

Notice of public Decision Session of Cabinet Member for Homes and Safer Communities and Cabinet Member for Finance & Performance

To: Councillors Simpson-Laing and Williams

Date: Thursday, 4 December 2014

Time: 11.45 am

Venue: Goodricke Meeting Room -West Offices (T019)

AGENDA

Notice to Members - Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democracy Support Group by:

4:00 pm on Monday 8 December 2014 if an item is called in *after* a decision has been taken.

*With the exception of matters that have been subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Committee.

Written representations in respect of item on this agenda should be submitted to Democratic Services by **5.00pm on Tuesday 2 December 2014**.

1. **Declarations of Interest**

At this point Cabinet Members are asked to declare:

- Any personal interests not included on the Register of Interests
- Any prejudicial interests or
- Any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. **Minutes** (Pages 1 - 6)

To approve and sign the minutes of the Decision Session - Cabinet Member for Health, Housing and Adult Social Services meeting held on 3 February 2014 and the minutes of the Decision Session - Cabinet Member for Finance & Performance held on 20 November 2014.

3. **Public Participation**

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5.00pm on Wednesday 3 December 2014.**

Members of the public may register to speak on an item on the agenda or an issue within the Cabinet Member's remit.

Filming or Recording Meetings

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officers (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at

http://www.york.gov.uk/downloads/download/3130/protocol_for_webcasting_filming_and_recording_of_council_meetings

**4. New Council House Build Programme (Pages 7 - 16)
Phase 1 - Replacement Site**

The following report seeks approval from the Cabinet Members for Finance and Performance and Homes and Safer Communities to pursue a site at Pottery Lane for new council housing as a replacement for the York Road, Haxby site approved by Cabinet in May 2013.

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Jayne Carr

Contact Details:

Telephone – (01904) 552030

Email – jayne.carr@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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City of York Council

Committee Minutes

| | |
|---------------|---|
| Meeting | Decision Session - Cabinet Member for Health, Housing and Adult Social Services |
| Date | 3 February 2014 |
| Present | Councillor Simpson-Laing |
| in Attendance | Councillor Jeffries |

10. Declarations of Interest

The Cabinet Member was asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests she may have in the business on the agenda. She confirmed she had none.

11. Minutes

Resolved: That the minutes of the last two decision sessions held on 18th and 30th July 2013 be approved and signed by the Cabinet Member as a correct record.

12. Public Participation

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

Councillor Jeffries had registered to speak on agenda item 4, Review of the Service Charges to Sheltered and Sheltered with Extra Care Housing. She queried why the report referred to consultation having being carried out, yet she was aware of residents in Sheltered Housing who had not been consulted.

13. Review of the Service Charges to Sheltered and Sheltered with Extra Care Housing

The Cabinet Member considered a report which outlined proposals to amend the way service charges to the sheltered and sheltered with extra care housing are calculated.

In response to the comments made by Councillor Jeffries, Officers confirmed that sheltered housing residents had not been specifically consulted as the changes had been made as part of an overall review of the Warden Call scheme and the change would be advised to customers in the same way as a rent increase.

The Cabinet Member commented that she would expect Service Managers to be liaising with customers and welcomed the suggestion of house meetings or individual meetings to discuss the changes.

Officers confirmed they would feedback any issues to the Cabinet Member.

Resolved: That the Cabinet Member:

- i. Approved Option 3 to re-structure the service charge in order to accurately reflect the service provided.
- ii. Approved charging co-habitants £3 per week where both parties are in receipt of the service. This charge will be made directly by the Warden Call service.

Reason: To ensure an equitable approach to service delivery regardless of tenure and that the service moves to a full cost recovery model to minimise the impact of the Housing Revenue Account and ensure the service charge is an accurate representation of the service provided.

Councillor Simpson Laing, Chair
[The meeting started at 4.30 pm and finished at 4.40 pm].

