

Meeting	Executive
Date	20 February 2024
Present	Councillors Douglas (Chair), Kilbane (Vice-Chair), Coles, Kent, Lomas and Webb
Apologies	Councillors Pavlovic and Ravilious
In Attendance	Councillor Widdowson
Officers in Attendance	Ian Floyd – Chief Operating Officer Bryn Roberts – Director of Governance Debbie Mitchell – Chief Finance Officer Martin Kelly - Corporate Director Children, Families and Education Michael Melvin – Interim Corporate Director of Adults and Integration Peter Roderick – Director of Public Health James Gilchrist - Director of Transport, Environment and Planning Claire Foale - Assistant Director Policy and Strategy Michael Howard - Head of Highways and Transport Shaun Gibbons - Head of Climate Reduction Kathryn Daly - Head of City Development Simon Brereton - Head of Economy Niall McVicar - Head of Innovation and Children’s Champion Abid Mumtaz - Head of All Age Commissioning and Contracting

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

### **89. Declarations of Interest (17:31)**

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. None were declared.

**90. Minutes (17:31)**

Resolved: That the minutes of the Executive meeting held on 25 January 2024 be approved and then signed by the Chair as a correct record.

**91. Public Participation (17:32)**

It was reported that there had been 7 registrations to speak at the meeting under the Council's Public Participation Scheme.

Cllr Merrett spoke in support of the campaign to reduce speed limits. He highlighted the success in reducing fatalities focus on road safety had in the 90s and 2000s and asked that speed reduction policies be taken into the Local Plan and Transport Strategy.

Anna Semlyen presented a petition from *20's Plenty for Us* on road safety, she asked that the Council support a target of zero deaths or serious road injuries by 2030. Finally she highlighted the difference in stopping distance between 30mph and 20mph.

Andy D'Agorne asked how the Local Bus Service updates would help meet the bus partnerships targets. He stated that the plans didn't address things such as bottlenecks and congestion in the city centre which would prevent meeting targets such as a 25% increase in passengers.

Flick Williams highlighted the negative equalities impact of the bus network changes as outlined in the Equalities Impact Assessment. She practically highlighted the Flaxman Court route loss and that it removed bus access for residents in the area. She asked how these decisions could meet the principals from the transport strategy around shaping a city that is accessible to everyone, shaping healthy places, and reduce dependency on cars.

Cllr Fenton noted that he would have welcomed all Councillors being consulted on the changes to local bus services and hoped for cross party working to maintain the extent of the network. He highlighted the negative impact from the loss of some late night services particularly on those working in hospitality. He

welcomed the reference to Dial and Ride but noted that it will need financial support to run.

Cllr Pearson showed the Executive areas which would be presented with severed connections should the proposed changes be made to the bus network. He asked what mitigations were in place for changes to services such as the 1A or the 13 and suggested that a bus route should service the new Haxby railways station when built to link local areas to the station.

Tony May spoke on behalf of York Civic Trust. He enquired as to how proposed bus service changes would reduce travel deprivation and meet increased patronage targets. He highlighted that the review which had been undertaken did not focus enough on what routes people needed and asked that the review reopened to explore how the Council could meet its targets.

**92. Forward Plan (17:56)**

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.

**93. Local Bus Service Updates (17:56)**

Officers introduced the report they confirmed that proposals set out in the report focused on stabilising the bus network in York. They highlighted rising costs and a decline in patronage since the Covid-19 pandemic as having affected the Council's ability to subsidise parts of the network and outlined the proposed criteria for what routes would be subsidised. They confirmed new BSIP and Zebra 2 funding and made a note of progress in converting the last set of buses in York to electric. Finally they confirmed a correction within the report, that recommendation vi of the report should read paragraphs 38 to 64 not 38 to 52 of the report.

