

## City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held at The Guildhall, York, on Thursday, 23 February 2023, starting at 6.30 pm.

**Present:** The Lord Mayor (Cllr David Carr) in the Chair, and the following Councillors:

Acomb Ward

Lomas

Bishopthorpe Ward

Galvin

Clifton Ward

Myers  
Wells

Copmanthorpe Ward

Dringhouses & Woodthorpe Ward

Fenton  
Mason  
Widdowson

Fishergate Ward

D'Agorne  
D Taylor

Fulford and Heslington Ward

Aspden

Guildhall Ward

Craghill  
Fitzpatrick  
Looker

Haxby & Wigginton Ward

Cuthbertson  
Hollyer  
Pearson

Heworth Ward

Douglas  
Perrett  
Webb

Heworth Without Ward

Ayre

Holgate Ward

Heaton  
Melly  
K Taylor

Hull Road Ward

Musson  
Norman  
Pavlovic

Huntington and New Earswick  
Ward

Cullwick  
Orrell  
Runciman

Micklegate Ward

Baker  
Crawshaw  
Kilbane

Osbalwick and Derwent Ward

Warters

Rawcliffe and Clifton Without Ward

Smalley

Rural West York Ward

Barker  
Hook

Strensall Ward

Doughty

Westfield Ward

Daubeney  
Hunter  
Waller

Wheldrake Ward

Vassie

Apologies for absence were received from Councillors Barnes, Fisher and Waudby.

#### **44. Declarations of Interest**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests they might have in the business on the agenda.

The 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.

No interests were declared.

#### **45. Minutes**

Resolved: That the minutes of the Council meeting held on 15 December 2022 be approved, and signed by the Chair as a correct record.

#### **46. Civic Announcements**

The Lord Mayor announced that he and the Lady Mayoress would be attending a vigil at York Minster on Friday, the 24<sup>th</sup> of February, to mark the first anniversary of Russia's invasion of Ukraine.

#### **47. Public Participation**

It was reported that 7 members of the public had registered to speak at the meeting under Public Participation. The Lord Mayor confirmed that, on the advice of the Monitoring Officer, public participation would be allowed on the additional item relating to Devolution (Agenda Item 5) as well as on the business associated with setting the council's budget for the coming financial year.

Flick Williams raised concerns about the amount spent on anti-terror measures and the proportion of funding for changing places toilets allocated to Haxby as opposed to the city centre.

Diane Roworth also queried the amount paid for barriers in the city centre, in the context of difficult budget decisions and the impact of service cuts on children, older adults and disabled people.

Peter Richardson queried the effects of the social care precept on the council tax bill and highlighted the increased burden on York Hospital services caused by expanding development in the city.

Gwen Swinburn raised concerns about the consultation on Devolution and various aspects of the budget proposals, and called for further information to be published on savings.

Emily Knight spoke in favour of the budget proposals, and in particular the investment in communities and council action to save bus services.

Prof. Charlie Jeffery, on behalf of the University of York, spoke in favour of the Devolution deal, stating that it offered opportunities for the economy and individuals and provided a platform for collective action.

Jason Rose, a resident of Acomb, raised concerns about the consultation on Devolution and urged Members to ensure that York, including areas outside the city centre, received its fair share of funding.

#### **48. Recommendations of Executive on York and North Yorkshire Devolution - Outcome of Consultation**

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendations made by the Executive at their meeting on 14 February 2023, as contained in the report at page 25 of the Council papers:

“Recommended: (i) That Council approve the submission of a Consultation Summary Report to the Government.

Reason: To inform the Secretary of State of the consultation outcome, allowing him to consider the next stages of the statutory process facilitating the creation of a York and North Yorkshire Combined Authority.

(ii) That Council approve Amendments to the Scheme and proposals for the operating model of the Combined Authority outlined in paragraph 92 of the report, for submission to Government.

Reason: To utilise the information received during the consultation to improve the proposed governance arrangements.