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|---------------|---|
| Meeting | Decision Session - Cabinet Member for Finance & Performance |
| Date | 20 November 2014 |
| Present | Councillor Williams |
| In attendance | Councillor Gunnell |

14. Declarations of Interest

The Cabinet Member was asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which he may have in respect of the business on the agenda. None were declared.

15. Minutes

Resolved: That the minutes of the meeting held on 18 September 2014 be approved and signed as a correct record.

16. Public Participation

It was reported that there was one registration to speak at the meeting under the Council's Public Participation Scheme and that one Member of Council had also registered to speak.

Councillor Gunnell spoke in support of the application submitted by Bishopthorpe Road Traders' Association for the Winning Post Public House to be added onto the List of Community Assets. She stated that she was also speaking on behalf of Councillor Fraser and Councillor Merrett, the other Micklegate Ward Councillors. Councillor Gunnell stated that the facilities at the Winning Post, including its function room, were unique to the area and she urged that the Winning Post be included on the list of Community Assets.

Mr Webster spoke in support of the application submitted by the New Earswick and District Indoor Bowls Club for the New Earswick and District Indoor Bowls Club to be added onto the List of Community Assets. He explained the ways in which the

building and car park were currently used and the leasing agreement that was in place. The Cabinet Member was also informed that the club was seeking to expand the social element of what it provided, as it was not sustainable for the club to rely solely on the bowling activity.

The Cabinet Member also noted the written representation that had been received prior to the meeting.

17. Applications for Community Right to Bid under the Localism Act 2011

The Cabinet Member considered a report that asked him to consider the following applications for Community Right to Bid under the Localism Act 2011:

- Winning Post Public House, 127-129 Bishopthorpe Road (application submitted by Bishopthorpe Road Traders' Association)
- New Earswick and District Indoor Bowls Club, Huntington Road (application submitted by New Earswick and District Indoor Bowls Club)

The Cabinet Member considered the options detailed in paragraph 9 of the report. Officers drew attention to the legal implications associated with the options.

- Resolved: (i) That the Winning Post Public House, Bishopthorpe Road be added onto the List of Community Assets.
- (ii) That the New Earswick and Indoor District Bowls Club be added onto the List of Community Assets as per Option 1 in paragraph 9 of the report i.e. the whole site as identified in the application.

Reason: To ensure the Council meets its legislative requirements of the Localism Act 2011 and promotes community access to community facilities.

Councillor Williams – Cabinet Member
[The meeting started at 9.00 am and finished at 9.10 am].



**Report to Cabinet Member for Finance & Performance 4 December 2014
and Cabinet Member for Homes & Safer Communities**

Report from the Assistant Director – Housing and Community Safety

New Council House Build Programme Phase 1 – replacement site

Summary

1. The following report seeks approval from the Cabinet Members for Finance & Performance and Homes & Safer Communities to pursue a site at Pottery Lane for new council housing as a replacement for the York Road, Haxby site approved by Cabinet in May 2013.

Background

2. On 7 May 2013 Cabinet approved the use of 6 sites as part of a first phase of new council house building to deliver in the region of 50 – 70 new homes. The 6 approved sites were:
 - Beckfield Lane
 - Chaloners Road
 - Fenwick Street
 - Hewley Avenue
 - Newbury Avenue
 - York Road, Haxby
3. In addition to these 6 sites Cabinet have approved (6 May 2014) the purchase of 14 new apartments from RHW Developments at the former Pack of Cards public house site.
4. Of the 6 Housing Revenue Account (HRA) sites approved for development by Cabinet, the first 5 have been awarded planning permission, with Beckfield Lane on site (completion February 2015) and the other sites due to commence in the coming months. However, following detailed assessment of the York Road, Haxby site it has been deemed unsuitable for development at this stage. Due to a number of

site constraints it would be challenging to achieve more than two homes on the site which means it is uneconomical to pursue for housing. The site is being considered for a more suitable use as a supported housing scheme for people with learning disabilities.

