: To confirm that the Executive has been updated on project progress as a basis for future decisions.

(ii) That the updated budget and Delivery and Procurement Strategy of the scheme be approved, and authority be delegated to the Director of Place (in consultation with the s151 Officer and Director of

Governance or their delegated officers) to take such steps as are necessary to procure, award and enter into the resulting contracts for Package 2: Highway Works, Package 4: Loop Road Works (and Package 3: Station Works if agreement on the Funding and Development Agreement with LNER cannot be reached).

Reason: To enable arrangements to be put in place to proceed to procurement of a delivery contractor.

(iii) That approval be granted to enter into a Funding and Development Agreement between the CYC and LNER for the delivery of Package 3: Station Works and that authority be delegated to the Director of Place (in consultation with the s151 Officer and Director of Governance or their delegated officers) to take such steps as are necessary to negotiate and enter into the final agreement.

Reason: To progress the delivery of the station works elements of the scheme which will create space for revised taxi provision at the station and an increase in space for the public realm.

(iv) That approval be granted to enter into a Funding Agreement with WYCA to formalise the merging of the West Yorkshire-Plus Transport Fund and the Transforming Cities Fund, and that authority be delegated to the Director of Place (in consultation with the s151 Officer and Director of Governance or their delegated officers) to take such steps as are necessary to negotiate and enter into the final agreement.

Reason: To progress the delivery of the scheme.

(v) That approval be given to draw down further funds from West Yorkshire-Plus Transport Fund and/or Transforming Cities Fund, to provide funding for LNER to progress the detailed design of the Package 3: Station Works element of the scheme (and the procurement of a delivery Contractor if agreement on the Funding and Development

Agreement with LNER cannot be reached) and that authority be delegated to the Director of Place (in consultation with the s151 Officer and the Director of Governance or their delegated officers) to draw the funds down.

Reason: To enable the production of detailed cost plans and to progress the station works to procurement.

## 57. **Recommissioning of Carers Support Services**

The Director of Prevention and Commissioning / Corporate Director of People presented a report which sought approval to recommission the Carers Support Services for adults and young people via an open tender exercise.

The existing contract, which received a financial contribution from the Vale of York CCG, was due to expire on 31 March 2022. The CCG had agreed to continue their contribution under the new contract over the next 7 years. Three options were detailed in paragraph 5 of the report for Members' consideration:

**Option 1** – recommission the services, as recommended.

**Option 2** – do not recommission. Not recommended, as the full range of statutory obligations could not be met by the in-house Carers Support Workers alone.

**Option 3** – move to an fully in-house delivery model. This could cause confusion, put more pressure on staff. and would not be in line with the principles of the Care Act 2014.

In supporting the recommendations, the Executive Member for Health & Adult Social Care highlighted the essential work carried out by carers and noted that the proposals aligned with the ambitions of York's 5-year Carer Strategy.

Resolved: (i) That Option 1 be approved and a tender exercise be undertaken to re-commission Carers Support Services for adults and young people, in line with the Key Decision criteria as set out in section 7.8 of the council's Contract Procedure Rules.

(ii) That authority to award the contract be delegated to the Director of Prevention and Commissioning, in consultation with the Executive



Member for Health & Adult Social Care, the Chief Finance Officer, and the Director of Governance.

Reason: To deliver a sustainable, integrated support model for carers, delivered by a competent and professional external provider who fully understands the needs of carers of all ages and from all backgrounds and works within the principles of the Care Act 2014, placing emphasis on prevention, early intervention and the maximisation of self-care.

## **58. Refresh of York's Parish Charter**

The Assistant Director, Customer and Communities, presented a report which detailed the outcome of a review undertaken of the charter between City of York Council and the 31 parish and town councils within the York local authority area, and sought approval for a revised Charter.

The charter had last been reviewed in 2016. The current review had been co-ordinated by the York Parish Council Liaison Group, which included 6 parish councillors appointed by Yorkshire Local Councils Associations (YLCA) and representatives of City of York Council (CYC). The draft revised charter, attached as Annex 1 to the report, incorporated the amendments suggested by the Joint Standards Committee at their meeting on 6 July 2021.

Members were invited either to approve the draft charter for signing by CYC and the York Branch of the YLCA (Option 1), or to suggest further amendments (Option 2).

Resolved: (i) That the revised charter be approved, and that the Executive Member for Culture, Leisure & Communities be asked to sign it on behalf of the council.

(ii) That the revised charter be referred to the York Branch of the Yorkshire Local Councils Association (YLCA) for signature on behalf of the local councils.

Reason: To advance joint working between City of York Council and York's parish councils.

**59. Merger of York Coroner Area with North Yorkshire County Council Coroner Areas**

The Director of Governance presented a report which sought approval to submit a business case to the Ministry of Justice and Chief Coroner requesting permission to merge the existing City of York Council (CYC) coroner area and the North Yorkshire County Council (NYCC) coroner areas into one area, in order to improve the resilience and efficiency of the service.