(iii) That Council delegate authority to the Chief Operating Officer, in consultation with the Leader of the Council, to undertake any action necessary to submit the Consultation Summary Report and Scheme to Government, in line with recommendations (i) and (ii) above.

Reason: To facilitate the submission of the required documents to Government within the required timescales.

(iv) That Council approve Amendments to the Terms of Reference for the York and North Yorkshire Joint Devolution Committee outlined in paragraphs 103-107 of the report and attached at Annex 2.

Reason: To ensure appropriate, robust and transparent decision-making.

(v) That Council delegate authority to the Chief Operating Officer, in consultation with the Leader of the Council, to undertake any action necessary to provide consent to the Order facilitating the creation of the Combined Authority in line with the scheme submitted to Government, as outlined in paragraph 115 of the report.

Reason: To allow the progress of the statutory process facilitating the creation of the Combined Authority.”

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

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Aspden	Cllr Warters	Cllr D Taylor
Cllr Ayre		
Cllr Baker		
Cllr Barker		

Cllr Craghill		
Cllr Crawshaw		
Cllr Cullwick		
Cllr Cuthbertson		
Cllr D'Agorne		
Cllr Daubeney		
Cllr Douglas		
Cllr Fenton		
Cllr Fitzpatrick		
Cllr Galvin		
Cllr Heaton		
Cllr Hollyer		
Cllr Hook		
Cllr Hunter		
Cllr Kilbane		
Cllr Lomas		
Cllr Looker		
Cllr Mason		
Cllr Melly		
Cllr Musson		
Cllr Myers		
Cllr Norman		
Cllr Orrell		
Cllr Pavlovic		
Cllr Pearson		
Cllr Perrett		
Cllr Rowley		
Cllr Runciman		
Cllr Smalley		
Cllr K Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Carr (Lord Mayor)		
<b>42</b>	<b>1</b>	<b>1</b>

The recommendations were therefore declared CARRIED, and it was

Resolved: That the above recommendations be approved.

**49. Recommendations of the Executive in respect of the Capital Programme Monitor 3 2022/23**

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendation contained in Minute 85 of the Executive meeting held on 9 February 2023:

“Recommended: That Council approve the adjustments resulting in a decrease in the 2022/23 budget of £27.164m, 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:

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Aspden		Cllr Doughty
Cllr Ayre		Cllr Rowley
Cllr Baker		Cllr Warters
Cllr Barker		
Cllr Craghill		
Cllr Crawshaw		
Cllr Cullwick		
Cllr Cuthbertson		
Cllr D'Agorne		
Cllr Daubeney		
Cllr Douglas		
Cllr Fenton		
Cllr Fitzpatrick		
Cllr Galvin		
Cllr Heaton		
Cllr Hollyer		
Cllr Hook		
Cllr Hunter		
Cllr Kilbane		
Cllr Lomas		
Cllr Looker		
Cllr Mason		
Cllr Melly		

Cllr Musson		
Cllr Myers		
Cllr Norman		
Cllr Orrell		
Cllr Pavlovic		
Cllr Pearson		
Cllr Perrett		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr K Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Carr (Lord Mayor)		
<b>41</b>	<b>0</b>	<b>3</b>

The recommendation was therefore declared CARRIED, and it was

Resolved: That the above recommendation be approved.

**50. Recommendations of Executive on the Council's Financial Strategy 2023/24 to 2027/28, Capital Budget 2023/24 to 2027/28, Capital Financing and Investment Strategy and the Treasury Management Strategy Statement and Prudential Indicators for 2023/24 to 2027/28**

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendations made by Executive at its meeting on 9 February 2023 in relation to:

- i) The Financial Strategy 2023/24 to 2027/28
- ii) The Capital Budget 2023/24 to 2027/28
- iii) The Capital Financing and Investment Strategy
- iv) The Treasury Management Strategy Statement and Prudential Indicators 2023/24 to 2027/28.