5. As a consequence an alternative site is required to achieve the aim of building 70 new council homes. The original Cabinet report provided, *'delegated responsibility to the Cabinet Member for Corporate Services to approve any alternative sites following consultation with the Cabinet Member for Health, Housing, and Adult Social Services, should those identified be unable to progress.'* It is to those Cabinet Members (with revised portfolio titles) that this report is presented.

Consultation

6. The Housing Development Team have identified an alternative HRA site for phase one (Annex A). The site is a small linear piece of land on Pottery Lane and is adjacent to the road and Heworth golf course. A feasibility study has indicated that it could provide 6 new 2 bed family houses. It is currently fenced off from public use and is occupied by a number of poor quality trees.
7. To establish the suitability of the site for development several consultations have taken place. An investigation in to site constraints has identified a number of issues which all have potential solutions to allow the site to be developed.
8. In terms of services, a 33kw electricity cable that runs down the grass verge of Pottery Lane cuts directly across the middle of the site. The cost to divert this cable would be prohibitive, and would therefore need to be retained with an easement either side on which building can not take place. However, the feasibility study identifies that this can be accommodated within the scheme design and still allows 6 houses to be built.
9. Consultation with a tree specialist has confirmed that given the poor quality of the trees most or all of these can be removed. A bat survey has highlighted that it is a foraging area, however the advice is that this can be mitigated by clearing the site of trees whilst the bats are hibernating, with targeted new planting outside of the proposed build zone to take place this winter.

10. A pre-application has been submitted to planning to understand any further planning constraints relating to the site and officers are awaiting the outcome, but at this stage it is not anticipated that there are any insurmountable issues.
11. Should a decision be taken to proceed with the site a public information event would take place in advance of the submission of any planning application. It is estimated that the total scheme costs would be in the region of £830,000.

Options

12. There are three options for consideration:
 - Option 1 - the use of a site at Pottery Lane site for new council house building as an alternative to York Road, Haxby
 - Option 2 – officers identify a further alternative site to York Road, Haxby.
 - Option 3 – no replacement site is sought for York Road, Haxby and the phase one of new council housing remains at the 65 homes already identified.

Analysis

13. Option 1 would allow the aim of building 70 new council homes in phase to be achieved. The site is a direct replacement for York Road which had previously been approved by Cabinet for the purposes of new council housing. It is within the HRA and has been approved for this purpose by Corporate Asset Board (14 October 2014), and all the work undertaken to date suggests that it is likely to be a viable development opportunity. It is the view of the Housing Development Team that this represents the best option for a replacement site.
14. Option 2 would require the Housing Development Team to consider other HRA land holdings as an alternative site. This would involve a reassessment of other opportunities which have previously been discounted in favour of Pottery Lane, and detailed consultation to take place on those options which would take several months. Given that this process has already been undertaken and Pottery Lane was deemed to be the best alternative it is the view of officers that this should not be the preferred option.

15. Option 3 has the advantage of requiring no further work at this stage and allows the focus to remain on the delivery of the sites which have planning. The approvals to date will deliver 65 new council homes, which is within the 50 to 70 homes target for this phase. It would also allow Pottery Lane to form part of the proposed sites for the second phase of new council housing, which will be taken to Cabinet in February.
16. However, this would delay the development of the site. This is of particular importance given the advice of the Ecology Officer in relation to the necessary timescales for removal and replanting of the trees during the winter/spring period. Delaying the site until a second phase of new council house building would necessitate waiting until winter/spring 2016 before construction could progress. This would result in a year's delay in providing desperately needed new family housing.