The Executive Member for Transport noted that there was a clear clash between the Council's desire for a bus network that meets residents needs and bus operators which wanted to run routes that were profitable. He outlined that until properly funded there would remain this challenge and therefore the proposals

set out in the report were focused on stabilising the current network and add certainty for passengers that services would not be under further threat of ending. He acknowledged that the loss of routes such as Flaxman Court would negatively affect residents but that the subsidies were not enough to continue running the route and welcomed cross party work into alternatives such as Dail and Ride. Finally he noted that proposals to meet the Council's target of increased patronage and lower congestion would come as part of the Local Transport Plan.

Resolved:

#### Bus Network Review

- i. Noted the York Bus Network Review findings and report produced by Momentum;
- ii. Approved the procurement of short-term bridging extensions to existing subsidised bus contracts for services 1, 4, 6, 10/10A, extending them from 28th April to 2nd June 2024;
- iii. Approved a short-term contract for the weekday bus service 13 for until 2nd June 2024;
- iv. Approved an extension to the short-term contract for the weekday bus service 19, until 2nd June 2024;
- v. Noted the consultation response to proposed supported bus service changes affecting services 1, 11, 12, 13, 14, 16, 19, 24, 25 and 26;
- vi. Agreed to implement the changes recommended in paragraphs 38 to 64 of this report to supported bus services, between June and December 2024
- vii. Delegated authority to the Director of Transport, Environment and Planning (and their delegated officers) in consultation with the Director of Governance and the Chief Finance Officer (and their respective delegated officers) to amend or procure and enter into bus contracts in line with the approved recommendations ii to vi of the report.

#### **BSIP**

- viii. Noted the BSIP programme update;
- ix. Noted and approved acceptance of the BSIP Phase 3 allocation of up to £1,153,000 of revenue funding to support delivery of York's BSIP in 2024/25 and to delegate authority to the Director of Transport, Environment and Planning (and their delegated

officers) in consultation with the Director of Governance and the Chief Finance Officer (and their respective delegated officers) to enter into any related funding agreements.

## **ZEBRA2**

- x. Noted the ZEBRA2 bid submission and that an outcome is expected in March 2024, with a further paper to follow if successful.

Reason: In support of a stable, efficient, sustainable, and affordable bus network that delivers the CYC's stated Bus Service Improvement plan objectives in line with the National Bus Strategy and council policy.

## **94. Construction Skills and Retrofit (18:23)**

Officers introduced the report and outlined that there were not currently enough people trained in York to meet the cities needs for retrofitting. Therefore they sought the Executives support for a Construction Skills Initiative, the use of Shared Prosperity Funding to support training, and support for a project to create a Retrofit One Stop Shop York to assist residents in choosing and understanding retrofit work.

The Executive Leader welcomed that the construction industry was keen to work with the Council on developing these skills within the city. The Executive Member for Economy and Transport welcomed previous work undertaken using the Shared Prosperity Fund and outlined that the Executive would use this funding to develop a skills village for training and delivering well-paying jobs.

The Executive Member for Environment and Emergency outlined that two third of York's greenhouse gas emissions came from its buildings. Therefore, she noted that the proposals would help tackle climate change and bring high paid jobs to York. She also welcomed work to provide guidance that would assist residents to know what they can do in their home.

Resolved:

- i. Thanked the founding members of the Construction Skills Partnership for the work they have begun and endorse their approach to developing a Construction Skills Initiative.

Reason: To recognise the work undertaken by industry partners in developing the initiative, and to support the growth of the York economy and the Council's priorities of affordability, environment, equalities and human rights, and health and wellbeing.

- ii. Noted the progress made on developing models for a Construction Skills Village, delivering on-site training and promoting construction as a career to young people and career changers.

Reason: To support Council Plan commitments and City Strategies.

- iii. Delegated authority for implementing the Innovate UK-funded Retrofit One Stop Shop York project to the Corporate Director of Place.

Reason: To support corporate objectives to combat climate change.

- iv. Approved that the Council enters into any necessary collaborative arrangements and/or contracts with its partners to deliver the ROSSY project, and to delegate authority to the Corporate Director of Place, in consultation with the Chief Finance Officer and the Director of Governance (or their delegated officers), to determine the terms and conditions, and any subsequent modifications and/or extensions thereto.

