

EXECUTIVE

WEDNESDAY, 7 DECEMBER 2016

DECISIONS

Set out below is a summary of the decisions taken at the Executive meeting held on Wednesday, 7 December 2016. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

Members are reminded that, should they wish to call in a decision, notice must be given to Democracy Support Group no later than 4.00pm on Friday 9 December 2016.

If you have any queries about any matters referred to in this decision sheet please contact Jill Pickering, T: (01904) 552061, E: jill.pickering@york.gov.uk

6. Older Persons' Accommodation Programme Update

Resolved: That Executive:

- (i) Note the contents of the update report.
- (ii) Agree that six monthly progress reports on the Programme be given to Executive.

Reason: So that Executive can be assured that the Older Persons' Accommodation Programme is progressing.

6.1 Burnholme Health & Wellbeing Campus: Key Decisions to Further Progress this Development

Resolved: That Executive agree to:

- (i) Approve capital investment in the refurbishment and redevelopment of Community and Library facilities, subject to Department for Education (DfE) consent to the sale of redundant land to the south of the Site.

- (ii) Approve capital investment in urgent repairs and capital works to the sports facilities on the Site.
- (iii) Request that reports are brought to Executive in 2017 to:
 - Agree the management arrangements for the Community and Library facilities.
 - Agree further investment in the Sports facilities and arrangements for their management.
 - Confirm the appointment of the preferred bidder for the provision of the care home on the Site and any land sales associated with that appointment.
 - Provide details of the health facilities that can be provided on the Site, the structure of the partnership which will deliver them and any land sales associated with delivering these facilities.
 - Agree to receive the recommendation, where relevant, to sell land for housing to the preferred developer.

Reason: (i) & (ii) To progress to delivering the Burnholme Health & Wellbeing Campus including the delivery of a Care Home as part of the Older Persons' Accommodation Programme.

- (iii) So that the elements of the Burnholme Health & Wellbeing Campus can progress.

6.2 Haxby Hall Older Persons' Home: A Sustainable Future

Resolved: That Executive agree to:

- (i) Note the review of options for the future of Haxby Hall.
- (ii) Approve Option C for the Council to seek a partner to take over its ownership and management with a commitment to build a

new care home on the site in the near future and that this option is the subject of consultation with residents, relatives, interested parties and staff of Haxby Hall.

- (iii) Agree that a six week period of consultation is undertaken with residents, relatives, interested parties and staff of Haxby Hall to explore the option to seek a partner to take over its ownership and management with a commitment to build a new care home on the site in the near future and that a further report on the outcome of this consultation be received at the Executive before a final decision to transfer is made.

Reason: To progress to deliver a sustainable future for Haxby Hall as a care home, as part of the Older Persons' Accommodation Programme.

6.3 Lowfield Green Development: Moving forward to deliver a care home, health facility and housing

Resolved: That the Executive:

- (i) Note the feedback from public engagement regarding plans for the redevelopment of the Lowfield site in Acomb following agreement by Executive in July 2016 to move forward with the development of the Lowfield School Site.
- (ii) Agree the spatial plan prepared for the Site as described in the report in order to deliver approximately 162 new homes, a care home, newly built accommodation for health & other public services as well as public open space and an estimated capital receipt of £4.5m, with appropriate adjustments made to the arrangement of homes to the north west boundary of the Site in order to facilitate integration and to the traffic flows through the site to prevent a through-traffic route being opened up between Tudor Road and Dijon Avenue.
- (iii) Agree that the Older Persons' Accommodation Programme includes the procurement of a new

residential care facility on the Site as part of the wider Lowfield Green development.

