

City of York Council

Resolutions and proceedings of the Meeting of the City of York Council held in The Citidal, Gillygate, York on Thursday, 27 February, 2020, starting at 6.30 pm

Present: The Lord Mayor (Cllr Janet Looker) in the Chair, and the following Councillors:

Acomb Ward	Bishopthorpe Ward
Barnes Lomas	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

Musson
Norman
Pavlovic

Huntington and New Earswick
Ward

Cullwick
Orrell
Runciman

Micklegate Ward

Baker
Crawshaw
Kilban

Osbalwick and Derwent Ward

Rowley
Warters

Rawcliffe and Clifton Without Ward

Smalley
Wann
Waudby

Rural West York Ward

Barker
Hook

Strensall Ward

Doughty
Fisher

Westfield Ward

Daubney
Hunter
Waller

Wheldrake Ward

Vassie

52. 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.

No interests were declared.

53. Minutes

Resolved: That the minutes of the Council meeting held on 19 December 2019 be approved and then signed by the Chair as a correct record, subject to the following amendment:

- In Minute 46, in the note under Motion (ii) beginning 'At this point', delete '*Cllr Pavlovic*' and insert '*Cllr Crawshaw*'.

54. Civic Announcements

The Lord Mayor announced that Tom Brittain, the Council's Assistant Director of Housing and Community Safety, was retiring today after nearly 32 years' service. Members joined in thanking Tom for his work over the years and wished him well for the future.

55. Public Participation

It was reported that two 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.

Peter Richardson spoke in relation to the Adult Social Care precept, arguing that it had been set too high in previous years and that increasing it again would result in an unacceptably high level of Council Tax.

The comments of the second speaker, Gwen Swinburn, were ruled out of order by the Lord Mayor under Standing Order 9.1b), on the grounds that they did not relate to business associated with setting the council's budget.

56. Recommendations of the Executive in respect of the Capital Programme Monitor 2 and the Capital Programme Monitor 3

Capital Programme – Monitor 2 2019/20

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendation contained in Minute 88 of the Executive meeting held on 21 January 2020:

Recommended: That Council approve the adjustments resulting in a decrease in the 2019/20 budget of £68.608m, as detailed in the report to Executive and contained in Annex A to that report.

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

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

Resolved: That the above recommendation, relating to the Capital Programme Monitor 2, be approved.¹

Capital Programme – Monitor 3 2019/20

Cllr Aspden moved, and Cllr D'Agorne seconded, the following recommendation contained in Minute 102 of the Executive meeting held on 13 February 2020:

Recommended: That Council approve the adjustments resulting in a decrease in the 2019/20 budget of £15.414m, as detailed in the report and in Annex A.

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

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

Resolved: That the above recommendation, relating to the Capital Programme Monitor 3, be approved.²

Action Required

1. and 2. Note the resolutions in respect of the Capital Programme Monitors and take any further action required. DM

57. Recommendations of the Executive on the Council's Capital and Investment Strategy, Capital Budget 2020/21 to 2024/25, the Financial Strategy 2020/21 to 2024/25 and the Treasury Management Strategy Statement and Prudential Indicators for 2020/21 to 2024/25

Councillor Aspden moved and Councillor D'Agorne seconded, the following recommendations made by Executive at its meeting on 13 February 2020 in relation to:

- the Financial Strategy 2020/21 to 2024/25
- the Capital Budget 2020/21 to 2024/25
- the Capital Financing and Investment Strategy
- the Treasury Management Strategy Statement and Prudential Indicators 2019/20 to 2023/24,

as set out in paragraphs 43 to 46 of the report at Item 6 on the Council agenda:

“Revenue Budget

43. 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 £127.223m
 - b. A council tax requirement of £93.808m
 - c. The revenue growth proposals as outlined in the body of the report
 - d. The 2020/21 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) growth set out in annex 5 and the HRA savings proposals set out in annex 6
 - h. The dedicated schools grant proposals outlined from paragraph 154
 - i. The use of £420k New Homes Bonus, £150k from the Lendal Bridge reserve and £150k Transport reserve to fund one off investment, as outlined in paragraphs 86, 87 and 92.
- ii. Note that the effect of approving the income and expenditure proposals included in the recommendations would result in a 3.99% increase in the City of York Council element of the council tax, 2% of which would relate to the social care precept.

