

Meeting	Executive
Date	12 September 2024
Present	Councillors Douglas (Chair), Kilbane (Vice-Chair), Kent, Baxter, Lomas, Pavlovic, Ravilious, Steels-Walshaw and Webb
In Attendance	Councillor Ayre
Officers in Attendance	Ian Floyd – Chief Operating Officer Debbie Mitchell – Director of Finance Frances Harrison – Head of Legal Sara Storey - Corporate Director of Adults and Integration Michael Jones – Head of Housing Delivery and Asset Management Sophie Round - Housing Delivery Programme Manager Maxine Squire - Assistant Director, Education and Skills Kerry Lee - Wraparound Project Officer Dawn Wood - Early Years Extended Entitlements Project Lead James Gilchrist – Director of Transport, Environment and Planning Claire Foale - Interim Director City Director Alison Cooke - Head of Strategic Planning Policy Matt Boxall - Head of Public Protection

PART A MINUTE

23. Declarations of Interest (16:31)

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.

Councillor Lomas stated that she had a prejudicial interest in relation to item 10 on the agenda *Developing a Special*

Educational Needs and Disabilities (SEND) Family Hub as a family member worked in the sector.

24. Minutes (16:32)

The Executive Leader confirmed that Councillor Rose had contacted her about his contribution during public participation and noted that he had presented the views of a local group in favour of pedestrianisation on Acomb Front Street rather than these being his own views. The Executive therefore agreed to amend Councillor Rose's contribution in the minutes to:

'Cllr Rose thanked the Council for the public engagement on the use of Acomb Front Street phase two funding and presented a local campaign group's request for commitment to future pedestrianisation of the space on their behalf. He asked that the Council ensure consultations on transport strategies reach residents across the city.'

Resolved: That the minutes of the Executive meeting held on 13 June 2024 be approved and then signed by the Chair as a correct record with the amendment to Cllr Rose's contribution during public participation.

25. Public Participation (16:33)

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

Flick Williams asked why the Council was not creating a Supplementary Planning Document to the Local Plan to cover accessibility. She raised concerns that building regulations set standards to low and that groups such as the Access Forum were being relied on to much for unpaid advisory work.

Cllr Coles welcomed the use of Lowfield Plot A to provide housing for adults with learning difficulties and autism. With high demand for this type of housing she urged the Executive to try and develop the maximum number of affordable housing possible and to work with the Combined Authority to develop more affordable housing.

26. Forward Plan (16:41)

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.

27. Capital Programme Update Monitor 1 (16:41)

The Director of Finance introduced the report. She outlined the proposal to decrease the 2024/25 budget by £81.72m as costs for some projects would be reprofiled to future years. She also asked the Executive to note the 2024/25 revised capital programme of £134.154m. She also explained that grant award to University of York for the Ousewem Flood Resilience Project had now exceeded the key decision threshold therefore would require Executive approval.

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion stated that with Council's difficult position it was right to move borrowing costs where possible to future years. She noted that a lot of the funding for projects came from external sources, but that the Council did undertake borrowing to support schemes.

Resolved:

- i. Noted the 2024/25 revised budget of £134.154m as set out in paragraph 4 and Table 3;
- ii. Noted the restated capital programme for 2024/25 – 2028/29 as set out in Annex 1;
- iii. Approved the grant award to University of York for £530k for the Ousewem Flood Resilience Project.

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

28. Finance & Performance Monitor 1 (16:44)

The Director of Finance introduced the report and outlined an estimated overspend of £3.4 million, which was an improvement on the same period for the previous year but highlighted further work to achieve a balanced budget.

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion thanked all those across the Council who had worked together to put the Council in a better financial position. She noted that the difference from last years overspend showed the work that had been undertaken and showed what the Council could achieve.

Resolved:

- i. Noted the finance and performance information;
- ii. Noted that work will continue on identifying the savings needed to fully mitigate the forecast overspend;
- iii. Approved the £900k savings identified in paragraph 68 needed to deliver the Place service review saving agreed in the 2024/25 budget.

Reason: To ensure expenditure is kept within the approved budget.

29. Treasury Management Quarter 1 Prudential Indicators (17:00)

The Director of Finance introduced the report and confirmed it has been considered by the Audit and Governance Committee.

Resolved:

- i. Noted the 2024/25 treasury management activity up to the first quarter date ending 30th June 2024;
- ii. Noted the Prudential Indicators outlined in Annex A (updated where applicable) and note the compliance with all indicators.

