

Meeting	Executive
Date	27 August 2020
Present	Councillors Aspden (Chair), Ayre, Craghill, Cuthbertson, D'Agorne, Runciman, Smalley, Waller and Widdowson
In Attendance	Councillor Myers

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## **21. Declarations of Interest**

Members were asked to declare at this point in the meeting any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests, that they might have in the business on the agenda. No additional interests were declared.

In respect of Agenda Item 6 (Proposal for an Article 4 Direction for the Heslington Conservation Area), the Chair noted that his ward covered both Fulford and Heslington, but he was not a member of Heslington Parish Council.

## **22. Exclusion of Press and Public**

Resolved: That the press and public be excluded from the meeting should any discussion or questions arise on Annexes 1, 2, 3 and 5 to Agenda Item 11 (Creating a New Woodland / Stray for York), on the grounds that they contain information relating to the financial or business affairs of particular persons (including the authority holding that information). This information is classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by the Local Government (Access to Information) (Variation) Order 2006).

## **23. Minutes**

Resolved: That the minutes of the Executive meeting held on 23 July 2020 be approved as a correct record, to be signed by the Chair at a later date.

## 24. Public Participation

It was reported that there had been three registrations to speak at the meeting under the Council's Public Participation Scheme, and three requests to speak by Ward Members.

Cllr Webb, Ward Member for Heworth, spoke on Agenda Item 7 (CYC Recover & Renewal Strategy – August Update). He welcomed the work carried out locally to ensure children's safe return to school, but stressed the need for vigilance and transparency while government guidance remained confusing, and urged that fines not be imposed for non-attendance at school.

Cllr Melly, Ward Member for Holgate, also spoke on Item 7. While supporting the extension of the footstreet zone in the city centre, she expressed concern that Blue Badge holders had not been consulted at an earlier stage, and funding built into the original budget to mitigate the impact the changes may have on them.

Cllr K Taylor, Ward Member for Holgate, spoke on Item 8 (York Museums Trust – Impact of Covid-19). He noted that YMT had chosen not to furlough 54 of its casual staff members despite the low cost of this and suggested that the funding only be granted subject to certain conditions, including repayment of 50% over time, improvements to YMT's commercial offer, free entry for residents under 18 and a better plan to involve families.

Andrea Dudding spoke on Item 9 (Mental Health Housing and Support), on behalf of UNISON. She welcomed the objective of the proposals but opposed the contractual arrangements, urging that an in-house delivery option be considered before a final decision was made.

June Tranmer spoke on Item 11 (Creating a New Woodland / Stray for York), specifically on the draft Pollination Strategy at Annex 6. As Chair of One Planet York, she expressed strong support for the proposals and offered to provide practical help and advice, including suggestions for more street trees, strategies to reduce pesticide use, and adopting the Blue Campaign to encourage re-wilding.

Lars Kramm had also registered to speak on item 11 but could not be connected to the meeting. He had however submitted

written comments to be circulated to Members. These supported the proposals in the report but suggested they be set within the wider context of a tree planting and maintenance strategy for York that would promote inter-connectivity of wooded areas, maintain urban trees, and mitigate the effects of climate change and pollution.

**25. Forward Plan**

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.

**26. Proposal for an Article 4 Direction for the Heslington Conservation Area**

The Conservation Officer presented a report which asked Members to consider a proposal to prepare and serve a non-immediate Article 4 direction covering parts of the Heslington Conservation Area. A map of the area to be covered was attached as Annex A to the report and a draft of the proposed Direction as Annex B.

Service of an Article 4 Direction for the area had been recommended by the Heslington Conservation Area Appraisal in 2009 and requested since 2015 by Heslington Parish Council, which had recently offered £3,000 to fund the preparation and implementation of a Direction. Of this, £2,000 would come from ward funding, £500 from the parish council and £500 from Heslington Village Trust.

The matter had been considered by the Local Plan Working Group (LPWG) at their meeting on 21 August. LPWG had recommended that Executive approve the proposals and asked officers to provide further information in relation to enforcement costs and mitigation of restrictions on the installation of solar panels. This information had been circulated to Executive Members, along with the minutes of the LPWG meeting, and was reported at the meeting. Officers also indicated that the final boundary of the Direction was still subject to discussions with parish council representatives, but that the area to be covered would not exceed that shown on Annex A.