as set out in paragraphs 43 to 46 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 £141.624m;
  - b. A council tax requirement of £107.783m;
  - c. The revenue growth proposals as outlined in the body of the report;
  - d. The 2023/24 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 2023/24 budget set out in Annex 7;
  - h. The dedicated schools grant proposals outlined from paragraph 186, including option 1 for allocating 3 & 4 year old early years funding to providers;
  - i. The use of £1m from reserves to fund one off investment, as outlined in paragraph 87.
- (ii) Note that the effect of approving the income and expenditure proposals included in the recommendations would result in a 4.99% increase in the City of York Council element of the council tax, 2% of which would relate to the social care precept.
- (iii) Approve the 100% increase in council tax on second homes with effect from 1<sup>st</sup> April 2024 subject to the Levelling Up bill receive Royal Assent by 31<sup>st</sup> March 2023, as set out in paragraphs 119 to 121.

Reason: To ensure a legally balanced budget is set

Capital Budget 2023/24 to 2027/28

Executive recommends that Council:

- (i) Agree to the revised capital programme of **£481.980m** that reflects a net overall increase of **£51.158m** (as set out in table 2 and in Annex A). Key elements of this include:
  - a) New schemes funded by prudential borrowing totalling £1.229m as set out in tables 3;
  - b) Extension of prudential borrowing funded Rolling Programme schemes totalling £22.286m as set out in table 4;
  - c) Extension of externally funded Rolling Programme schemes totalling £8.998m as set out in table 6;
  - d) An increase in HRA funded schemes totalling £18.645m funded from a combination HRA balances/Right to Buy receipts as set out in table 7.
- (ii) Note that the total increase in Council borrowing as a result of new schemes being recommended for approval is £23.515m, 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 **£481.980m** covering financial years 2023/24 to 2027/28 as set out in table 11 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:

- a. The proposed treasury management strategy for 2023/24 including the annual investment strategy and the minimum revenue provision policy statement;

- b. The prudential indicators for 2023/24 to 2027/28 in the main body of the report;
- c. The specified and non-specified investments schedule (Annex B);
- d. 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.”

Cllr Douglas then moved, and Cllr Kilbane seconded, the following amendment on behalf of the Labour Group:

### “Revenue Budget

In relation to the Executive’s recommendations on the revenue budget (paragraph 43 of page 42 of Council papers refers):

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

- £40k recurring investment in Youth Services across the City, funding additional youth outreach sessions in areas of greatest need, due to prevalence of anti-social behaviour;
- £100k one-off investment for seed funding of commitment to deliver free school meals to every primary school child across our communities in response to the cost-of-living crisis;
- £30k one-off investment to undertake a consultation on altering current access restrictions for Blue Badge holders in the city centre;
- £20k one-off investment in work to develop a new staffing and service model across all wards to include new ‘Neighbourhood Caretaker’ roles that respond to local community priorities;
- Part reversal of one-off growth £150k – part reversal of the one- off growth of £250k ‘to allow wards to invest directly in improvements to local communities, from installing new benches to repairing local roads’.

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

- *A reduction of two Executive Members - £40k’.*”

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

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Crawshaw	Cllr Aspden	Cllr Doughty
Cllr Douglas	Cllr Ayre	Cllr Rowley
Cllr Fitzpatrick	Cllr Baker	Cllr Warters
Cllr Galvin	Cllr Barker	
Cllr Heaton	Cllr Craghill	
Cllr Kilbane	Cllr Cullwick	
Cllr Lomas	Cllr Cuthbertson	
Cllr Looker	Cllr D’Agorne	
Cllr Melly	Cllr Daubeney	
Cllr Musson	Cllr Fenton	
Cllr Myers	Cllr Hollyer	
Cllr Norman	Cllr Hook	
Cllr Pavlovic	Cllr Hunter	
Cllr Perrett	Cllr Mason	
Cllr K Taylor	Cllr Orrell	
Cllr Webb	Cllr Pearson	
Cllr Wells	Cllr Runciman	
	Cllr Smalley	
	Cllr D Taylor	
	Cllr Vassie	
	Cllr Waller	
	Cllr Wann	
	Cllr Widdowson	
	Cllr Carr (Lord Mayor)	
<b>17</b>	<b>24</b>	<b>3</b>

The amendment was therefore declared LOST.