Reason: To ensure the continued effective operation and performance of the Council's Treasury Management function and ensure that all Council treasury activity is prudent, affordable and sustainable and complies with policies set.

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the first quarter of the 2024/25 financial year, the Council has operated within the Treasury and

Prudential Indicators set out in the Council's Treasury Management Strategy Statement for 2024/25.

There are no policy changes to the Treasury Management Strategy Statement 2024/25 for members to agree and approve; the details in this report update the Treasury Management position and Prudential Indicators in the light of the updated economic position and budgetary changes already approved.

30. Medium Term Financial Strategy Update (17:01)

The Director of Finance introduced the report. She noted that the report outlined planning assumption and that final budget decisions were for the decision of Full Council. She highlighted that the Council was awaiting the Local Government Settlement following the Chancellor of the Exchequer Autumn budget. She confirmed that there remained an expected overspend of £30m over the next 3 years that would need to be addressed.

Resolved:

- i. Agreed the Medium-Term Financial Strategy as outlined in this report.

Reason: To ensure the Council meets future financial challenges and produces a robust budget.

31. Delivery of supported affordable housing at Lowfield Plot A (17:05)

The Corporate Director of Adult services and Integration introduced the reporting noting that there was currently a gap between provision and demand for supported housing. She outlined that supported housing delivered the opportunity for individuals to live longer and happily independent lives, as well as, costing the Council less over time.

The Executive Member for Health, Wellbeing and Adult Social Care welcomed the report and agreed that the Council required more supported affordable housing as there was a growing

demand. She welcomed the fact that supported housing provided the opportunity to live independently and as the Council provided more accommodation it would also allow people to continue to live within their own communities.

Resolved:

- i. Approved the development of Plot A at Lowfield Green for specialist housing for adults with learning disabilities and / or autism utilising the resources of the Housing Delivery Programme working in partnership with Adult Social Care;
- ii. Agreed to the allocation of £480k from the Housing Revenue Account for the design development of Plot A at Lowfield Green to carry out design work and allow for the submission of a planning application and note that a future paper will be brought to the Executive to present a full Business Case prior to procuring and appointing a building contractor;
- iii. Approved the use of the York and North Yorkshire Combined Authority Brownfield Housing Fund grant allocation for this site to support the delivery of housing on this plot and to delegate authority to the Director of Housing and Community Services (in consultation with the Director of Governance and the Director of Finance) to enter into the resulting funding agreement;
- iv. Approved the procurement of an external multidisciplinary team to design the homes and submit a planning application for supported accommodation on Lowfield Plot A and to delegate authority to the Director of Housing and Community Services and the Director of Adults Services and Integration (in consultation with the Director of Governance and the Head of Procurement) to take such steps as are necessary to procure, award and enter into the resulting contracts;
- v. Noted that officers are considering the options for specialist care providers to deliver support services once the property is constructed and will carry out soft market testing with providers and bring back a recommendation to Executive to accompany the full business case.

Reason: To increase the supply of affordable housing options for specialist housing provision in the City. To mitigate future costs of expensive out of area placements and improve the standard of supported housing in the City.

32. Developing a Special Educational Needs and Disabilities (SEND) Family Hub (17:16)

Councillor Lomas left the meeting of this item in accordance with her declaration of interest.

The Assistant Director of Education and Skills introduced the report and outlined the benefit of creating a Special Educational Needs and Disabilities (SEND) Family Hub. She confirmed that the hub would aim to bring together partners and provide a in person space to provide information and support to families.

The Executive Member for Children, Young People and Education highlighted the challenges of navigating the SEND system and welcomed the opportunity of a hub that would support families by bringing together partners and noted that he was pleased to see the Parent Carer Forums involvement.

Resolved:

- i. Approved the creation of a SEND Family Hub within one of the Council's existing Family Hubs. With the greatest opportunity to deliver the SEND hub at the Clifton Family Hub.

Reason: To strengthen The Council's local offer to families in time and ensure a more coordinated response to developing complex need.

33. Commissioning of New and Expanded Places for Childcare Reforms (17:25)

The Assistant Director of Education and Skills introduced the report highlighting the requirement in future years for an expansion in childcare provision. She noted that the Council had received additional capital funding for early years and childcare

and outlined the proposed use of this capital funding to increase provision and grow York's local market.

The Executive Member for Children, Young People and Education outlined the positive impact of early years and child care provision had on children's health and wellbeing.