Council Plan

17. Approval to progress with new council housing has a positive impact on four of the five council priorities.
 - Create jobs and grow the economy – As set out in the February 2013 Get York Building Report, investment in the construction industry has a direct positive impact on economic activity, with every £1 spent generating a total of £2.84 in extra economic growth. In pursuing local contractor procurement strategy the council will be directly investing in the local economy and creating employment in the struggling house building sector. In procuring a contractor additional priority will be given to contractors that are committed to offering and providing apprenticeships.
 - Build strong communities – New council housing will provide high quality accommodation for those unable to access housing on the open market. Access to high quality housing in places where people want to live at a price they can afford is a key tenet of the Housing Strategy (2011-15), and is crucial to happiness and well-being.
 - Protect vulnerable people – The new homes will be built to Lifetime Homes standards which are designed to adapt with people's changing care needs, enabling them to remain in their own home and independent for as long as possible.

- Protect the environment – The new homes will be built to a minimum of Code for Sustainable Homes Level 4, which exceeds the council's mandatory requirement to meet code 3 and will reduce carbon emissions on the completed homes and throughout the build process.

Implications

18. The general implications of building phase one of new council housing remain the same as the previous May 2013 Cabinet report. However, given that this is an alternative site to those previously approved property services have been consulted through the Corporate Asset Board and finance have commented in regards to funding.
- (a) **Financial** – The 7th May 2013 report – New Council House Building approved the revised Capital budget of c £7m. The proposed option set out in this report will be funded from within the current approved capital budget (as reflected in the Capital Monitoring reports) that is funding by a combination of HRA funds and Commuted Sums. Officers will however pursue all available alternative finance sources to deliver the scheme in the most financially advantageous way and look to lever in external funding streams as appropriate. This may reduce the call on the HRA investment balance and Commuted Sums.
 - (b) **Human Resources (HR)** – There are no HR implications.
 - (c) **Equalities** – There are not considered to be any negative equalities implications. The new homes will provide housing for people on the council's housing waiting list who are often some of the most vulnerable in society.
 - (d) **Legal** – There are no legal implications.
 - (e) **Crime and Disorder** – There are no crime and disorder implications.
 - (f) **Information Technology (IT)** – There are no IT implications.
 - (g) **Property** – The use of this site has been discussed and approved by Corporate Asset Board on 14 October 2014.
 - (h) **Other** – There are no other implications.

Risk Management

19. The delivery of any new development carries a number of risks. The council will need to procure a contractor, resolve any issues affecting the site, achieve planning permission, and manage the building of the new homes. These all pose challenges to project delivery and the consequent impact on the reputation of the council. However, these are not specific to this site and are related to the existing approved new build council house programme. It does not therefore represent a risk which hasn't already been considered and deemed acceptable.

Recommendations

20. Cabinet Members are asked to approve:

- (a) **Option 1** – The use of the Pottery Lane site for new council house building with authority delegated to the Assistant Director for Housing and Community Safety to approve the budget and funding route.

Reason: To allow the aim of building 70 new council homes as previously approved by Cabinet to met, delivering high quality affordable homes in the shortest possible timeframe.

Contact Details

| | | | |
|---|---|--|---------------------------|
| Author: | | Chief Officer Responsible for the report: | |
| Andy Kerr Housing Strategy Manager Tel No. (01904) 554153 | | Steve Waddington Assistant Director – Housing & Community Safety (01904) 554016 | |
| Report Approved | √ | Date | 29 th Oct 2014 |
| Specialist Implications Officer(s) <i>List information for all</i> | | | |
| Financial Ross Brown Principal Account (01904) 551207 | | | |
| Wards Affected: <i>List wards or tick box to indicate all</i> | | All | <i>tick</i> |
| Heworth | | | |
| For further information please contact the author of the report | | | |

Background Papers:

New Council House Building – Phase 1 Cabinet report (7 May 2013)