Reason: To ensure a legally balanced budget is set.

Capital Budget 2020/21 to 2024/25

44. Executive recommends that Council:

- i. Agree to the revised capital programme of **£559.617m** that reflects a net overall increase of **£57.730m** (as set out in paragraph 89 table 12 and in Annex A). Key elements of this include:
 - a) New Schemes funded by Prudential borrowing totalling £14.645m as set out in tables 3 and summarised in table 12;
 - b) New Schemes funded by a combination of both Prudential borrowing and external funds of £695k as set out in table 4 and summarised in table 12;
 - c) Extension of prudential borrowing funded Rolling Programme schemes totalling £12.485m as set out in table 5 and summarised in table 12;

- d) Extension of externally funded Rolling Programme schemes totalling £5.300m as set out in table 6 and summarised in table 12;
 - e) An increase in HRA funded schemes totalling £9.605m funded from a combination HRA balances/Right to Buy receipts as set out in table 7 and summarised in table 12.
- ii. Note the total increase in Council borrowing as a result of new schemes being recommended for approval is £40.655m 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 **£559.617m** and covering the financial years 2020/21 to 2024/25 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

45. 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

46. Executive recommends that Council approve:

- i. The proposed treasury management strategy for 2020/21 including the annual investment strategy and the minimum revenue provision policy statement;
- ii. The proposed addition of ethical, social and governance as a 4th criteria for investments after security, liquidity and yield as set out in paragraphs 78 to 82;
- iii. The prudential indicators for 2020/21 to 2024/25 in the main body of the report;

- iv. The specified and non-specified investments schedule (Annex B);
- v. 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 1

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

“Revenue Budget

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

- An additional £40k to fund 1 FTE Officer to improve the early evening family friendly activities and services in the city centre
- An additional £100k to fund youth clubs and young people’s outreach
- Reversal of blacksmith apprenticeship growth - £25k
- £50k reduction of graffiti removal team growth relating to utilities premises (£20k growth retained for private premises)
- Reduction of safer and inclusive communities fund growth - £170k
- Reversal of purple flag promotion growth - £50k
- Revision of narrative in relation to one off growth of £200k Transport Plan Refresh to include ‘making provision within it for options to remove non-essential car journeys through the city centre, and to conclude LTP4 by December 2022’
- £20k one off investment in community wealth building to prepare a report on working in partnership with anchor

organisations in York to procure more goods locally, in order to retain more wealth in the city

- £30k one off investment in a Good Employment Charter to benefit all workers in the city around fair pay, in work progression, training, union recognition, flexibility and predictability of shifts, all geared towards raising living standards of all
- £70k one off investment in substance misuse funding
- Reversal of one off growth £40k - Children and Young People cultural educational opportunities
- Reversal of one off growth £80k – Organisational development programme.'

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

- Reverse saving proposal CEC7 Early Help - £150k.'

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

- EP7: Reversal of inflationary increase to Household Waste Recycling Centre fees - £5k.'

After sub paragraph (i) add a new sub paragraph '(j);

- The one off use of £48k from the Venture Fund to invest in a S106 developer tax tracker to record and monitor s106 to ensure planning gain isn't lost as a result of absence of departmental records
- The one off use of £75k from the Venture Fund to invest in a Children's Commissioner
- The one off use of £200k from the Venture Fund to invest in proof of concept for robotics
- The one off use of £100k from the Venture Fund to invest in development of initial proposals for a voluntary tourist tax and consult on it in 12 months
- The one off use of £60k from the Venture Fund to invest in York Central economic appraisal

- The one off use of £15k from the YFAS reserve to invest in the pension credit campaign
- The one off use of £20k from the YFAS reserve to invest in a Child Poverty Strategy
- The one off use of £20k from the YFAS reserve to invest in child food justice and independent recommendations
- The one off use of £45k from the YFAS reserve to invest in substance misuse funding
- Note the revenue saving of £29k, effective from financial year 2021/22, as a result of the reduction in the prudential borrowing requirement (£410k capital amendment).’ “