Resolved: That officers be authorised to prepare and serve a non-immediate Article 4 Direction covering parts of

the Heslington Conservation area, and to finalise the boundary of the area covered by the Direction in consultation with parish council representatives.

Reason: It is considered expedient to proceed with this project due to the convincing justification for strengthening planning control in the area, local pressure to do so, and the availability of external funding and adequate resources.

## **27. City of York Council Recovery and Renewal Strategy - August Update**

The Interim Head of Paid Service presented a report which provided an update on activities in response to Covid-19 and work to support recovery and renewal, following the decisions by Executive on 25 June and 23 July 2020 to approve the Recovery and Renewal Strategy and associated plans.

The report included updates across the three recovery themes; Economy (paragraphs 8-14), Communities (paragraphs 15-18) and Corporate, together with the financial context (paragraphs 19-27). Detailed updates on the work of Health, Housing & Adult Social Care, and on the opening and operation of schools and early years settings, were provided in Annexes 1 and 2 respectively. The report highlighted that the forecast number of job losses in York had been revised down to 8,500 and that footfall in the city centre was now at around 70% of normal levels and rising. The forecast budget gap in this financial year remained at c£4m, and shortfalls in Council Tax and Business Rates could affect next year's budget. Claims for Job Seekers Allowance and Council Tax Support had risen significantly.

Responses to the 'Our Big Conversation' survey indicated residents' support for changes to the city centre to help economic recovery, including extending the footstreets. However, since these measures could be in place for some time, engagement had begun with those who would be most affected on how best to mitigate those effects. Funding was sought to support this.

Members welcomed the work carried out in their respective portfolio areas and, having acknowledged the comments made on this item under Public Participation, it was

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

(ii) That officers be authorised to commence engagement with disabled groups and delivery drivers to understand how the changes to the highway layout in response to the current pandemic has impacted upon them and how these can best be mitigated, including longer term considerations (*paragraph 14 of the report refers*).

Reason: To ensure appropriate action is taken to mitigate the effects of these changes.

(iii) That approval be given to use £25k of Local Transport Funding to support the engagement in (ii) above.

Reason: This is considered appropriate, as the engagement will provide useful information for work on a future local transport plan.

## **28. York Museums Trust – Impact of Covid-19**

The Corporate Director of Children, Education & Communities presented a report which proposed a series of actions to respond to a request from York Museums Trust (YMT) for financial support to mitigate the impact of Covid-19.

The report explained that, because 75% of YMT's income came from admissions and commercial trading, closures due to Covid-19 had led to a drastic loss of income at the start of the peak visitor season. Despite doing everything possible to reduce their costs, and securing £412k funding from Arts Council England, YMT still faced a £1.54m deficit and would need financial support to remain a going concern. Should it fail, the three museums that it ran on the council's behalf would revert to the council, creating an immediate and severe financial burden, as set out in paragraph 10.

YMT had requested revenue funding support of £1.35m this year and up to £600k next year. A loan would not be a viable option, as explained in paragraph 12. Since the government support announced in July did not extend to outsourced organisations, it was proposed that officers take steps to lobby government to provide additional funding. In order to secure

YMT's position while this took place, it was proposed to provide a financial guarantee, allowing YMT to run down their reserves in the short term while remaining a going concern. A further report would be brought to Executive in November regarding funding requirements in 2020/21 and 2021/22.

The Executive Member for Culture, Leisure & Communities commended the proposals and responded to the comments made under Public Participation. The Chair noted the importance of the cultural institutions run by YMT and welcomed an offer made by the Leader of the Opposition for support in lobbying government.

- Resolved:
- (i) That the Executive Member for Culture, Leisure & Communities write to the Secretary of State for Digital, Culture, Media and Sport to ask government for additional funding to support YMT in their particular circumstances.
  - (ii) That officers discuss with the Local Government Association the position of local authority museums in trusts, to inform the LGA's lobbying efforts.
  - (iii) That officers provide a letter of guarantee to YMT, providing them with access to a maximum of £1.95m over the next 2 years should it be required.
  - (iv) That payment terms be amended for the reimbursement of payroll costs up to a maximum of 60 days.

Reason: To secure the future of the council's museums.

## **29. Mental Health Housing and Support**

The Corporate Director of Health, Housing & Adult Social Care presented a report which outlined a vision for an improved mental health housing and support pathway in York and set out specific proposals to develop specialist housing and support for people with multiple and complex needs.

