

Executive

Thursday, 18 July 2019

Decisions

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 18 July 2019. 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 4pm on the second working day after this meeting. Please note that the recommendation to Council at Item 13 cannot be called in.

If you have any queries about any matters referred to in this decision sheet please contact Fiona Young.

6. York Central Partnership Update

Resolved: (i) That Option 2 be approved, and £750k be allocated to fund Early Contract Involvement (ECI), further design work and finalisation of a Reserved Matters Application (RMA) for the first phase of infrastructure, including the primary access into the site, new bridge / spine road, drainage, construction of an additional pedestrian and cycle deck onto Severus Bridge and construction of a new rail connection between the NRM and the East Coast Main Line (ECML), to be funded partly from the allocated York Central CYC capital budget (£451k) and Homes England funding (£335k).

(ii) That the £1.25m budget provision previously agreed specifically for early site works be cancelled, with this funding now returned to the remaining unallocated funding for York Central.

(iii) That approval be given to seek financial contributions towards the budget for up front design work from York, North Yorkshire and East Riding (YNYER) Local Economic Partnership (LEP), Leeds City Region (LCR) LEP and YCP ahead of the agreement for HIF funding.

(iv) That the decision to undertake the further design works outlined in Option 3, over and above those set out in Option 2, be delegated to the Deputy Chief Executive in consultation with the Executive Leader, subject to the agreement of additional funds from YNYER LEP, LCR LEP, YCP or the award of HIF funding.

(v) That the final sign-off of the RMA for the delivery of the Phase 1 infrastructure be delegated to the Director of Economy and Place in consultation with the Executive Leader and Deputy Leader.

Reason: To ensure the delivery of York Central and to provide funding to enable the progression of the detailed design and planning for a new access route to York Central within the timescale of available grant funding.

(vi) That a further report be brought back to Executive setting out options and proposals to include York Central in the bus Clean Air Zone.

(vii) That, at the earliest point, the council work to deliver a new Bus Lane to become an integral part of the ph1 Infrastructure, ahead of the timescale required by S.106 conditions; this could be built at the same time as the spine road is constructed, improving bus journey times from day 1.

(viii) That further consultation be carried out with local communities, residents and visitors to the site, via a 'MyYorkCentral' style of consultation.

(ix) That the current Occupier Strategy be reviewed to ensure that commercial spaces encourage clean growth and help contribute to carbon reduction in the city.

(x) That all the areas of opportunity to secure greater social economic and environmental benefits to the city indicated under paragraph 36 of the report be endorsed, and that these areas be explored in

greater detail in order to secure those improvements.

Reason: To ensure that the social, environmental and economic benefits of York Central are delivered and are strongly influenced by community engagement.

7. Developing the Next Council Plan

Resolved: That the Council Plan Outcomes framework be agreed as fit for consultation and that the roll-out of consultation be approved.

Reason: To allow city partners, residents and businesses to contribute to the council's strategic plan for the next 4 years.

8. Children in Care Residential Commissioning Plan

[See also under Item 13]

Resolved: (i) That Option 3, which is within the existing revenue budget, be approved.

(ii) That authority be delegated to the Corporate Director, Children, Education & Communities (CEC) to purchase the individual properties required for service delivery within the agreed capital budget.

(iii) That authority be delegated to the Corporate Director CEC to grant, and agree the terms of, a lease of any purchased properties to the council's appointed service providers.

Reason: In order to develop the city's residential provision for children in care and ensure that the council meets its statutory sufficiency duty.

9. The Provision of School Places and Allocation of School Capital Budgets 2019-2023 to Address Secondary Place Pressures

Resolved: (i) That the options and risks associated with the growth in demand for secondary school places in the south and east of the city be noted.

(ii) That Option 2, to work with Pathfinder and South York Multi-Academy Trusts and allocate Basic Need funding of £10.4m for the provision of additional school places at Archbishop Holgate's Church of England Academy (£4.4m) and Fulford School (£6m), as detailed in paragraphs 14, 19 and 20 of the report, be approved.

Reasons: (i) To enable the council to meet its statutory responsibility to provide sufficient school places and continue to meet duties to deliver high levels of parental preference.

(ii) Option 2 is currently the most cost effective option and minimises in a sustainable way the majority of the likely risks associated with the delivery of additional secondary school places.

10. Annual Report on Financial Inclusion and Welfare Benefits Activities 2018/19

Resolved: (i) That the report be noted.

Reason: To ensure that councillors, residents and groups are aware of financial activity and the use of associated funding and are updated on welfare benefits changes and their impacts.

(ii) That the actions to deliver the agreed recommendations from the Financial Inclusion Scrutiny Review as set out in Annex 3, be approved,

Reason: To ensure that the agreed scrutiny actions are implemented.

11. Public Rights of Way - Review of Definitive Map Processes and Impact of Imminent Implementation of the Deregulation Act 2015

Resolved: (i) That the findings of the Review of the Statement of Priorities be supported and that the revised Statement at Annex 6 be adopted, including the requirement to ensure that any direction from the Secretary of State at Defra (SOS) will be dealt with

within either 3 months or 12 months, according to the type of direction received.

(ii) That an amendment to the current scheme of delegation be authorised so that definitive map modification order applications to make changes to the definitive map and statement will be determined by an Assistant Director or more senior officer with responsibility for the Rights of Way team, in consultation with the Executive Member for Transport and affected ward councillors.

(iii) That a report considering the progress of reducing the backlog of definitive map modification order applications be presented to the Executive Member for Transport every 6 months, with a copy to be sent to the Local Government Ombudsman.

(iv) That an apprentice / trainee role for rights of way be developed, to focus initially on definitive map modification order applications, with the cost of this - £25,000, to be incorporated as unavoidable growth in the 2020/21 budget process for consideration by Full Council when setting the budget for 2020/21.

(v) That further resources be kept under review to ensure that the council delivers on its new commitment to deal with SOS directions within either 3 months or 12 months according to the type of direction received.

Reasons: a) With the aim of eliminating the definitive map modification order backlog in the shortest possible time with the resources available.

b) To reduce the risk of further appeals for non-determination and further complaints to the Local Government Ombudsman.

c) To comply with the findings of the Local Government Ombudsman and prevent a finding of maladministration against the council.

d) To ensure that the statutory escalation process to the Secretary of State results in resolution.

12. Council Supported Local Bus Services

Resolved: (i) That the content of the report be noted.

(ii) That the award of contracts to the winning bidder in respect of routes 11, 14, 19, 20, 21, 24/25/26 and 26 (evening) be approved.

(iii) That the award of a contract for route 10 (evening) be declined, on the understanding that this will be operated commercially at no cost to the council.

(iv) That the award of a contract for route 15 (currently part of route 12) be delayed until further negotiations have taken place with the operators.

(v) That authority to make the final decision on route 15 (currently part of route 12) be delegated to the Assistant Director of Transport, Highways and the Environment, in consultation with the Executive Member for Transport.

(vi) That the additional costs of the tender exercise, to be funded from additional resources identified in the budget amendment agreed by Council on 17 July 2019, be noted.

Reason: To ensure that all residents retain access to a similar level of bus services as are currently available to them, at the best possible value to the council.

13. Children in Care Residential Commissioning Plan

[See also under Item 8]

Recommended: That Council allocate a capital budget of £1.36m, funded from prudential borrowing, to purchase 3 new buildings for the delivery of residential provision in York, with the revenue

costs of the borrowing to be met from existing revenue budgets within Children's Services.

Reason: In order to develop the city's residential provision for children in care and ensure that the council meets its statutory sufficiency duty.