After debate, and in accordance with legal requirements, 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 Galvin
Cllr Douglas	Cllr Baker	Cllr Rowley
Cllr Fitzpatrick	Cllr Barker	Cllr Warters
Cllr Heaton	Cllr Craghill	
Cllr Kilbane	Cllr Cullwick	
Cllr Lomas	Cllr Cuthbertson	
Cllr Melly	Cllr D’Agorne	
Cllr Myers	Cllr Daubeney	
Cllr Norman	Cllr Doughty	
Cllr Pavlovic	Cllr Fenton	
Cllr Perrett	Cllr Fisher	
Cllr K Taylor	Cllr Hollyer	
Cllr Webb	Cllr Hook	
Cllr Wells	Cllr Hunter	
Cllr Looker (Lord Mayor)	Cllr Mason	
	Cllr Orrell	
	Cllr Pearson	
	Cllr Runciman	
	Cllr Smalley	
	Cllr D Taylor	
	Vassie	

	Cllr Waller	
	Cllr Wann	
	Cllr Waudby	
	Cllr Widdowson	
17	26	4

The first Labour amendment was therefore declared LOST.

Conservative Amendment

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

“Revenue Budget

In sub paragraph (a) delete ‘£127.223m’ and replace with ‘£126.764m’

In sub paragraph (b) delete ‘£93.808m’ and replace with ‘£93.339m’

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

- An additional £40k for one additional green waste round for christmas tree collection
- An additional £50k to the mental health early intervention fund
- An additional £45k to ‘HENRY’ (Heath, exercise and nutrition for the really young) public health scheme
- An additional £75k to target travel solutions to communities lacking adequate public transport
- An additional £5k to increase the contingency budget
- Reversal of member allowances increase, including all special responsibility allowances, to 2019/20 levels, allowing only for inflation at the rate previously agreed in 2015 - £107k
- Reversal of purple flag promotion growth - £50k
- Reversal of Community engagement officer growth - £40k

- Reduction of climate change delivery programme - £100k
- Further reduction/ removal of climate change delivery programme £50k to fund a scheme to provide grants to subsidise the provision of free electric vehicles to York businesses for 2 months.'

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

- Increase savings proposal CCS16 – reduction in printing budget by £50k
- A reduction in 1 FTE from the Communications Team staff budget - £45k
- A reduction in one Executive Member - £16k
- Removal of the climate change committee Chair - £6k
- Additional income from improved use of West Offices - £100k
- Reduction in overtime budgets - £50k
- Staff reduction of 2 FTE political assistant posts £92k
- Removal of member enquiries service – reduction in staff – £25k
- Staff reduction of 2 FTE Policy Officer posts - £90k
- Delay recruitment of corporate management team member vacancy for one year to ascertain if this post is required in the long term (assumes existing acting up arrangements continue) - £143k.'

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

- EP4: Reversal of 10p parking increase on the day rate - £90k
- EP4: Reversal of £1 evening parking increase for non minster badge holders - £140k.'

In paragraph 43 (ii) third line, delete '3.99%' and replace with '3.49%'."

After debate, and in accordance with legal requirements, 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 Pavlovic	
	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	44	1

The Conservative amendment was therefore declared LOST.

Labour Amendment 2

Cllr Perrett then moved, and Cllr Wells seconded, another amendment on behalf of the Labour Group, as follows:

“Revenue Budget

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

- An additional £30k to increase the care leavers council tax exemption period for an additional 3 years
- Reduction of safer and inclusive communities fund growth - £80k.’

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

- CCS9: Reversal of 2.5% increase to bereavement services fees - £50k.”

After debate, and in accordance with legal requirements, 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 Cullwick	
Cllr Kilbane	Cllr Cuthbertson	
Cllr Lomas	Cllr D’Agorne	

Cllr Melly	Cllr Daubeney	
Cllr Musson	Cllr Doughty	
Cllr Myers	Cllr Fenton	
Cllr Norman	Cllr Fisher	
Cllr Pavlovic	Cllr Hollyer	
Cllr Perrett	Cllr Hook	
Cllr K Taylor	Cllr Hunter	
Cllr Webb	Cllr Mason	
Cllr Wells	Cllr Orrell	
Cllr Looker (Lord Mayor)	Cllr Pearson	
	Cllr Rowley	
	Cllr Runciman	
	Cllr Smalley	
	Cllr D Taylor	
	Vassie	
	Cllr Waller	
	Cllr Wann	
	Cllr Waudby	
	Cllr Widdowson	
18	27	2

The second Labour amendment was therefore declared LOST.