Resolved:

- i. Approved the capital and revenue spend to create new early years and wraparound places to deliver this ambitious government programme;
- ii. Approved the use of the DfE 2023-34 Childcare Capital Expansion grant allocation to increase the capacity of early years and wraparound provisions in York and use the Dfe Wraparound Programme revenue grant allocation to support the delivery of additional wraparound places for primary school children;
- iii. Delegated authority to the Corporate Director of Children and Education, the Director of Governance and the Director of Finance to take such steps as are necessary to develop the grant allocation process, procure, award and enter into the resulting grant agreements.

Reason: To ensure the delivery of new places in line with government expectations for the phased introduction of new early education entitlements and expansion of wraparound care.

34. Recommissioning of Advocacy Hub Services in York (17:34)

The Corporate Director of Adult services and Integration outlined the importance of advocacy and the need to provide a statutory service. She outlined that advocacy work assisted disabled people to have their voices heard across the care system.

The Executive Member for Health, Wellbeing and Adult Social Care thanked officers for their work and stated that advocacy was crucial in supporting people challenging key decisions and assist people in knowing their rights. She noted the challenges

faced by the service and highlighted the need to provide the service and the work it undertakes which helped people live independent lives.

Resolved:

- i. Approved the procurement of a new Contract for the Advocacy Hub Service for an initial term of 3-years, with an option to extend for up to a further 2-years, and to delegate authority to the Corporate Director of Adult Services and Integration in consultation with the Head of Procurement (or their delegated officers) to take such steps as are necessary to carry out the procurement;
- ii. Delegated authority to the Corporate Director of Adult Services and Integration, in consultation with the Director of Governance and the Head of Procurement (or their delegated officers), to take such steps as are necessary to award and conclude the Contract for the Advocacy Hub Service and to determine the provisions of any subsequent modifications and/or extensions thereto post award.

Reason: The option proposed will comply with CYC's CPRs, the Procurement Regs and the Procurement Act in terms of completing an open, fair, and transparent process as the market has not been approached since 2017.

Further, the provision of the Advocacy Hub Service ensures the Council meets the statutory duty of the Care Act 2014, the Mental Capacity Act 2005, the Health and Social Care Act 2012 and the Mental Health Act 2007 to maintain a stable and sustainable care market. The Council would also meet the needs vulnerable adults identified as benefiting from non-statutory advocacy.

35. Safer York Partnership Community Safety Strategy (17:44)

The Director of Environment, Transport and Planning introduced the report. He outlined that there was a statutory requirement to have a strategy in place. He explained that the strategy was a

multi-agency approach and outlined the Council's responsibility and how it would work with partners and stakeholders.

The Executive Member for Housing, Planning and Safer Communities thanked everyone in the Safer York Partnership for their work developing the strategy. He outlined that the partnership had a wide-ranging remit and operated across York. He welcomed the move to a performance framework within the strategy which would allow greater reporting and monitoring of performance within the work of the partnership.

Resolved:

- i. Approved the content of the strategy which identifies the key role that City of York Council plays in its delivery;

Reason: To progress the strategy to approval at Full Council and note the Council's role in delivery of the strategy.

36. Prioritisation of Supplementary Planning Documents (17:50)

The Interim Director of City Development introduced the report on supplementary planning documents (SPD) seeking agreement to the scope and prioritisation of SPD's to sit alongside the Local Plan. It was confirmed that at the Council's Local Plan working Group had recommended to amend Recommendation 10 to include consideration of short term housing lets in the Housing SPD if timescales allow and guidance on houseboats, to approach the Combined Authority to assist in funding the Council's SPD creation, as well as, acknowledge the Social Model of Disability in every SPD and ensure the SPD guidance follows this model and make sure that accessibility is more visible.

The Executive Member for Housing, Planning and Safer Communities thanked officers for their work on both the Local Plan and the creation of these SPD's. He acknowledged the importance of the SPD's while noting that their role was to support policy within the Local Plan itself. He noted that the Executive were happy to accept the recommendations around short term lets but noted that the Council's was also awaiting a

potential change in the law regarding short term lets from Government.