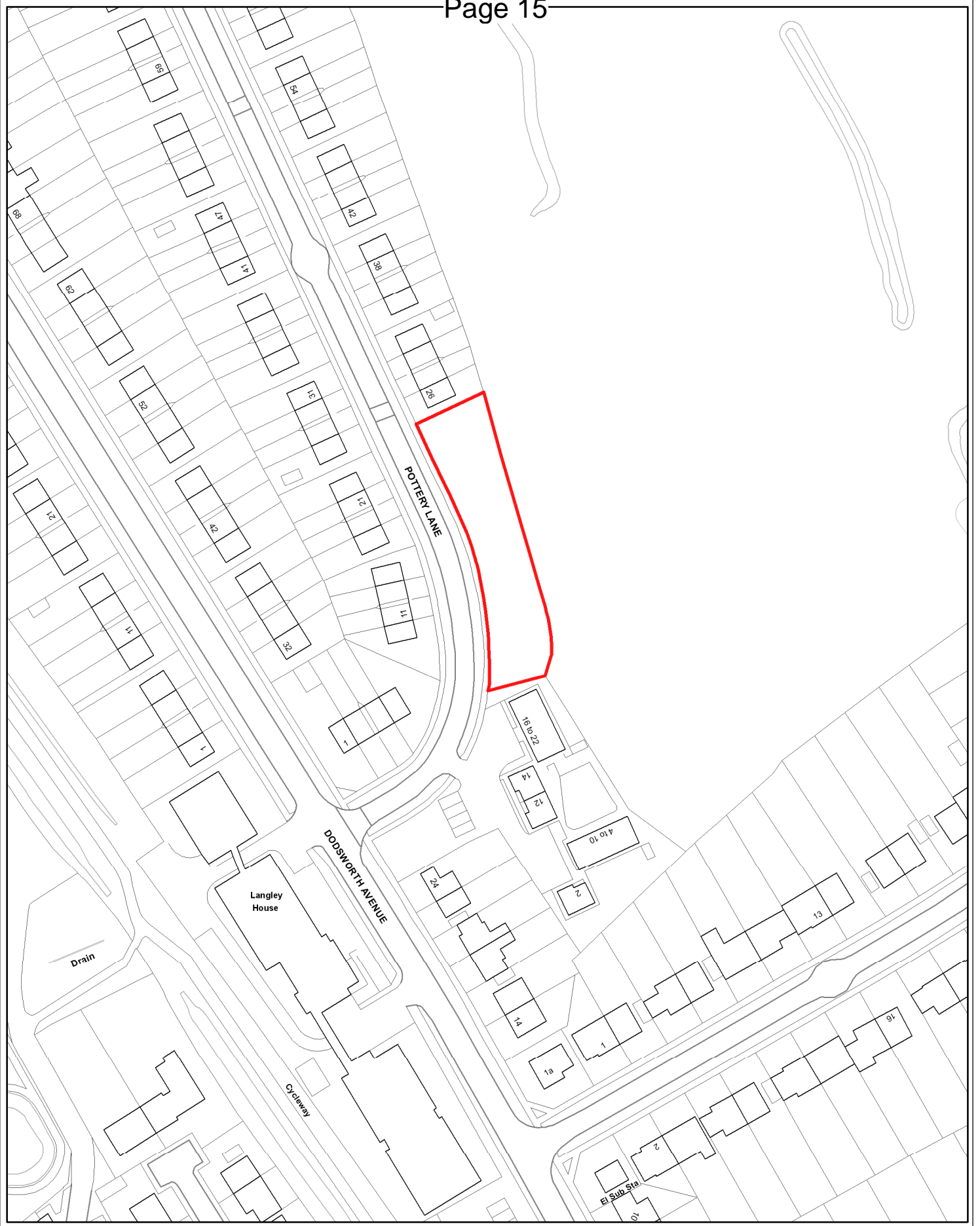
Annexes

Annex A – Pottery Lane site plan

Abbreviations

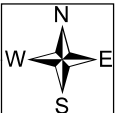
HRA – Housing Revenue Account

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CBSS
Asset & Property
Management

Land at Pottery Lane



SCALE 1:1,250

DRAWN BY: DH

DATE: 23/07/2014

Originating Group:

Asset & Property Management

Drawing No.

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