Reason: To ensure compliance with the Council's Contract Procedure Rules under Appendix 11 of the Council's Constitution and, where applicable, the Public Contract Regulations 2015.

- v. Approved that the Council enters into any necessary grant funding agreements with the funder, Innovate UK, and any necessary onward grant funding

agreements with its partners and/or any other third-parties to deliver the ROSSY project, and to delegate authority to the Corporate Director of Place, in consultation with the Chief Finance Officer and the Director of Governance (or their delegated officers), to determine the terms and conditions of any grant funding agreements entered into, and the provisions of any subsequent modifications and/or extensions thereto.

Reason: To ensure compliance with the Subsidy Control Act 2022, the Council's Financial Regulations under Appendix 10a of the Council's Constitution and the Council's Contract Procedure Rules.

**95. Harewood Whin Green Energy Park (GEP) – Project Initiation (18:49)**

Officers outlined the proposed Harewood Whin Green Energy Park (GEP) project. They confirmed that the site was not appropriate for housing or farming but had been identified for a green energy park and money from the York and North Yorkshire Combined Authority had been secured for developing a business case. It was noted that the proposal could deliver enough energy to power 10,000 homes.

The Executive Member for Environment and Climate Emergency welcomed the report and noted that the proposal to move household waste depot was only a proposal to explore as part of the business case and no decision would be made on this currently. She welcomed the sites potential with sun and wind based renewable energy and the wide set of options to be explored when developing a business case.

Resolved:

- i. Agreed to initiate the Harewood Whin GEP project and the development of a Strategic Outline Case for a preferred way forward.

Reason: To assess the viability and feasibility of the proposed project, reaffirm the strategic context, and determine a preferred way forward for the project that is financially viable.

- ii. Agreed that a Strategic Outline Case will be prepared for the project and presented to the Executive at the conclusion of the first stage of project development (Gateway Review 1).

Reason: To enable the Executive to review the Strategic Outline Case (business case) and determine whether to authorise the project to proceed to the next stage of project development.

- iii. Agreed to initiate governance to assure the project and delegate financial authority for this stage to the Corporate Director of Place to allow the project to proceed to the next Executive decision.

Reason: To progress the project to this next stage, operating within the £243,500 budget allocated by the MCA.

#### **96. York Tourism Strategy (19:05)**

Officers introduced the report and confirmed that the strategy was a partnership piece of work with city partners and asked that the Executive recommend it to Council to approve on behalf of the city. They noted that a section on the Local Visitor Economy and Partnerships should have been included, it was confirmed that York and North Yorkshire had been successful in their bid to be recognised as a LVEP partnership, LVEP work will see the Council match its tourism strategy with the emerging Combined Authority.

The Executive Member for Economy and Transport thanked partners for their work in developing the strategy.

Resolved:

- i. Noted the YNYLVEP status and the requirement to work collaboratively with North Yorkshire Council to prepare a YNY LVEP Year 1 Growth Action Plan and a framework which aligns the York Tourism Strategy and the North Yorkshire Destination Management Plan by 31st March 2024; and
- ii. Delegated the sign off for York input to the collaborative work on the YNYLVEP Growth Action



Plan/YNYLVEP Framework, and any subsequent modifications and/or extensions thereto, to the Corporate Director of Place (and their delegated officers) in consultation and input with other Directors (and their delegated officers) where required.

Reason: To enable collaborative work on the YNLVEP to continue with North Yorkshire Council and Make It York.

**97. Children and Young People’s Plan 2024-2027 (19:27)**

Officers introduced the report and noted that the Children and Young People’s Plan sets out the Council’s shared ambition with its partners. They confirmed that while it was no longer mandatory many local authorities continue to develop them to support young people.

The Executive Member for Children, Young People and Education stated that the plan was in place to help children and young people thrive. He outlined the importance as a York family to support young people and the duty of care the Council and its partners had.

Resolved:

- i. Agreed the Children and Young People’s Plan.

Reason: This is to enable the implementation of the Children and Young People’s Plan alongside partners.