Resolved:

- i. Noted progress of the ongoing production of the Climate Change SPD;
- ii. Agreed the revised scope for the Housing SPD and Green Infrastructure SPD, as set out in Annex C, and continue to prioritise their production;
- iii. Agreed the scope for a 'Planning for Heath' SPD, as set out in Annex C, and agree its inclusion in the next phase of SPD prioritisation;
- iv. Noted the likely scope for a Transport SPD, as set out in Annex C, to support the implementation of the Local Transport Strategy. Further detail to be delegated to the Director for Transport, Environment and Planning in consultation with the Executive Member for Transport and Executive Member for Housing, Planning and Safer Neighbourhoods;
- v. Agreed that a Gypsy, Traveller and Travelling Showpeople SPD be included in the next phase of prioritisation of SPDs. The scope of the SPD to be delegated to the Director for City Development on consultation with the Executive Member for Housing, Planning and Safer Neighbourhoods;
- vi. That SPDs for Extensions & Alterations of Buildings, Environmental Protection, Culture and Heritage & City Walls be agreed as lower priority for SPD production, due to limited internal capacity to progress these at this time;
- vii. That each draft SPD be reported to Executive for agreement to proceed to statutory public consultation and subsequently, adoption.

Reason: To progress a suite of SPDs to support the policies set out in the new City of York Local Plan to ensure policy is clear and applied consistently.

- viii. Noted the response to the e-petition on HMO thresholds and agreed the continued monitoring of the policy's implementation for consideration as part of future policy review;
- ix. Agreed the continued gathering of evidence to support a potential Article 4 direction to remove

- permitted development rights allowing changes of use of a building in commercial, business and service use (use class E) to residential (use class C3);
- x. Agreed the continued gathering of evidence ahead of Government introducing changes relating to short-term holiday lets, which could support a potential Article 4 direction to restrict permitted development rights and incorporate this into the Housing SPD, if timescales allow.

Reason: to support implementation of the Local Plan and ensure evidence is available to inform a local policy response as appropriate.

37. Enforcement Policy (18:02)

The Head of Public Protection introduced the proposed new policy around enforcement. He noted that the policy would provide a framework for the Council and that the Council would seek to provide help and guidance to individuals and businesses before it would seek to undertaken enforcement action.

The Executive Leader inc. Policy, Strategy and Partnerships welcomed the new policy acknowledging its role across the whole of the Council.

Resolved:

- i. Agreed to adopt the policy in order to guide officers and ensure a consistent approach when enforcement activity is undertaken by the council.

Reason: To ensure the Council operates an effective Enforcement Policy.

38. Lord Mayoralty Points Allocation (18:15)

The Chief Operating Officer introduced the report which presented the Executive with a request to restore unspent points from 2019/2020 in the calculation used determine the next Lord Mayor by the Conservative party which would take effect from the 2025/2026 municipal year.

The Executive Leader inc. Policy, Strategy and Partnerships acknowledged that the Conservative party were eligible in 2019/2020 to nominate a candidate to be Lord Mayor, however, were unable to do so due to the member eligible being unable to take up the role that year. She stated that the Executive were happy to restore those points.

Resolved:

- i. Agreed to implement the requested reallocation of unspent points to the Conservative Group for the 2019/2020 nomination to the current points calculation, such reinstatement to take effect for the 2025/2026 municipal year.

Reason: To ensure the fairness of approach which is appropriate in the nomination of Lord Mayors for Office.

PART B - MATTERS REFERRED TO COUNCIL

27. Capital Programme Update Monitor 1 (16:41)

The Director of Finance introduced the report. She outlined the proposal to decrease the 2024/25 budget by £81.72m as costs for some projects would be reprofiled to future years. She also asked the Executive to note the 2024/25 revised capital programme of £134.154m. She also explained that grant award to University of York for the Ousewem Flood Resilience Project had now exceeded the key decision threshold therefore would require Executive approval.

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion stated that with Council's difficult position it was right to move borrowing costs where possible to future years. She noted that a lot of the funding for projects came from external sources, but that the Council did undertake borrowing to support schemes.

Recommended:

- i. To recommend to Full Council the adjustments resulting in a decrease in the 2024/25 budget of £81.72m as detailed in the report;

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

35. Safer York Partnership Community Safety Strategy (17:44)

The Director Environment Transport and Planning introduced the report. He outlined that there was a statutory requirement to have a strategy in place. He explained that the strategy was a multi-agency approach and outlined the Council's responsibility and how it would work with partners and stakeholders.

The Executive Member for Housing, Planning and Safer Communities thanked everyone in the Safer York Partnership for their work developing the strategy. He outlined that the partnership had a wide-ranging remit and operated across York. He welcomed the move to a performance framework within the strategy which would allow greater reporting and monitoring of performance within the work of the partnership.

Recommended:

- i. Recommended to Full Council for approval in accordance with the Council's Constitution;

Reason: To progress the strategy to approval at Full Council and note the Council's role in delivery of the strategy.

Cllr Douglas, Chair

[The meeting started at 4.30 pm and finished at 6.15 pm].