After debate, and in accordance with legal requirements, a named vote was then taken on the **original recommendations**, with the following result:

For	Against	Abstained
Cllr Aspden	Cllr Barnes	Cllr Warters
Cllr Ayre	Cllr Crawshaw	
Cllr Baker	Cllr Doughty	
Cllr Carr	Cllr Douglas	
Cllr Craghill	Cllr Fitzpatrick	
Cllr Cullwick	Cllr Heaton	
Cllr Cuthbertson	Cllr Kilbane	
Cllr D'Agorne	Cllr Lomas	
Cllr Daubeney	Cllr Melly	
Cllr Fenton	Cllr Musson	
Cllr Fisher	Cllr Myers	
Cllr Galvin	Cllr Norman	
Cllr Hollyer	Cllr Pavlovic	
Cllr Hook	Cllr Perrett	
Cllr Hunter	Cllr Rowley	

Cllr Mason	Cllr K Taylor	
Cllr Orrell	Cllr Webb	
Cllr Pearson	Cllr Wells	
Cllr Runciman	Cllr Looker (Lord Mayor)	
Cllr Smalley		
Cllr D Taylor		
Cllr Vassie		
Cllr Waller		
Cllr Wann		
Cllr Waudby		
Cllr Widdowson		
27	19	1

The original recommendations were therefore declared CARRIED and it was

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

58. Council Tax Resolution 2020-21

Finally, and in light of the setting of the budget for 2020/21 under minute no. 58 above, Councillor Aspden moved, and Councillor D'Agorne seconded, the Council Tax resolution for 2020/21, as set out in the report and schedules at pages 43-53 of the Council agenda.

The required named vote was then taken on the Council Tax resolution, with the following result:

For	Against	Abstained
Cllr Aspden	Cllr Rowley	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 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 Waudby		
Cllr Webb		
Cllr Wells		
Cllr Widdowson		
Cllr Looker (Lord Mayor)		
	45	1
		1

The motion was accordingly declared CARRIED, and it was

Resolved: (i) That it be noted that, on 10 December 2019, the Corporate Finance and Procurement Manager, under her delegated authority, calculated the council tax base for the year 2020/21:

- a) for the **whole Council area**, as 67,813.1 [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 set out in column 1 in Schedule A.

(ii) That the Council Tax requirement for the Council's own purposes for 2020/21 (excluding Parish precepts) be calculated as £93,807,900.

(iii) That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Act:

- a) £412,985,402 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) £318,378,340 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- c) £94,607,062 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) £1,395.11 being the amount at 14(c) above [Item R], all divided by Item T, 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) £799,162

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) £1,383.33

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 North Yorkshire Police, Fire & Crime Commissioner for the North Yorkshire Police Authority and the North Yorkshire Fire & Rescue Authority had 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 2020/21 for each part of its area and for each of the categories of dwelling:

City of York Council

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
922.22	1,075.93	1,229.63	1,383.33	1,690.73	1,998.14	2,305.55	2,766.66

North Yorkshire Police Authority

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
177.18	206.71	236.24	265.77	324.83	383.89	442.95	531.54

North Yorkshire Fire and Rescue Authority

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
48.46	56.54	64.61	72.69	88.84	105.00	121.15	145.38

Aggregate of Council Tax Requirements (excluding Parished Areas)

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
1,147.86	1,339.18	1,530.48	1,721.79	2,104.40	2,487.03	2,869.65	3,443.58

(v) That it be determined that the Council's basic amount of council tax for 2020/21 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 2020/21 is excessive and the billing authority is not required to hold a referendum in accordance with Section 52ZK of the Local Government Finance Act 1992.

Cllr Janet Looker

LORD MAYOR OF YORK

[The meeting started at 6.30 pm and concluded at 8.55 pm]