

## City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in the Guildhall, York on Thursday, 25th February, 2016, starting at 6.30 pm

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

Acomb Ward

Bishopthorpe Ward

S Barnes  
K Myers

Galvin

Clifton Ward

Copmanthorpe Ward

D Myers  
Wells

Carr

Dringhouses & Woodthorpe Ward

Fishergate Ward

Fenton  
Mason  
Reid

D'Agorne

Fulford and Heslington Ward

Guildhall Ward

Aspden

Craghill  
Flinders  
Looker

Haxby & Wigginton Ward

Heworth Ward

Cuthbertson  
Gates  
Richardson

Boyce  
Funnell  
Williams

Heworth Without Ward

Holgate Ward

Ayre

Cannon  
Crisp  
Derbyshire

Hull Road Ward	Huntington and New Earswick Ward
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N Barnes Levene Shepherd	Cullwick Orrell Runciman
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Micklegate Ward	Osbaldwick and Derwent Ward
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Gunnell Hayes Kramm	Brooks Warters
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Rawcliffe and Clifton Without Ward	Rural West York Ward
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Dew Lisle Rawlings	Gillies Steward
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Strensall Ward	Westfield Ward
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Doughty Douglas	Jackson Waller
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Wheldrake Ward
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Mercer

Apologies for absence were received from Councillors Taylor and Hunter

## 58. **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 that 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 confirmed that

Members did not have a prejudicial interest in the that business on the agenda.

The following **personal** interest was declared:

<u>Councillor</u>	<u>Agenda Item</u>	<u>Description of Interest</u>
Reid	6 – Recommendations of Executive on the Council’s Capital and Financial Strategy 8 – Council Tax Resolution	Son is a Council tenant

#### **59. Civic Announcements**

The Lord Mayor expressed her sadness at the recent death of former Councillor Robert Glew, a Labour Councillor during the 1950’s and 60’s for the Bootham Ward. Members stood for a moment’s silence in memory of former Councillor Glew.

#### **60. Public Participation**

The Lord Mayor announced that one registration had been received to speak at the meeting.

Andrea Dudding, on behalf of Unison, spoke on the budget proposals. She expressed disappointment at the proposal to increase Council Tax by 3% rather than 3.9% and expressed concerns regarding the impact that the proposals would have on the delivery of services and on staffing.

#### **61. Petitions**

The Lord Mayor stated that she had not received notification of any petitions to be presented to Council in relation to the setting of the Council’s budget.

#### **62. Recommendations of Executive in respect of the Capital Programme 2015/16 Monitor 3**

Councillor Steward moved and Councillor Aspden seconded the recommendation made by Executive at their meeting held on 11 February 2016, following consideration of the third monitor report on the Capital Programme (minute 118 refers) as follows:

“That Council agree a decrease in the 2015/16 programme of £40.654m as detailed in the report and contained in Annex A.”

On being put to the vote the recommendation was declared CARRIED and it was

Resolved: That the recommendation contained in minute 118 of the Executive meeting on 11 February 2016 be approved. <sup>1</sup>.

Action Required

1. Adjust Capital Programme.

DM

**63. Recommendations of Executive on the Council's Capital Strategy for 2016/17 to 2020/21, the Financial Strategy 2016/17 to 2020/21 (including the Council's detailed Revenue Budget Proposals for 2016/17) and the Treasury Management Strategy Statement and Prudential Indicators for 2016/17 to 2020/21**

Councillor Steward requested the consent of Council to the alteration of the original Executive motions to incorporate the amendment previously circulated with the Council agenda papers.

Following receipt of Council's consent, Cllr Steward moved and Councillor Aspden seconded, the motions relating to the following proposals, as set out at pages 1 to 4 of the papers circulated at the meeting (now included in the republished agenda), in relation to:

- a) The Council's Capital Programme Budget for 2016/17 to 2020/21
- b) The Council's Revenue Budget proposals for 2016/17 to 2020/21 and
- c) The Council's Treasury Management Strategy Statement and Prudential Indicators for 2016/17 to 2020/21

**Capital Strategy**

32. Executive recommends that Council;
  - i. Agree to the revised capital programme of £180.206m that reflects a net overall increase of £28.451m (as set out in paragraph 54 table 10 and in Annex B). Key elements of this include:

- a. Extension of prudential borrowing funded Rolling Programme schemes totalling £4.921m as set out in table 3 and summarised in table 10;
  - b. New schemes totalling £2.415m including an increase in prudential borrowing of £643k as set out in tables 4 & 5 and summarised in table 10;
  - c. Extension of externally funded Rolling Programme schemes totalling £9.878m as set out in table 6 and summarised in table 10;
  - d. An increase in Housing Revenue Account funded schemes totalling £12.009m funded from a combination of HRA balances/Right to Buy receipts of £12.009m as set out in table 7 and summarised in table 10.
- ii. Approve the full restated programme as summarised in Annex A totalling £180.206m covering financial years 2016/17 to 2020/21 as set out in table 11 and Annex A.
  - iii. Approve the appropriation of the Housing Revenue Account shops into the General Fund as set out at paragraph 5 in the report.

Reason: To set a balanced capital programme as required by the Local Government Act 2003.

## **Revenue Budget**

33. Executive recommends that Council;

- i) approve the budget proposals outlined in the Financial Strategy report, in particular;
  - a. The net revenue expenditure requirement of £117.900m
  - b. A Council Tax requirement of £77.072m
  - c. The revenue growth proposals as outlined in the body of the report, subject to the following amendments;

- An additional £35k to fund the ongoing cost of maintenance for new litter and dog bins across the city
  - d. The revenue savings proposals as outlined in Annex 2, subject to the following amendments;
    - Removal of saving CES9 Design and Conservation £45k on an ongoing basis
    - Reduction of saving CSES2 Prevention and Early Intervention Services (New Operating Model) £300k for two years until 2018/19
  - e. The fees and charges proposals as outlined in Annex 4
  - f. The Housing Revenue Account (HRA) budget set out in annex 5 and the HRA savings proposals set out in annex 6
  - g. The dedicated schools grant proposals outlined in paragraphs 114 to 122.
- ii) Note that the effect of approving the income and expenditure proposals included in the recommendations would result in a 3% increase in the City of York Council element of the council tax, 2% of which would relate to the social care precept.
- iii) To note receipt of an additional £781k transitional grant which will support additional investment as follows;
- An additional £35k to fund the ongoing cost of maintenance for 70 new litter and dog bins across the city
  - Removal of saving CES9 Design and Conservation £45k on an ongoing basis
  - Reduction of saving CSES2 Prevention and Early Intervention Services (New Operating Model) £300k for two years until 2018/19

- Additional investment of £50k for one year to support the remodelling of bus subsidies as part of the work under CES1.
- Additional investment of £150k for one year (with a further £150k in 17/18) to support the Pride in York local delivery of environmental projects, grounds maintenance and build capacity in the voluntary sector.
- Additional investment of £26k for one year to ensure that substance misuse advice can continue to be offered at York Carers Centre ahead of a review and the move towards greater service integration
- Additional investment of £20k for one year to support the building of greater capacity in planning enforcement work.
- Additional investment of £30k for one year to support the continuation of elements of the Local Sustainable Transport Fund programme.
- A one off increase of £125k in contingency to meet any further flood and drainage costs.

Reason: To ensure a legally balanced budget is set.

## **Treasury Management Strategy Statement and Prudential Indicators**

34. Executive recommends that Council approve;
- i. The proposed treasury management strategy for 2016/17, including the annual investment strategy and the minimum revenue provision policy statement
  - ii. The prudential indicators for 2016/17 to 2020/21 in the main body of the report
  - iii. The specified and non specified investments schedule (Annex B) of the report
  - iv. The scheme of delegation and the role of the Section 151 officer (Annex D) of the report

- v. The Council's entry into the Framework Agreement and its accompanying schedules for the Municipal Bonds Agency, including the joint and several guarantee
- vi. Delegation of authority to the Director of Customer and Business Support Services as Section 151 Officer and the Assistant Director for Governance, ICT and Legal as Monitoring Officer to sign those documents, as appropriate, on behalf of the Council
- vii. Granting the Section 151 Officer delegated authority to agree amendments to the Framework Agreement as appropriate

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**

Councillor Looker then moved and Councillor Neil Barnes seconded, an amendment to the above recommendations on behalf of the Labour Group, as follows:

#### **“Revenue Budget**

In relation to the Executive's recommendations on the revenue budget (paragraph 33 of page 10 of Council papers refers):

**In (i) sub paragraph (a)** delete '£117.900m' and replace with '£118.620m'

**In sub paragraph (b)** delete '£77.072m' and replace with '£77.792m'

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

- An additional £100k to provide additional investment in Mental Health services
- An additional £151k to increase the gully and drain cleaning budget, including one 1FTE officer
- An additional £36k to fund 1FTE Planning Enforcement Officer



- An additional £50k to fund 1FTE Community Engagement Officer

**In sub paragraph (d)** add at the end of the sentence 'subject to the following amendments;

- Removal of saving CAN14 Grounds Maintenance £72k
- Removal of saving CAN18 York Learning £38k
- Removal of saving ASC6 Care Home Fees £68k
- Removal of saving ASC8 Contracted Services £35k
- Removal of saving CES3 Transport Planning £60k
- Reduction in saving CES4 to reverse Respark charge increase for first car permit £20k
- Reduction of saving CES1 Bus Subsidies £90k

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

- Removal of saving ASC6 Care Home Fees £68k
- Reduction in saving CES4 to reverse Respark charge increase for first car permit £20k

In order to decrease fees and charges by £88k

**In paragraph 33 (ii)** second line, delete '3%' and replace with '3.99%'.

**In paragraph 33 (iii)** add at the end of the sentence; which will support additional one off investment as follows;

- £100k to build capacity and support transforming care for learning disability customers
- £131k to build capacity and support the new operating model for prevention and early intervention services

- £150k for a Green Space Fund to improve parks and open spaces
- £150k to invest in local high street environment and shopping parades in communities outside of the city centre
- £50k to invest in Financial Inclusion Steering Group activities to support pressures on related services as result of introduction of Universal Credit by the Government
- £200k to invest in one-off public health projects to offset the impact of Government cuts.”

In accordance with the regulations a named vote was then taken in relation to the Labour amendment relating to the setting of the budget, with the following result:

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Crisp (Lord Mayor)	Cllr Aspden	Cllr Hayes
Cllr N Barnes	Cllr Ayre	
Cllr S Barnes	Cllr Brooks	
Cllr Boyce	Cllr Carr	
Cllr Cannon	Cllr Cullwick	
Cllr Craghill	Cllr Cuthbertson	
Cllr D'Agorne	Cllr Dew	
Cllr Derbyshire	Cllr Douglas	
Cllr Flinders	Cllr Doughty	
Cllr Funnell	Cllr Fenton	
Cllr Gunnell	Cllr Galvin	
Cllr Kramm	Cllr Gates	
Cllr Levene	Cllr Gillies	
Cllr Looker	Cllr Jackson	
Cllr D Myers	Cllr Lisle	
Cllr Shepherd	Cllr Mason	
Cllr Wells	Cllr Mercer	
Cllr Williams	Cllr K Myers	
	Cllr Orrell	
	Cllr Rawlings	
	Cllr Reid	
	Cllr Richardson	
	Cllr Runciman	
	Cllr Steward	

	Cllr Waller	
	Cllr Warters	
<b>18</b>	<b>26</b>	<b>1</b>

The Labour amendment was declared LOST.

### **Green Amendment**

Councillor D'Agorne then moved, and Councillor Craghill seconded, an amendment on behalf of the Green Group.

### **“Capital Strategy**

In relation to the Executive’s recommendations on the revenue budget (paragraph 32 of page 9 of Council papers refers):

**In paragraph 32 (i)**, first line, replace ‘£180.206m’ with ‘£180.506m’ and second line, replace ‘£28.451m’ with ‘£28.751m’

**Under paragraph 32 (i), insert new sub paragraph:**

**(e)** Include a scheme to bring Fossgate into the footstreets following further consultation, increasing prudential borrowing by £300k

**In paragraph 34 (ii)**, second line, replace ‘£180.206m’ with ‘£180.506m’

### **Revenue Budget**

In relation to the Executive’s recommendations on the revenue budget (paragraph 33 of page 10 of Council papers refers):