Although coroners were not local authority employees, local authorities were responsible for their appointment and payment, and for meeting all costs of the service. It was the view of the Chief Coroner, set out in guidance attached at Annex 1 to the report, that the number of coroner areas should be reduced.

On 17 January 2019, Executive had granted approval to discuss a potential merger with NYCC (Minute 96 of that meeting refers). That merger was now possible, as North Yorkshire was considering the East and West areas due to the retirement of both their senior coroners. On 28 April 2021, NYCC had agreed, subject to formal approval by CYC, to submit a business case to merge all three existing coroners areas into one area. Members were recommended to grant this approval; the alternative, to seek permission to remain a separate area, was unlikely to gain the support of the Chief Coroner and Ministry of Justice.

- Resolved:
- (i) That approval be given to submit a business case to the Ministry of Justice and Chief Coroner seeking permission to merge the existing City of York Council coroner area and the North Yorkshire County Council coroner areas into one area, and that authority be delegated to the Chief Operating Officer (in consultation with the Director of Governance or her delegated officers) to make minor changes to the business case should they be required.
  - (ii) That the proposed Service Level Agreement with North Yorkshire County Council be approved, and that authority be delegated to the Chief Operating Officer (in consultation with the Director of Governance or her delegated officers) to take such

steps as are necessary to finalise and enter into the resulting agreement.

Reason: To improve resilience and efficiency, with minimal financial impact, and in line with the Chief Coroner's Guidance.

#### **60. 2021/22 Finance and Performance Monitor 2**

The Chief Operating Officer presented a report which set out details of the council's overall finance and performance position for the period from 1 April 2021 to 30 September 2021, together with an overview of any emerging issues.

The Covid-19 pandemic continued to have a significant impact on the council's financial position and performance. The gross financial pressures facing the council were projected at £9.1m. After mitigation and further action, as set out in the report and Annex 1, it was considered that this could be brought down to a net position of £4.6m. The council had £6.9m of general reserves that would need to be called upon should the out-turn not be within the approved budget.

Despite the challenges faced, performance across the organisation, and levels of resident and customer satisfaction, had remained high. Performance against the core indicators in the Council Plan was set out in paragraphs 22-25 of the report and in Annex 2. The two indicators with a worsening direction of travel, due mainly to a direct adverse effect from Covid-19, were listed in paragraph 25.

Resolved: That the finance and performance information, and the actions needed to manage the financial position, be noted.

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

#### **61. Capital Programme - Monitor 2 2021/22**

*[See also under Part B]*

The Chief Finance Officer presented a report which set out the projected outturn position of the council's 2021/22 capital programme, including any under/over spends and adjustments,

along with requests to re-profile budgets to/from current and future years.

A decrease of £15.142m on the current approved programme was reported, resulting in a revised programme for 2021/22 of £143.262m. Variances against each portfolio area were set out in Table 1 at paragraph 6 of the report and detailed in paragraphs 7-43. The revised 5-year programme resulting from these changes was summarised in Table 2 at paragraph 44 and detailed in Annex A.

Resolved: (i) That the 2021/22 revised budget of £143.262m, as set out in Table 1 at paragraph 6 of the report, be noted.

(ii) That the restated capital programme for 2021/22 – 2025/26, as set out in Table 2 at paragraph 44, be noted.

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

## **62. Treasury Management Mid-Year Review and Prudential Indicators 2021/22**

The Chief Finance Officer presented a report which provided an update on Treasury Management activity for the period 1 April 2021 to 30 September 2021.

The report, prepared in compliance with CIPFA's Code of Practice on Treasury Management, provided: an economic update for the first part of the 2021/22 financial year; a review of the Treasury Management Strategy Statement and Annual Investment Strategy; the prudential indicators; reviews of the council's investment portfolio and borrowing strategy; and a review of compliance with the Treasury and Prudential Limits.

It was confirmed that during the financial year to date, the council had operated within the treasury limits and Prudential Indicators, as set out in the report and Annex A.

Resolved: (i) That the Treasury Management activities to date in 2021/22 be noted.

(ii) That the Prudential Indicators set out in Annex A to the report, and the compliance with all indicators, be noted.

Reason: to ensure the continued performance of the Council's Treasury Management function.

## **PART B - MATTERS REFERRED TO COUNCIL**

### **63. Capital Programme - Monitor 2 2021/22**

*[See also under Part A]*

The Chief Finance Officer presented a report which set out the projected outturn position of the council's 2021/22 capital programme, including any under/over spends and adjustments, along with requests to re-profile budgets to/from current and future years.

A decrease of £15.142m on the current approved programme was reported, resulting in a revised programme for 2021/22 of £143.262m. Variances against each portfolio area were set out in Table 1 at paragraph 6 of the report and detailed in paragraphs 7-43. The revised 5-year programme resulting from these changes was summarised in Table 2 at paragraph 44 and detailed in Annex A.

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.

Cllr K Aspden, Chair

[The meeting started at 5.33 pm and finished at 9.36 pm].

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