The proposals would address difficulties in finding suitable placements for people who were chronically homeless or vulnerably housed and also had mental health needs. They

focused on the development of 53 specialist mental health housing and support places, via new specialist schemes at two properties owned by the council – Woolnough House, off Hull Road, and Crombie House, on Danebury Drive – and 21 Housing First places. The vision was shared by commissioning colleagues in the NHS, and voluntary and community sector partners had been involved in all stages of developing the proposals, as detailed in the report.

In response to matters raised under Public Participation, officers explained that much consideration had been given to how to deliver the new services and that specialist providers with longstanding experience were best placed to do so. Developing the necessary expertise in-house would take too long and would not be financially viable.

Resolved: (i) That approval be given for City of York Council to enter into an agreement with NHS Vale of York CCG and jointly commission new specialist mental health housing and support provision, in the shape of:

- two specialist mental health supported housing schemes that will support 32 places between them (10 places plus 6 satellite flats supported from each site) and
- 21 Housing First places – people in their own properties supported by 3 Housing First workers (7 cases each)

and that authority be delegated to the Director of Health, Housing & Adult Social Care and the Executive Members for Health & Adult Social Care and Housing & Safer Neighbourhoods, in consultation with the Director of Governance or her delegated officers and the S151 Officer, to take such steps as are necessary to enter into the resulting agreement.

(ii) That it be noted that a formal soft-market testing exercise will be undertaken to identify the level of interest from both Registered Social Landlords (to develop the sites) and external partners (to deliver the support), to define the most appropriate structure for the resulting procurement process(es) to select the partners the council will work with.

(iii) That approval be given to procure a Registered Social Landlord (RSL) to develop the sites and an external partner to provide the specialist mental health support services, and that authority be delegated to the Director of Health, Housing & Adult Social Care and the Executive Members for Health & Adult Social Care and Housing & Safer Neighbourhoods, in consultation with the Director of Governance or her delegated officers and the S151 Officer, to take such steps as are necessary to procure, award and enter into the resulting contracts.

(iv) That approval be given to sell the council-owned sites at Woolnough House and Crombie House to the successful RSL bidder as part of the procurement process, to be developed as specialist mental health supported housing schemes.

(v) That approval be given to re-locate the supported housing provision at the council-managed 22 The Avenue in Clifton to the new provision, and to market that site for sale and subsequent disposal, following the development of the two specialist mental health supported housing schemes.

(vi) That approval be given to sell 22 The Avenue once it is vacated, and that authority to proceed with and complete the sale be delegated to the Director of Economy & Place in consultation with the Executive Member for Finance & Performance, and in consultation with the Director of Governance or her delegated officers and the S151 Officer.

Reason: To enable the city to develop specialist mental health housing and support that will address a significant gap in existing provision for people with multiple and complex needs, and to realise capital receipts for three sites currently owned by City of York Council – at Woolnough House, Crombie House and 22 The Avenue.



**30. Amended Decision on the Sale of a Building to Most Effectively Support the Re-provision of the Council's Homeless Accommodation**

The Corporate Director of Health, Housing & Adult Social Care presented a report which set out a proposal to sell 27 & 28 St Marys, instead of 92 Holgate Road as previously agreed, in order to support the cost of provision of temporary homeless accommodation at James House.

92 Holgate Road was currently used by the council for temporary homeless accommodation and was well maintained. The decision to sell it had been made by Executive on 16 March 2017 (Minute 138 of that meeting refers). The St Mary's buildings had not been considered at that stage as they were not within the homeless hostel portfolio. The council's housing related support had since been rationalised and this proposal had arisen from wider discussions around improvements to and investments in the properties leased to the current provider, Changing Lives.

27 and 28 St Marys would need significant investment to bring them up to standard and, if sold, would release a larger capital receipt than 92 Holgate Road. It was also considered that the latter would be a better site for Changing Lives' resettlement service. It was proposed that residents of St Marys would move to Holgate Road once all Holgate Road residents had moved to James House.

**Resolved:** That approval be given to sell 27 & 28 St Marys on the open market to the highest bidder instead of 92 Holgate Road and, if the highest bidder is not necessarily the best offer, that the Corporate Director of Health, Housing & Adult Social Care (in consultation with the Chief Finance Officer or her delegated officer) be authorised to take such steps as are necessary to accept the best offer.