(iv) Agree to:

- i. procure a developer/operator to construct and operate a Care Home containing approximately 70 beds on approximately 1.4 acres of the Site;
- ii. the developer/operator to be chosen through a competitive process which complies with both the EU Public Contract Regulations and our own Contract Procedure Rules;
- iii. dispose of approximately 1.4 acres of the Site to the developer of the Care Home by way of a long lease in return for payment of a premium/capital sum;
- iv. impose a condition within the lease that the site of the Care Home can only be used as a Care Home for a specified period;
- v. procure a contract under which the Council would seek to purchase access to a specified number of beds in the Care Home at a specified rate for a specified number of years;
- vi. the undertaking by the Council of road construction and other enabling works estimated to cost approximately £993,000 in order to facilitate construction of the Care Home and development of adjoining land for housing; and
- vii. the cost of this procurement and the necessary enabling works initially being paid out of the Older Persons' Accommodation Programme budget and later by receipts from the disposal of land on the Site.

(v) Agree to receive the recommendation to dispose of land for the Care Home to the preferred bidder by way of long lease in accordance with the Council's Financial and Contract Procedure Rules.

- (vi) Agree to the preparation and submission of a planning application (relating to new access routes to the site and other necessary elements of the plan) in order to facilitate the development of the Care Home with the cost of preparing the planning application to be initially funded from the Older Persons' Accommodation Programme and subsequently from future receipts from the disposal of land on the Site.
- (vii) Agree to seek a developer/s or alternatively for the Council to undertake development for housing of approximately 8 acres on the Site.
- (viii) Agree to receive the recommendation, where relevant, to sell approximately 8 acres of the Site for housing development to the preferred developer/s in accordance with the Council's Financial and Contract Procedure Rules.
- (ix) Agree to sell plots of land for use by self-builders and community housing to provide homes on approximately 1 acre of the Site in accordance with the Council's Financial and Contract Procedure Rules.
- (x) Agree to work in partnership with a health care/service partner and North Yorkshire Police to develop a health and public service facility on approximately 1 acre of the Site.
- (xi) Agree to receive the recommendation, where relevant, to sell or lease land for health and other public service users in accordance with the Council's Financial and Contract Procedure Rules.
- (xii) Request that reports are brought to Executive in 2017 to:
 - Provide details of the health facilities that can be provided on the Site and the structure of the partnership which will deliver them.
 - Provide details of the police facilities that can be provided on the Site and the structure of the partnership which will deliver them.

- Provide details of the football facilities that can be created on land off Tadcaster Road.

Reason: (i) to (xi) To progress with the Lowfield Green development and deliver additional care, health and housing facilities for the residents of York.

- (xii) So that the elements of the Lowfield Green development can progress.

7. Park & Ride Service Operator Specification

Resolved: That the Executive:

- (i) Approve Option 2 in the report, noting the increased flexibility that this gives to the Park & Ride operators; and
- (ii) Authorise Council officers to commence a new tendering exercise, at the earliest possible opportunity, to secure an operator for the York Park & Ride service from February 2018.

Reason: To ensure continued operation of the York Park & Ride service and to ensure delivery of the most economically advantageous Park & Ride contract moving forwards.

8. Community Stadium Update Report

Resolved: That Executive agree to:

- (i) Approve the proposed York City Knights RLFC (YCK) financial support towards first team playing arrangements at Bootham Crescent, as set out at table one of this report. This being Council financial support payable per YCK game played at Bootham Crescent up to a net cost of £45,000 per Rugby League season, paid from the existing Project budget.
- (ii) Note the financial position of the Project and the associated financial risks present until Financial Close can be met, as set out at paragraphs 57 to 60 of the report.

- (iii) Note the latest position of the Project's Community Partners and Sport Clubs, as set out in the report.
- (iv) Note the current anticipated Project timetable for delivery of the New Stadium Leisure Complex, as set out at table two of the report.
- (v) Note the position of the ongoing Yearsley Swimming Pool Review and that a further recommendation report on this matter will be brought to Executive early in 2017.
- (vi) Note the highlighted Project risks that have changed since the March 2016 Executive Report, as summarised at table three of the report.

Reason: To ensure continued progress of the Project.