**In (i) sub paragraph (a)** delete ‘£117.900m’ and replace with ‘£120.081m’

**In sub paragraph (b)** delete ‘£77.072m’ and replace with ‘£79.253m’

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

- An additional £36k to fund 1FTE York Financial Assistance Scheme (YFAS) Outreach Worker, to promote awareness and access to taking up the scheme from least well-off residents

- An additional £217k to invest in an Adult Social Care (ASC) Mitigation Fund, which is to be allocated by Executive to mitigate budget reductions in the ASC budget e.g. care budgets, support for people with learning disabilities, day care services and residential fees
- An additional £36k to fund 1FTE External Funding Officer to generate income across the Council from external funding
- An additional £24k to support the revenue cost of additional prudential borrowing (£300k capital amendment)
- An additional £100k investment in a Public Health Investment Fund

**In sub paragraph (d)** add at the end of the sentence 'subject to the following amendments;

- Removal of saving CAN1, CAN2 and CAN3 Homelessness support £35k
- Removal of saving CAN16 Tree Service £25k
- Removal of saving CES3 Transport Planning £60k
- Removal of saving CES9 Design and Conservation £45k
- Removal of saving CBSS11 YFAS and focus budget on supporting less well off residents to pay their council tax costs £200k
- Removal of saving CSES7 The Glen Respite Care Centre £50k
- Removal of Public Health Savings CAN23 to CAN29 £665k
- Reduction of saving CSES2 Prevention and Early Intervention £491k
- Reduction of saving CES4 to reverse charge increase for first car permit £20k

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

- Reduction of saving CES4 to reverse charge increase for first car permit £20k
- Reduce the Minster badge permit fee to £15 per annum
- Increase the evening visitor car parking charge to £3

In order to increase fees and charges by a net amount of £3k

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

- Deferral of saving HRA2 Housing Repairs general maintenance budget £75k

**In paragraph 33 (ii)** second line, delete ‘3%’ and replace with ‘6%’. **Insert new text** after the end of the paragraph as follows ‘This would result in the Council having to hold a referendum.’

**In paragraph 33 (iii)** add at the end of the sentence; which will support additional one off investment as follows;

- £155k to cover the cost of a referendum and rebilling as a result of proposing a basic Council tax increase (excluding social care precept) higher than 2%
- £76k to set up a contingency fund over two years to support savings proposals under development in CAN14 (Ground Maintenance)
- £375k to set to set up a contingency fund over two years to support savings proposals under development in CSES2 (Prevention and Early Intervention) to ensure that any new operating model does not reduce service levels
- £25k to defer saving CAN19 (Parking Services) for one year until the parking review is complete
- £40k to defer saving CSES 5 (Home to School Transport) for one year until the review is complete
- £20k to invest in a part-time post to complete the Tree Strategy

- £54k to invest in a feasibility study and implementation plan for a Renewable Energy Company, to reduce energy bills for the Council itself and for York residents
- £36k to invest in 1FTE Affordable Warmth/ Energy Poverty Officer, to draw in funds to improve insulation in public and private properties, reduce energy bills and tackle fuel poverty.”

A named vote was then taken on the Green Group amendment, with the following result:

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Craghill	Cllr Aspden	Cllr Crisp (Lord Mayor)
Cllr D'Agorne	Cllr Ayre	Cllr N Barnes
Cllr Kramm	Cllr Brooks	Cllr S Barnes
	Cllr Carr	Cllr Boyce
	Cllr Cullwick	Cllr Cannon
	Cllr Cuthbertson	Cllr Derbyshire
	Cllr Dew	Cllr Flinders
	Cllr Douglas	Cllr Funnell
	Cllr Doughty	Cllr Gunnell
	Cllr Fenton	Cllr Hayes
	Cllr Gates	Cllr Levene
	Cllr Galvin	Cllr D Myers
	Cllr Gillies	Cllr Looker
	Cllr Jackson	Cllr Shepherd
	Cllr Lisle	Cllr Wells
	Cllr Mason	Cllr Williams
	Cllr Mercer	
	Cllr K Myers	
	Cllr Orrell	
	Cllr Rawlings	
	Cllr Reid	
	Cllr Richardson	
	Cllr Runciman	
	Cllr Steward	
	Cllr Waller	
	Cllr Warters	
<b>3</b>	<b>26</b>	<b>16</b>

The Green amendment was declared LOST.