**98. Corporate Parenting Strategy (19:35)**

Officers outlined that one of the Council’s main responsibilities was its role as a corporate parent and that this responsibility had to be considered in everything the Council would undertake. They confirmed that the strategy had been developed working with care experienced people and would feed its work back through the Corporate Parenting board.

The Executive Member for Children, Young People and Education highlighted that the number of children in care was reducing after reaching a high of 280 under the Council last administration. He thanked care experiences people for their help in developing the strategy and thanked York's foster cares for there work. He stated that if anyone was considering being a foster parent that they should contact the Council.

Resolved:

- i. Agreed the Corporate Parenting Strategy.

Reason: This is to enable the implementation of the Corporate Parenting Strategy and its supporting action plan.

**99. Update regarding the Recommission of the current York Reablement service (19:46)**

Officers introduced the report which sort approval to extend the current Reablement Service contract for 6 months to allow Adult Social Care Commissioners time to recommission the Reablement Service. As well as, incorporating the Rapid Response Service into the Reablement Service and tender both services as one opportunity to the open market. They confirmed that the contract would be tendered for £1.4m with a £1.5m ceiling. They confirmed that unlikely previously the contract would be paid on a performance basis noting that previously the value of the contract had not always been meet.

The Executive Member for Health, Wellbeing and Adult Social Care welcomed the report, she noted that the Council was not getting full value from the current contract and it was vital the Council got the reprocurement correct. She highlighted the growing number of those with care needs in the city. She welcomed the additional £1.5m funding provided by central government but noted that this did not meet the challenges posed in adult social care, therefore, it was vital that the Council got the best value for money when commissioning its contracted work.

Resolved:

- i. Noted the current progress and delays to the recommissioning of the Reablement Service since the previous report to the Executive attached as Appendix A;
- ii. Approved the approach to incorporate the Rapid Response Service into the current re-commissioning of our Reablement Service through a joint competitive tendering process, joint specification, and joint contract;
- iii. Approved the revised Open Procurement Procedure timetable set out at Appendix A;
- iv. Approved the extension of the current Reablement Service Contract with HSG;
- v. Delegated authority to the DASS (and their delegated officers) in consultation with the Chief Finance Officer (151 Officer) (and their delegated officers) to seek Providers from the market for the delivery of the new combined Reablement and Rapid Response Service contract (with an initial term of 2-years, and an option for 2-further extensions of 1- year each) via an open, fair and transparent competitive procurement process and evaluation criteria in compliance with the new Procurement Timetable at Appendix A of this Report, the CYC CPRs and the Light Touch Regime under Regulations 74 to 76 and Schedule 3 (the "Light Touch Regime") of Procurement Regs;
- vi. Delegated authority to the DASS (and their delegated officers), in consultation with the Director of Governance (and their delegated officers), to determine the provisions of the new combined Reablement and Rapid Response Service contract, and to award and conclude the Community Wellbeing contract following an open, fair and transparent competitive procurement process and evaluation criteria in compliance with the new Procurement Timetable at Appendix A of this Report, the CYC CPRs and the Light Touch Regime under the Procurement Regs;
- vii. Delegated authority to the DASS (and their delegated officers), in consultation with the Chief Finance Officer (151 Officer) (and their delegated officers) and the Director of Governance (and their delegated officers), to determine the provisions of and conclude

- any subsequent extensions and/or variations to the new combined Reablement and Rapid Response Service contract in compliance with the new contract's terms and conditions, the CYC CPRs and the Light Touch Regime under the Procurement Regs; and
- viii. Delegated authority to the DASS (and their delegated officers), in consultation with the Director of Governance (and their delegated officers), to determine the provisions of and conclude with HSG the 6- month extension to the current Reablement Contract commencing on 1st April 2024 until 30th September 2024, to allow CYC time to commission and transition to the new combined Reablement and Rapid Response Service contract in compliance with the new Procurement Timetable at Appendix A of this Report, the CYC CPRs and the Light Touch Regime under the Procurement Regs.