9. City Of York Local Plan - Update on Preferred Sites Consultation and Next Steps

Resolved: That Executive agree to:

- (i) Note progress on the production of a sound Local Plan following the Preferred Sites Consultation, and the additional issues arising post consultation that require further consideration.
- (ii) Instruct Officers to produce a further report on housing need following the DCLG release of the Sub National Household Projections (SNHP) and the consideration of the alternative objective assessment of housing needs submitted through the Preferred Sites Consultation.
- (iii) Instruct Officers to produce a report highlighting the implications of the disposal of MOD land for the supply of housing land within the Local Plan.

- (iv) Request from Officers a further detailed report highlighting implications to the Local Development Scheme.
- (v) Note the impact of the additional costs that will arise and to the requirement to consider as part of the future years budget process.

Reason: (i) to (iv) To produce an National Planning Policy Framework compliant Local Plan.

- (vi) To ensure the costs of developing the Local Plan are clearly budgeted.

10. York Music Hub and York Arts Education

Resolved: That Executive agree that:

- (i) The council ask Arts Council England to novate the council's existing contract for delivery of music opportunities for children and young people to the new York Music Hub.
- (ii) The council transfer its delivery staff to a new community interest company (York Arts Education), spun out from the council, to act as the York Music Hub's delivery partner, subject to negotiation of an appropriate contract as set out in paragraph 19 of the report.
- (iii) The council provide a guarantee to York Arts Education with respect to future redundancy liabilities as set out in paragraph 36 of the report.
- (iv) Delegated authority be given to the Head of Legal Services to draw up appropriate legal agreements to enact these decisions.

Reason: To support the continued development of excellent music opportunities for children and young people in York.

11. Review of Fees and Charges

Resolved: That the Executive approve option 1 to increase the relevant fees and charges, with effect from 1 January 2017, as set out in the annexes to the report.

Reason: To enable the Council to effectively manage its budget.

12. Discretionary Rate Relief Awards 2017-2019

Resolved: That Executive approve all of the new applications for discretionary rate relief set out at Annex B of the report;

Reason: To provide a transparent process for awarding discretionary rate relief.

13. City of York Safeguarding Adults Annual Report 2015/16

Resolved: That the Executive:

- (i) Accept and endorse the Safeguarding Board Annual report and its contents;
- (ii) Agree that the Health Overview and Scrutiny Committee and the Health and Wellbeing Board will be regularly updated as to progress made by Safeguarding Adults Board;
- (iii) Receive a further update following the peer review of CYC safeguarding adults services in January 2017.

Reason: To update the Executive on the work being undertaken across the city to prevent and reduce the impact of neglect and abuse on adults with care and support needs.

14. Burnholme Health & Wellbeing Campus: Key Decisions to Further Progress this Development

Recommended: That Council agree to:

- (i) Add the estimated £4.727m of costs for the community and library facilities to the Capital Programme with the costs to be funded from the capital receipt received from the future disposal of surplus development land on the Site subject to obtaining DfE consent necessary for such

disposal. No capital costs will be incurred until official confirmation of the DfE consent has been received.

- (ii) The estimated £200,000 of costs for urgent repairs and works to the sports facilities are added to the Capital Programme with the costs initially being funded from capital held for the use of the Older Persons' Accommodation Programme and subsequently being paid back from the capital receipt received from the disposal of development land on the Site.

Reason: To progress to delivering the Burnholme Health & Wellbeing Campus including the delivery of a Care Home as part of the Older Persons' Accommodation Programme.

15. Lowfield Green Development: Moving Forward to Deliver a Care Home, Health Facility and Housing

Recommended: That Council agree the estimated £993,000 of costs for the enabling works and the access road needed to facilitate the development are added to the Capital Programme with costs initially being funded from capital held for the use of the Older Persons' Accommodation Programme and subsequently being paid back from the capital receipt received from the disposal of development land on the Site.

Reason: To progress with the Lowfield Green development and deliver additional care, health and housing facilities for the residents of York.