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

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Aspden	Cllr Doughty	Cllr Crawshaw
Cllr Ayre	Cllr Rowley	Cllr Douglas
Cllr Baker		Cllr Fitzpatrick
Cllr Barker		Cllr Galvin

Cllr Craghill		Cllr Heaton
Cllr Cullwick		Cllr Kilbane
Cllr Cuthbertson		Cllr Lomas
Cllr D'Agorne		Cllr Looker
Cllr Daubeney		Cllr Melly
Cllr Fenton		Cllr Musson
Cllr Hollyer		Cllr Myers
Cllr Hook		Cllr Norman
Cllr Hunter		Cllr Pavlovic
Cllr Mason		Cllr Perrett
Cllr Orrell		Cllr K Taylor
Cllr Pearson		Cllr Wartors
Cllr Runciman		Cllr Webb
Cllr Smalley		Cllr Wells
Cllr D Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Widdowson		
Cllr Carr (Lord Mayor)		
<b>24</b>	<b>2</b>	<b>18</b>

The original recommendations were therefore declared CARRIED and it was

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

#### 51. Council Tax Resolution 2023/24

Finally, and in light of the setting of the budget for 2023/24 under minute 50 above, Councillor Aspden moved, and Councillor D'Agorne seconded, the Council Tax resolution for 2023/24, as set out in the report and schedules at pages 47-51 of the Council agenda.

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

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Aspden	Cllr Doughty	
Cllr Ayre	Cllr Rowley	

Cllr Baker	Cllr Warters	
Cllr Barker		
Cllr Craghill		
Cllr Crawshaw		
Cllr Cullwick		
Cllr Cuthbertson		
Cllr D'Agorne		
Cllr Daubeney		
Cllr Douglas		
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Cllr Pavlovic		
Cllr Pearson		
Cllr Perrett		
Cllr Runciman		
Cllr Smalley		
Cllr D Taylor		
Cllr K Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Carr (Lord Mayor)		
<b>41</b>	<b>3</b>	<b>0</b>

The motion was accordingly declared CARRIED, and it was

- Resolved: (i) That it be noted that on 13 December 2022 the Chief Finance Officer, under her delegated authority, calculated the council tax base for the year 2023/24:
- (a) for the **whole Council area** as 68,633.10 [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 the Council Tax requirement for the Council’s own purposes for 2023/24 (excluding Parish precepts) be calculated as £107,782,790.
- (iii) That the following amounts be calculated for the year 2023/24 in accordance with Sections 31 to 36 of the Act:
- (a) £549,488,952 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) £440,748,027 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £108,740,925 being the amount by which the aggregate at 16(a) above exceeds the aggregate at 16(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) £1,584.38 being the amount at 16(c) above [Item R], all divided by Item T (14(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) £958,135 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) £1,570.42 being the amount at 16(d) above less the result given by dividing the amount at 16(e) above by Item T (14(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 2023/24 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
£	£	£	£	£	£	£	£
1,046.95	1,221.44	1,395.93	1,570.42	1,919.40	2,268.38	2,617.37	3,140.84

### **North Yorkshire Police Authority**

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
196.73	229.51	262.30	295.09	360.67	426.24	491.82	590.18

### **North Yorkshire Fire and Rescue Authority**

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
53.74	62.70	71.65	80.61	98.52	116.44	134.35	161.22



## Aggregate of Council Tax Requirements (excluding Parished Areas)

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
1,297.42	1,513.65	1,729.88	1,946.12	2,378.59	2,811.06	3,243.54	3,892.24

(vi) That it be determined that the Council's basic amount of council tax for 2023/24 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 2023/24 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 D Carr

LORD MAYOR OF YORK

*[The meeting started at 6.31 pm and concluded at 9.01 pm]*