**Reasons:** (i) To support the cost of the provision of the council's temporary homeless accommodation at James House.

(ii) To improve the provision of the properties offered by the council to its partners as part of the resettlement programme.

(iii) To make better use of the council's assets and reduce the ongoing cost of the properties leased to Changing Lives.

### **31. Creating a new Woodland/Stray for York**

The Head of Asset Management and the Head of Corporate Policy & City Partnerships presented a report which set out proposals to acquire land to enable the creation of a large new area of woodland close to the city, providing a green amenity space for residents and planting trees that would contribute to the council's commitment to becoming net carbon neutral by 2030.

Part of the net carbon commitment was an ambition to plant 50,000 trees within the city boundary by 2023. In February 2020, Council had approved a budget of £3m to purchase pieces of land, over a period of 5 years, for that purpose. An opportunity had now arisen to purchase approx. 150 acres of agricultural land that would enable the council to create a community woodland large enough to achieve the target and meet the green space requirements of the Local Plan. A non-binding offer had been made and approval was sought to purchase the land, and to explore the potential purchase of an adjacent plot of land to simplify access and create a more substantial woodland.

The report outlined a high level vision for the woodland to inform its design and layout. This would be consulted on as part of the early community engagement activity. Options for future management would be developed through engagement with a wide range of stakeholders. Benefits to flora and fauna must also be captured; in recognition of this, and in response to a resolution made by Full Council, a draft pollinator strategy had been developed and was attached at Annex 6. It was proposed to refer this to the Climate Change Scrutiny Committee for advice.

The Executive Member for Environment & Climate Change strongly endorsed the proposals and, having noted the comments made under Public Participation, it was

Resolved: (i) That approval be given to acquire the freehold interest in approximately 150 acres of agricultural

land within the City of York Council boundary for £1.65 million, as set out in exempt Annex 3 to the report.

(ii) That the purchase be funded from the existing £3m Northern Forest budget agreed at Budget Council in February 2020, re-profiling the budget to allow the purchase in 2020/21, with officers seeking to obtain where possible the external funding that is potentially available, as set out in the report, as an alternative to the use of this budget.

(iii) That authority be delegated to the Director of Economy & Place, in consultation with the Executive Member for Environment & Climate Change, the S151 Officer and the Monitoring Officer (or her delegated officers) to take such steps as are necessary to complete the purchase once all due diligence has been satisfactorily conducted on the land.

(iv) That authority be delegated to the Director of Economy & Place to grant short term agricultural leases of the land, once acquired, until such time as it can be planted for woodland.

(v) That authority be delegated to the Director of Economy & Place, in consultation with the Executive Member for Environment & Climate Change, the S151 Officer and the Monitoring Officer (or her delegated officers) to take such steps as are necessary to negotiate and complete the purchase of the plot of adjacent land identified in exempt Annex 2 to increase the size of the proposed woodland.

(vi) That it be noted that officers will bring a report to a Decision Session of the Executive Member for Environment & Climate Change to agree the membership and terms of reference for a working group of interested parties which will inform the development of proposals for the layout, planting and long-term management of the woodland.

(vii) That approval be given for officers to prepare options for the development and long-term management of the woodland and bring these back to the Executive.

Reason: To establish a community woodland within the City Council boundary, achieving the Council's ambition to plant 50,000 trees by 2023.

(viii) That authority be delegated to the Director of Economy & Place, in consultation with the Executive Member for Environment & Climate Change, the S151 Officer and the Monitoring Officer (or her delegated officers) to take such steps as are necessary to negotiate and complete the purchase of up to 30 acres of land adjacent to the dualled A1237 for additional tree planting.

Reason: To increase tree planting within the City Council boundary, achieving the Council's ambition to plant 50,000 trees by 2023.

(ix) That the further acquisitions authorised in (v) and (viii) above be funded up to a total of £400k from the £3m Northern Forest budget, acknowledging that that budget will need to be re-profiled from future years to fund the acquisitions.

Reason: To ensure there is a budget available to fund the acquisitions in the year that they occur.

(x) That the draft Pollinator Strategy be referred to the Climate Change Scrutiny Committee, for it to make recommendations to Executive as to how the new pollinator strategy and action plan can strike an appropriate balance with other priorities.

Reason: To inform the development of the Pollinator Strategy.

Cllr K Aspden, Chair

[The meeting started at 5.40 pm and finished at 7.20 pm].