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

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Aspden	Cllr N Barnes	Cllr Crisp (Lord Mayor)
Cllr Ayre	Cllr S Barnes	Cllr Hayes
Cllr Brooks	Cllr Boyce	
Cllr Carr	Cllr Cannon	
Cllr Cullwick	Cllr Craghill	
Cllr Cuthbertson	Cllr D'Agorne	
Cllr Dew	Cllr Derbyshire	
Cllr Douglas	Cllr Flinders	
Cllr Doughty	Cllr Funnell	
Cllr Fenton	Cllr Gunnell	
Cllr Galvin	Cllr Kramm	
Cllr Gates	Cllr Levene	
Cllr Gillies	Cllr Looker	
Cllr Jackson	Cllr D Myers	
Cllr Lisle	Cllr Shepherd	
Cllr Mason	Cllr Wells	
Cllr Mercer	Cllr Williams	
Cllr K Myers		
Cllr Orrell		
Cllr Rawlings		
Cllr Reid		
Cllr Richardson		
Cllr Runciman		
Cllr Steward		
Cllr Waller		
Cllr Warters		
<b>26</b>	<b>17</b>	<b>2</b>

The original motion was then declared CARRIED and it was

Resolved: That the Executive recommendations, in respect of the Capital Strategy, Financial Strategy and Treasury Management Strategy Statement and Prudential Indicators be approved. <sup>1</sup>.

Action Required

1. Revise the capital strategy and implement the budget proposals.

DM

**64. Council Tax Resolution 2016/17**

A named vote was then taken on the Council Tax recommendation, with the following results:

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Cllr Aspden	Cllr N Barnes	Cllr Crisp (Lord Mayor)
Cllr Ayre	Cllr S Barnes	Cllr Craghill
Cllr Brooks	Cllr Boyce	Cllr Kramm
Cllr Carr	Cllr Cannon	
Cllr Cullwick	Cllr D'Agorne	
Cllr Cuthbertson	Cllr Derbyshire	
Cllr Dew	Cllr Flinders	
Cllr Douglas	Cllr Funnell	
Cllr Doughty	Cllr Gunnell	
Cllr Fenton	Cllr Levene	
Cllr Galvin	Cllr Looker	
Cllr Gates	Cllr D Myers	
Cllr Gillies	Cllr Shepherd	
Cllr Hayes	Cllr Wells	
Cllr Jackson	Cllr Williams	
Cllr Lisle		
Cllr Mason		
Cllr Mercer		
Cllr K Myers		
Cllr Orrell		
Cllr Rawlings		
Cllr Reid		
Cllr Richardson		
Cllr Runciman		
Cllr Steward		
Cllr Waller		
Cllr Warters		
<b>27</b>	<b>15</b>	<b>3</b>

The motion was declared CARRIED and it was

Resolved:

- (i) That it be noted on 21 December 2015 the Director of Customer and Business Support Services, under his delegated authority, calculated the Council Tax Base for the year 2016/17:



- (a) for the **whole Council area** as 64,199.6 [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) Calculate that the Council Tax requirement for the Council’s own purposes for 2016/17 (excluding Parish precepts) is £77,072,020.
- (iii) That the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Act:
- (a) £380,390,731.00 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) £302,651,255.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £77,739,476.00 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) £1,210.90 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) £667,456.00 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) £1,200.51 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) To note that North Yorkshire Police and Crime Commissioner and the North Yorkshire Fire and Rescue Authority have 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 2016/17 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
£	£	£	£	£	£	£	£
800.34	933.73	1,067.12	1,200.51	1,467.29	1,734.07	2,000.85	2,401.02

#### North Yorkshire Police and Crime Commissioner

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
144.67	168.78	192.89	217.00	265.22	313.44	361.67	434.00

#### North Yorkshire Fire and Rescue Authority

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
43.92	51.24	58.56	65.88	80.52	95.16	109.80	131.76

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

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
988.93	1,153.75	1,318.57	1,483.39	1,813.03	2,142.67	2,472.32	2,966.78

- (vi) Determine that the Council's basic amount of Council Tax for 2016/17 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 2016/17 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 Sonja Crisp

LORD MAYOR OF YORK

*[The meeting started at 6.30 pm and concluded at 9.25 pm]*