Reason: Approval The Reablement Service was given by Executive on 12<sup>th</sup> October 2023 to proceed with a competitive tendering process resulting in a new service being implemented from the 1st April 2024.

The Reablement Service is funded by the Better Care Fund and has contributions from both the Council and the ICB. Additional stakeholder engagement has been completed via workshops and multi-agency meetings and this has enabled the specification to be finalised whilst all partners made the necessary contribution to the service specification. Completing this work has caused a delay from the previous timescales submitted.

Further, during this delay period it became clear that there was an opportunity to incorporate the Rapid Response Service into the Reablement Service which would provide efficiencies, improved outcomes, and simplified pathways for people to access both Services. Reducing the need for more costly care such as Residential care.

Tendering both the Reablement and Rapid Response Services together will maximise the use of CYC resources and comply with the CYC CPRs

Rules in terms of completing an open, fair, and transparent process.

The market has not been approached since 2017 and 2019 for these services therefore CYC need to ensure we are receiving value for money. This approach also avoids having to complete two separate tendering exercises. The procurement procedure is subject to the Light Touch Regime under the Procurement Regs and will be completed as an Open Procurement Procedure (see Appendix A for the revised Open Procurement Procedure timetable).

Approving both the revised timetable at Appendix A and the proposed 6-month extension to the current HSG Reablement Service contract will provide the necessary additional time to incorporate the Rapid Response Service into the new contract and allow sufficient time to tender, award and mobilise the new joint service with a start date of 1st October 2024.

If the new timetable and proposed extension to the current Reablement Service contract are not approved, then the Reablement Service contract with HSG will expire on 31st March 2024, CYC will have no replacement service in place, and CYC is at risk of breaching its statutory duties under the Care Act 2014.

Further if, CYC do not proceed to the market, it is highly likely that a challenge from providers would be presented as they have, they have not been given the opportunity to bid for new business in a fair, open, and transparent manner. This would be in direct conflict with the Procurement regs and the CYC CPR's. If provider/s were successful in challenging CYC there could be potential legal fees and additional costs in terms of service provision to be paid. Finally, CYC is at risk of reputational damage if Procurement Regs and the CYC CPR's are not complied with by not tendering business opportunities as this could be perceived as collusion with particular providers within the market.

## **100. Health Protection Annual Assurance Report 19:49)**

The Director of Public Health introduced the report which sort to update and provide assurance to the Executive regarding the work of the Public Health team. He noted the work undertaken during the Covid-19 pandemic and the importance of preparedness against future events and suggested a yearly report be brought to the Executive. He outlined Public Health's current work in the city and noted that the biggest current threat could come from measles and concerns regarding the rise in sexual health care needs suggesting another area of crisis in health care.

The Executive Member for Health, Wellbeing and Adult Social Care thanked the Public Health team for their work. She acknowledged the rise in vaccine fatigue and encouraged people to continue taking up vaccines. She welcomed the work undertaken as outlined in the report and the efforts to learn from the Covid-19 pandemic and improve preparedness.

Resolved:

- i. Noted the report.

Reason: To ensure the Executive are assured of the health protection arrangements in place to protect the local population.

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

### **101. York Tourism Strategy**

Officers introduced the report and confirmed that the strategy was a partnership piece of work with city partners and asked that the Executive recommend it to Council to approve on behalf of the city. They noted that a section on the Local Visitor Economy and Partnerships should have been included, it was confirmed that York and North Yorkshire had been successful in their bid to be recognised as a LVEP partnership, LVEP work will see the Council match its tourism strategy with the emerging Combined Authority.

The Executive Member for Economy and Transport thanked partners for their work in developing the strategy.

Recommended:

- i. Thanked the Tourist Advisory Board (TAB) for their work in preparing a new York Tourism Strategy and recommended the strategy to Full Council so that it can be adopted on behalf of the city.

Reason: To recognise the work undertaken by TAB and industry partners in preparing the strategy, and to support the growth of the York economy and the Council's priorities of affordability, environment, equalities and human rights, and health and wellbeing.

Cllr Douglas, Chair

[The meeting started at 17:31 and finished 20:06].

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